

STATE OF WISCONSIN MILWAUKEE COUNTY VILLAGE OF HALES CORNERS

ORDINANCE NO. 19 - 05

AN ORDINANCE TO AMEND §15.02(4) NOISES, OF CHAPTER 15 PUBLIC NUISANCES, OF THE MUNICIPAL CODE TO PROVIDE FOR VILLAGE BOARD DECISION-MAKING UPON PERMITTING EXCEPTIONS TO THE TIME OF DAY REQUIREMENTS WHICH MAY ALLOW FOR LOUD OR SHARP NOISES BETWEEN 8:00 P.M. AND 6:00 A.M.

WHEREAS, the Village of Hales Corners Municipal Code §15.02(4) provides for the regulation of noises and provides in part that it shall be unlawful to “[c]onduct a business between 8:00 p.m. and 6:00 a.m. in a manner as to cause or to permit any loud or sharp noises or concussion, except under a permit from the Health Officer; and

WHEREAS, the Village Board having considered the further provisions of §15.02(4) that such permit may be granted “when it appears to his satisfaction that the work proposed during the hours prohibited is necessary for the public welfare”, and having considered the substantial construction work ongoing in the Village and the weather conditions occurring this year, and requests for permits under the Code potentially in conjunction therewith; and

WHEREAS, the Village Board having determined that it is reasonable and necessary that the Village Board be the decision-maker upon the grant of a permit to allow for noise outside of the hours allowed pursuant to the Municipal Code.

NOW, THEREFORE, the Village Board of the Village of Hales Corners, Wisconsin, do ordain as follows:

SECTION 1: §15.02(4) Noises, of the Municipal Code of Hales Corners, Wisconsin, be and the same is hereby amended to read as follows:

Conduct a business between 8:00 p.m. and 6:00 a.m. in a manner as to cause or to permit any loud or sharp noises or concussion, except under a permit from the Village Board. Such permits shall be issued by the Village Board only when it appears to the Board’s satisfaction that the conduct of such business between said hours will not be injurious to the health of those residing in the vicinity of the place where such business is conducted; provided, however, that the Village Board may grant such permit when it appears to the Board’s satisfaction that the work proposed during the hours prohibited is necessary for the public welfare.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of

competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

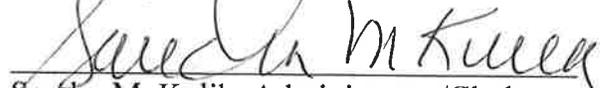
SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

PASSED and ADOPTED this 26th day of August, 2019.




Daniel J. Besson, Village President

Countersigned:


Sandra M. Kulik, Administrator/Clerk