

Ordinance No. 17-22
An Ordinance Amending the West Lafayette Noise Ordinance
Sec. 28-4(2)

Whereas it is unlawful for any person to make any noise or permit any noise to be made which disturbs the peace of any other person in public or on any other property and;

Whereas any noise from construction or the operation of machinery between the hours of 9:00 p.m. through 7:00 a.m. audible is prohibited in this section (28-4-1e) and;

Whereas there is a rebuttable presumption that any noise which is audible to a person on nearby property or premises or on public property more than 50 feet from the source disturbs the peace of another if it is clearly audible to such a person during the hours of 11:00 p.m. through 7:00 a.m. (Section 28-4-2)

Now Therefore Be It Resolved by the Common Council of West Lafayette that Section 28-4-2 of the municipal code be amended to read:

"There is a rebuttable presumption that any noise which is audible to a person on nearby property or premises or on public property more than 50 feet from the source disturbs the peace of another if it is clearly audible to such a person during the hours of ~~11:00 p.m. through 7:00 a.m.~~ 9:00 p.m. through 7:00 a.m."

INTRODUCED ON FIRST READING ON THE 7 DAY OF June, 2022.

MOTION TO ADOPT MADE BY COUNCILOR Leverenz, AND SECONDED BY COUNCILOR Thomas.

THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 7 DAY OF June, 2022, FAILED TO PASS THIS ORDINANCE BY A VOTE OF 2 IN FAVOR AND 7 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Blanco		✓		
Brown		✓		
Bunder	✓			
DeBoer		✓		
Hardesty		✓		
Leverenz	✓			
Parker		✓		
Sanders		✓		
Thomas		✓		


Peter Bunder, Presiding Officer

Attest:



Nichole A. Foster, First Deputy Clerk



PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON THE _____
DAY OF _____, 2022.

Nichole A. Foster, First Deputy Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE _____ DAY OF
_____, 2022.

John R. Dennis, Mayor

Attest:

Nichole A. Foster, First Deputy Clerk