

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1299

BEING AN ORDINANCE RESTRICTING CERTAIN ACTIVITIES IN THE
TOWN OF ST. JOHN TO CERTAIN HOURS OF THE DAY

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has passed and promulgated a nuisance ordinance which addresses certain things as being nuisances and therefore prohibited in the Town of St. John; and

WHEREAS, certain noise regulations appear in the Zoning Ordinance of the Town of St. John, Lake County, Indiana, which are applicable to Light Industrial zoning districts; and

WHEREAS, it has come to the attention of the Town Council of the Town of St. John, Lake County, Indiana, that there are no noise regulations pertaining to certain activities in residentially-zoned areas in the Town of St. John, Lake County, Indiana, and the Town Council has received complaints regarding those certain activities; and

WHEREAS, the Town Council does now find that in order to protect and preserve the health, safety, and general welfare of the citizens of the Town of St. John, certain activities as set forth below should be limited to the times described below.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana, as follows:

SECTION ONE. The following acts are deemed and declared to be unlawful and therefore prohibited in residential and commercial districts in the Town of St. John including, but not limited to, R-1, R-2, R-3, R-4, B-1, B-2, B-3, and I zoned districts:

A. The operation of construction equipment including tools or equipment used in construction, drilling, or demolition including all motor vehicles used in construction, drilling, excavation, bulk materials transport or delivery, or demolition between the hours of 10:00 p.m. and 6:00 a.m.

B. Operating or permitting the use or operation of any powered tools including, but not limited to, saw, drill, sander, grinder, lawn or garden tools, or similar devices utilized outdoors between the hours of 10:00 p.m. and 6:00 a.m.

C. Operating a garbage or refuse collection vehicle or device including all motor vehicles and related equipment for the collection of refuse between the hours of 10:00 p.m. and 6:00 a.m.

D. Nothing in this ordinance or in the foregoing shall apply to Town employees and/or personnel performing Town of St. John work on an emergency basis during such prohibited times.

SECTION TWO. Penalty Provisions. The violation of any provision of this ordinance, as amended from time to time, in addition to any penalties prescribed under applicable state law, shall be as follows:

- A. First offense \$100.00 fine.
- B. Second offense \$250.00 fine.
- C. Third offense \$500.00 fine.
- D. Fourth offense and each offense thereafter \$1,000.00 fine.

SECTION THREE. Notwithstanding any other ordinance to the contrary, this ordinance shall be enforceable by the St. John Police Department, the St. John Building Commissioner, and/or their authorized representatives.

BE IT FURTHER ORDAINED that all existing ordinances, or parts thereof, in conflict with the provisions of this ordinance, are hereby deemed null, void, and of no legal affect, and are specifically repealed.

BE IT FURTHER ORDAINED that if any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this ordinance.

BE IT FURTHER ORDAINED that the Town Council declares an emergency and this ordinance shall take effect and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, pursuant to law.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 7th day of June, 2003.

Aye 4 Nay _____

TOWN COUNCIL, TOWN OF ST. JOHN,
LAKE COUNTY, INDIANA

Michael S. Forbes
MICHAEL S. FORBES, President

Kristie L. Aldridge
KRISTIE L. ALDRIDGE

William M. Winterhaler
WILLIAM M. WINTERHALER

JEROME J. RUDY

Gregory J. Volk
GREGORY J. VOLK

ATTEST:

Sherry P. Surry
SHERRY P. SURRY
Clerk-Treasurer