

648.04 DISORDERLY CONDUCT; UNREASONABLE NOISES.

(a) No person shall recklessly cause inconvenience, annoyance or alarm to another, by doing any of the following:

- (1) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;
- (2) Making unreasonable noise or offensively coarse utterance, gesture or display, or communicating unwarranted and grossly abusive language to any person in such manner as to provoke or encourage a violent response.
- (3) Insulting, taunting or challenging another under circumstances in which such conduct is likely to provoke a violent response;
- (4) Hindering or preventing the movement of persons on a public street, road, highway or right of way, or to, from, within or upon public or private property, so as to interfere with the rights of others and by any act which serves no lawful and reasonable purpose of the offender;
- (5) Creating a condition which is physically offensive to persons or which presents a risk of physical harm to persons or property by any act which serves no lawful and reasonable purpose of the offender.

(b) No person, while voluntarily intoxicated shall do either of the following:

- (1) In a public place or in the presence of two or more persons engage in conduct likely to be offensive or to cause inconvenience, annoyance or alarm to persons of ordinary sensibilities, which conduct the offender, if he were not intoxicated, should know is likely to have such effect on others;
- (2) Engage in conduct or create a condition which presents a risk of physical harm to himself or another, or to the property of another.

(c) Violation of any statute or ordinance of which an element is operating a motor vehicle, locomotive, watercraft, aircraft or other vehicle while under the influence of alcohol or any drug of abuse, is not a violation of subsection (b) hereof.

(d) When to an ordinary observer a person appears to be intoxicated, it is probable cause to believe such person is voluntarily intoxicated for purposes of subsection (b) hereof.
(ORC 2917.11; Adopting Ordinance)

(e) The following acts, among others, are hereby declared to be unreasonable noises in violation of subsection (a)(2) hereof, but such enumeration shall not be deemed to be exclusive:

- (1) The sounding of any horn, bell or other signal or warning device on any automobile, motorcycle, bus or other vehicle, except as a danger or warning signal; however, any such sounding of horn, bell or other signal or warning device as a danger or warning signal shall not be unreasonably loud or harsh or continued for any unnecessary period of time;
- (2) The use of any automobile, motorcycle or other vehicle so out of repair, so loaded or in such manner as to create loud or unnecessary grating, grinding, rattling or other noise;
- (3) The unreasonable discharge into the open air of the exhaust of any steam

engine, stationary internal combustion engine, motor vehicle or motor boat engine without effective and efficient muffling and reduction of noise;

(4) The use of any mechanical device operated by compressed air unless the noise created thereby is effectively muffled and reduced; and

(5) The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or game or display of merchandise, except where a specific permit therefor has been granted by the Chief of Police. (1964 Code §73.03)

(f) No person shall engage in construction or other activities, such as hammering, pounding, grinding or grading, so as to create objectionable or unreasonable noise or a disturbance to neighbors or other residents in the City, between the hours of 7:00 p.m. and 7:00 a.m. Monday through Friday and 7:00 p.m. to 9:00 a.m. on Saturdays, Sundays and official holidays. In case of an emergency, such as a utility outage, significant hardship, or to provide for safe and efficient flow of motor vehicle traffic, the Safety Director may authorize work during prohibited hours.

(g) In case of emergency or serious illness, the Chief of Police may order the temporary cessation of a noisy or disturbing operation or construction work at any time, if necessary for the preservation of the health or safety of the residents of the City.
(Ord. 2008-92. Passed 8-12-08.)