

AMENDING CHAPTER 52 “OFFENCES AGAINST PUBLIC PEACE – SAFETY AND MORALS”, SECTION 52.07 “SOUND APPARATUS” OF THE MUNICIPAL CODE OF THE CITY OF DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb, DeKalb County, Illinois is a home rule community with those powers granted under the provisions of the Illinois Constitution and the Illinois Municipal Code, 65 ILCS 5/1-1-1, et seq.; and,

WHEREAS, the City of DeKalb currently maintains Section 52.07 of the City Code, which relates to Sound Apparatus; and,

WHEREAS, the City Council has determined that it is necessary and advantageous to adopt certain updates to Section 52.07, to protect the public health, safety and welfare, and further finds that such ordinance is narrowly drafted to protect the legitimate public interest in preserving decorum and avoiding undue disturbances or disruptions;

THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

Section 1. Ordinance Amended.

Section 52.07 of the City Code shall be amended as follows:

52.07 Sound Apparatus:

No person shall play, use, operate or permit to be played, used or operated, any radio or other device for receiving broadcast sound, reproducing recorded sound or amplifying sound if the device is located:

- (1) On the public way; or
- (2) In any motor vehicle on the public way; and if the sound generated by the device is clearly audible to a person with normal hearing at a distance greater than 50 feet from the device.
- (3) On any private property, where the sound generated by the device or motor vehicle is clearly audible to a person with normal hearing at a distance greater than 50 feet from the device.

This section shall not apply to any person participating in a parade or public assembly for which a permit has been obtained from the City during the duration of such event, nor to a person with any other City-issued permit for outdoor entertainment or which authorizes the sound amplifying device, during the duration of the permitted event.

The minimum penalty for a violation of this ordinance shall be a fine of Two Hundred Dollars (\$200.00), if paid as a mail-in violation, or Three Hundred Dollars (\$300.00) if a finding of liability is imposed in Court.


Section 2. All ordinances or portions thereof in conflict with this ordinance, including the prior versions of the ordinances included above, are hereby repealed.

Section 3. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

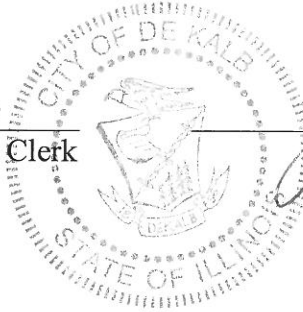
Section 4. This Ordinance shall be in full force and effect after passage and publication pursuant to law. Publication date: November 24, 2015. Effective date: December 3, 2015.

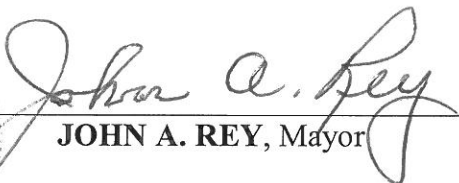
PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 23rd day of November 2015 and approved by me as Mayor on the same day. First reading November 9, 2015. Passed by Omnibus roll call vote of 7-0 on the Consent Agenda. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey.

ATTEST:



JENNIFER JEEP JOHNSON, City Clerk





JOHN A. REY, Mayor