

VILLAGE BOARD Questions & Comments, 1/27/10

143-3

Add to definitions:

INTENSITY – The degree of magnitude or strength of the sound. Volume.

143-5. F & The question of 5th amendment rights

The revised Code provides a mechanism by which to obtain a permit to exempt an activity or event from the sound limits under the Code; in this way the revised Code provides greater flexibility than the current Code. As with the Women in Black, at the corner of Main and North Front, anyone may have a demonstration without a permit, provided that it does not inhibit regular public access to such public areas such as sidewalks and streets; neither the existing nor revised Code would change that. Courts have repeatedly held that free speech is not without limits, and it is within the legitimate ability of the Village to provide for reasonable restrictions that protect the right of other residents to enjoy peace and good order.

143-5.I

Modify the time limits to read:

“...prohibited between the hours of 7:00 p.m. and 8:00 a.m. the following day on Monday through Friday...”

143-11.B

Question as to the viability of these sound levels; these are the same sound levels as used in the City of New York’s noise code’

143-12

Regarding a more reasonable fine/enforcement provision, see attached.