

declared to be in violation of this ordinance.

SECTION 3. The keeping of any animal which, by causing frequent or long-continued noise, shall disturb the comfort and repose of any persons of ordinary sensibilities in the immediate vicinity is hereby declared to be in violation of this ordinance.

SECTION 4. Operations and activities related to the operation of airports and railways are exempted from the regulations of this ordinance.

SECTION 5. ENFORCEMENT

The provisions of this Ordinance shall be enforced by county sheriff's deputies. All citizens' complaints shall be directed to the Sheriff's Department. In determining whether an occurrence constitutes a violation under this Ordinance, the following should be considered:

- (1) The intensity of the noise;
- (2) The general characteristics of the area where the noise is occurring;
- (3) The time of day or night that the noise is occurring;
- (4) The reasonable expectation of quiet that could be expected by individuals on public or private property surrounding the area where such noise is occurring;
- (5) In the case of motor vehicles, whether or not such vehicles are equipped with muffles and/or suppression devices which keep exhaust noises down to a level equal to or below that which the manufactures of such vehicles provided as original equipment designed for acceptable street use.

SECTION 6. PENALTIES

Any person deemed to be in violation of this Ordinance shall first receive a warning from the sheriff's deputy that they and must cease any noise disturbance found to be in violation of this

Ordinance. Any person deemed to be still in violation of this Ordinance after having received a warning shall be issued a citation charging such person(s) with a misdemeanor. A guilty plea or judgement by the Fairfield County Magistrate's Office shall be punishable by a fine of no more than two hundred dollars (\$200.00), or imprisonment not to exceed thirty (30) days.

SECTION 7. CONFLICTING ORDINANCES

Fairfield County Ordinance Number 336 is hereby repealed in its entirety. Any other ordinances or parts of ordinances in conflict with this ordinance or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this ordinance full force and effect.

ADOPTED THIS 14th DAY OF January, 2002, BY ORDER OF THE FAIRFIELD COUNTY COUNCIL.

David L. Ferguson Sr.

Chairman

Robert W. Davis

Vice Chairman

[Signature]

Member

Kennan Johnson

Member

Mary Lynn Kuley

Member

Carolyn S. Robinson

Member

Sheryl A. Brown

Clerk to Council

DB - Absent

Member