

# Tab 5

**ORDINANCE 2017-252**

**AN ORDINANCE TO AMEND THE ORIENTAL CODE OF GENERAL ORDINANCES.**

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ORIENTAL,

**Section 1.** That Chapter H, Article II, entitled GENERAL NUISANCES, following sections be amended as follows:

**Section 3 – Noises Expressly Prohibited**

(f) The erection, excavation, demolition, alteration or repair of any building between the hours of ~~11:00~~ 9:00 pm and 7:00 am, except in the case of urgent necessity, and then only with a permit from the Town Administrator, which permit may be renewed for a period of three days or less while the emergency continues.

(m) ~~The conducting, operating or maintaining of any garage~~ Repair/service facilities or filling station in any residential district so as to cause loud or offensive noises to be emitted there from between the hours of ~~11:00~~ 9:00 pm and 7:00 am.

**Section 5 - Violations**

The provisions of Article V of this chapter notwithstanding, violations of Article II, Sections 1-4 shall be subject to penalties as follows:

(a) First Offense. Any person who violates any portion of sections 1-4 as determined by the ~~Chief of Police~~ Oriental Police Officer, or his designee, shall receive an oral order to cease or abate the noise immediately, or within a reasonable time period, not to exceed five minutes.

(b) If a second violation occurs at the same site within sixty (60) days of the first violation, an oral order to cease or abate need not be issued prior to issuing a citation for violation of any portion of the above-mentioned sections. In addition to, or in lieu of a citation, the ~~Chief of Police~~ Oriental Police Officer, or his designee may order immediate cessation of the noise.

**Section 2.** That these changes become effective immediately following adoption.

**ADOPTED THIS 3<sup>RD</sup> DAY OF OCTOBER, 2017.**

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Sally Belangia, Mayor

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Diane H. Miller, Town Manager

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