

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION TO REGULATE NOISE WITHIN THE UNINCORPORATED  
TERRITORY OF PERRY TOWNSHIP, STARK COUNTY, OHIO,  
PURSUANT TO R.C. 505.172**

RECITALS

WHEREAS, this date, October 21, 2025, Trustee Miller moved to adopt the following Resolution:

WHEREAS, the Board of Trustees of Perry Township, Stark County, Ohio (the "Board") necessarily acknowledges that certain levels of noise are unavoidable and to be expected in everyday commercial, residential, recreational and other social pursuits; and

WHEREAS, it is the judgment of the Board, however, that unnecessary, unreasonable and harmful noise in residential areas of the township, and those areas where a D liquor license is applicable, is detrimental to the public health and safety, and it is a disturbance to the quiet enjoyment of property constituting a public nuisance; and

WHEREAS, it is further the judgment of the Board that the elimination of noise beyond that which is essential, reasonable or otherwise acceptable as part of everyday living is beneficial to all residents of the township and to the community and quality of life as a whole; and

WHEREAS, it is declared the intent of this Resolution to regulate and prohibit noise that is unnecessary and unreasonable in residential areas of the township; and

WHEREAS, it is declared the intent of this Resolution to regulate and prohibit noise that is unnecessary and unreasonable in areas of the township where a D liquor license is applicable; and

WHEREAS, Revised Code Section 505.172 authorizes a board of trustees to adopt regulations and orders that are necessary to control noise within the unincorporated territory of the township that is generated within any area zoned for residential use; and

exceeds seventy (70) decibels for one hour out of twenty-four hours outside of the quiet hours period of **11:00 p.m. and 7:00 a.m.** This shall be applied if the noise created is one cumulative hour of noise at or above seventy (70) decibels. An exception to this one-hour limitation applies in emergency situations like a power outage when residents and businesses may need to run power generators.

4. In determining whether a noise is of such character as to unreasonably disturb the peace and quiet of the neighborhood or the comfort, peace, or health of a person of ordinary sensibilities, a court shall consider the following factors: (a) complaints of neighbors regarding the noise; (b) the time of day at which the noise takes place; (c) the intensity and duration of the noise (i.e., decibel level); (d) the type of noise produced; (e) any alternative means available to eliminate the noise; and (f) any emergency.

5. The following noises or sounds, which constitute a non-exclusive list, may be considered a violation of this Resolution when they violate the prohibitions set forth in this Resolution:

a. **Horns or other Signaling Devices:** The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any public street or public place; a creation by means of any such signaling unreasonably loud or harsh sound; and the sounding of any such device for any unnecessary and unreasonable length of time. This shall not apply to the use of any such signaling device as a warning of danger.

b. **Radios, TVs and Other Devices that Project Sound:** The use or operation of any radio, smart phone/table or other device for the projecting, producing or reproducing sound or amplifying sound with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle, or on the property in which such machine or device is operated and who are voluntary listeners thereto.

c. **Yelling: Shouting.** Yelling, shouting, hooting, whistling, or singing.

d. **Musical Instruments.** The use of any drum or other musical instrument or device with or

attributed to coal mining and reclamation or surface mining activities.

9. Noise resulting from the drilling, completion, operation, maintenance, or construction of any crude oil or natural gas wells or pipelines or any appurtenances to those wells or pipelines or from the distribution, transportation, gathering, or storage of crude oil or natural gas is exempt from the provisions of this Resolution except quiet hours.

10. Nothing in this Resolution shall be deemed to prohibit noise resulting from an emergency or for the performance of emergency work.

11. Noise resulting from organized school-related events such as sporting events, parades or other school sanctioned programs is exempt from the provisions of this Resolution.

12. Noise resulting from civic and neighborhood events that are authorized by the Board or its designee, such as block parties and church-sponsored events, is exempt from the provisions of this Resolution. This exemption shall only be in place during the approved hours of the event.

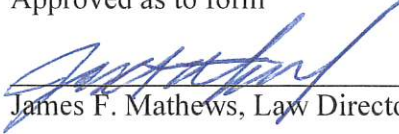
13. Refuse collection operations conducted between the hours of 7:00 a.m. and 11:00 p.m. shall be exempted provided that all equipment is operated in accordance with the manufacturer's specifications and all standard manufacturer's mufflers and other noise-reducing equipment are in use and in proper functioning condition.

14. Pursuant to division (E) of Section 505.172 of the Revised Code, whosoever violates the prohibitions of this Resolution shall be guilty of a misdemeanor of the second degree. Fines levied and collected pursuant to this Resolution shall be paid into the township general revenue fund.

15. Pursuant to division (F) of section 505.172 of the Revised Code, any person aggrieved by another person's violation of this regulation may seek in a civil action a declaratory judgment, an injunction, or other appropriate relief against the other person for committing an act or practice that violates this Resolution. Further, the Board may seek in a civil action an injunction against any person that commits

Attest: \_\_\_\_\_  
*Township Fiscal Officer*

Approved as to form

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James F. Mathews, Law Director

VER 3 (10.17.25)