

PRESSRELEASE

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Ordinances Affect Quality of Life in Michigan City

Michigan City, IN (August 14, 2003) – Chief of Police Gene Simmons announced that the Michigan City Police Department will be directing their attention to city ordinances that have a direct effect on the quality of life enjoyed by residents and visitors.

“Officers will focus on seven city ordinances,” said Chief Simmons, “and citizens are asked to contact the Police Department to report infractions of these ordinances.”

Junk Vehicles

City Ordinance 1986 76.01 states “Junk and abandoned vehicles not to be left in public view.” The ordinance continues to state that no person shall park or store any wrecked, junked or abandoned automobile or other vehicle, or parts thereof, on private or public property within the City except in a garage or other enclosure so as not to be exposed to public view.

City Ordinance 1986 76.02 states that any vehicle shall be deemed to be included in ordinance 76.01 if such vehicle does not have, attached thereto, a valid and current license plate, but such license plate shall not be the sole factor in determining the status of the vehicle.

City Ordinance 1986 76.06 is the Violation Notice: Tow Procedure. This ordinance states that junk or abandoned vehicles can be ticketed with a 10-day notice for a City Ordinance violation or with a 72-hour Indiana State Statute violation. (I.C. 9-9-1.5-5)

Prohibited Noise

City Ordinance Section 46-35 states, “It shall be unlawful for any person to make, continue, or cause to be made, continued or caused any excessive, unnecessary or unusually loud noise, or to create a noise disturbance within the limits of the city.”

The following acts, among others, are declared to be loud, disturbing or excessive noise in violation of this article, but this enumeration shall not be deemed to be exclusive:

1. **Horns & Signaling Devices** - the sounding of any horn or signaling device of any motor vehicle on any public right-of-way, except as a danger warning, or the sounding of such a device for an unnecessary and unreasonable period of time at any place.
2. **Motor Vehicles** - Operating a motor vehicle so as to cause excessive noise levels as a result of unnecessary rapid acceleration, deceleration, revving, tire squeal, or the operating of audio devices such as radios and tape players.
3. **Radios, TVs and Similar Devices** - Operating or permitting the use or operation of any radio receiving set, musical instrument, television, phonograph, drum or other device for the production or reproduction of sound in such a manner as to cause noise disturbance; or operating such devices in a manner as to be plainly audible across property boundaries or through partitions common to two parties within a building, or plainly audible at 25 feet from the device when operated within a motor vehicle parked on public right-of way.
4. **Exterior Loud Speakers** - using or operating any mechanical devices or loudspeakers in a fixed or movable position exterior to any building, so that the sound therefrom is plainly audible and causes a noise disturbance beyond the property boundary of work. Emergencies are exempt from this subsection.

5. **Animals** - Owning, keeping, possession or harboring any animal which, by frequent or habitual howling, barking, meowing, squawking or other noise making, causes a noise disturbance.
6. **Vehicle Repairs or Testing** - Repairing, rebuilding, modifying or testing any motor vehicle or off-road vehicle or motorboat in or near a residential use district in such a manner as to cause noise disturbance, between the hours of 7:00 p.m. and 8:00 a.m., local time.
7. **Powered Model Vehicles** - Operating or permitting the operation of powered model vehicles between the hours of 8:00 p.m. and 8:00 a.m. the following morning, in such a manner as to cause a noise disturbance.
8. **Standing Motor Vehicles** - Operating or permitting the operation of the motor of any motor vehicle whose manufacturer's gross weight is in excess of 10,000 pounds, or any attached auxiliary equipment, for a period longer than three (3) minutes in any hour while the vehicle is stationary on public or private property and is not within a completely enclosed structure.
9. **Muffler Exhausts** - Discharging into the open air the exhaust of any stationary internal combustion engine or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom. No person shall modify or change the exhaust muffler, intake muffler or any other noise abatement device of a motor vehicle in a manner so that the noise emitted by the motor vehicle is increases above that emitted by the vehicle as originally manufactured.

City Ordinance Section 46-63 says that, if a member of the police department has reason to believe that noise from any source violates the provisions of this article, he/she may issue the owner or operator for the source in question a violation notice. The fine for a Noise Ordinance Violation Ticket is \$75.00.

Littering

Officers will be enforcing littering laws aggressively. Littering violations can be enforced by issuing a State Ticket. The fine for Littering is \$140.00.

Indiana Criminal Code 35-45-3-2 regarding littering states that (a) a person who recklessly, knowingly, or intentionally places or leaves refuse on property of another person, except in a container provided for refuse, commits littering, a Class B Infraction; (b) "refuse" includes solid and semisolid wastes, dead animals, and offal; and (c) evidence that littering was committed from a moving vehicle other than a public conveyance constitutes prima facie evidence that it was committed by the operator of the vehicle.

Speeding

Officers will also be actively enforcing speeding violations. Fines for speeding are as follows:

01-15 MPH over... \$100.00 16-25 MPH over... \$110.00 26-MPH and over... \$120.00

Chief Simmons said "These four violations have an impact on the quality of life in all of our neighborhoods. Officers of the Michigan City Police Department will be aggressively enforcing them, providing a sense of safety and security for the citizens of Michigan City."

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