

**VILLAGE OF CLEVELAND  
MANITOWOC COUNTY, WISCONSIN**

**ORDINANCE NO. 2023-O-14**

**AN ORDINANCE TO AMEND SEC. 9-2-9 AND SEC. 9-6-5  
TO ADDRESS LOUD AND UNNECESSARY NOISE**

**WHEREAS**, the Village Board has determined the public health, safety, and welfare requires limitations on loud and unnecessary noise, and updating the code of ordinances will provide greater clarity and improve enforcement;

**NOW, THEREFORE**, pursuant to Section 61.34, Wis. Stats., the Village Board of the Village of Cleveland do ordain as follows:

Section 1. Section 9-2-9 (b) of the Village of Cleveland Code of Ordinances is amended as follows:

Sec. 9-2-9. - Loud and unnecessary noise prohibited.

(b) *Types of loud and unnecessary noises.* The following acts are declared to be loud, disturbing, and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive:

(2) *Radios, phonographs, similar devices.* The using, operating, or permitting to be played, used or operated, of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound in a loud and unnecessary manner. Such use, operation, or permission thereof at any time is a violation of this ordinance. The operation of any set, instrument, phonograph, machine, or device between the hours of 11:00 p.m. and 7:00 a.m. in a manner as to be plainly audible at the property line of the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section. The exemption under 9-2-9 (a) (9) c. does not apply to this subsection (a) (2).

Section 2. Section 9-6-5 of the Village of Cleveland Code of Ordinances is amended, and Section 9-6-5 (l) is created as follows:

Sec. 9-6-5. - Public nuisances affecting peace and safety.

The following acts, omissions, places, conditions, and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within the definition of section 9-6-2:

(l) *Loud and unnecessary noise.* All acts enumerated in Sec. 9-2-9 are incorporated in this section as if stated herein.

Section 3. This ordinance shall be effective upon adoption and posting.

Adopted this 17<sup>th</sup> day of October, 2023.

**VILLAGE OF CLEVELAND**

  
Jake Holzwart, Village President

**ATTEST:**

  
Stacy Grunwald, Village Clerk-Treasurer

MOTION: WAROSH/ENGEL

VOTE: 7 Ayes 0 Noes 0 Abstentions

EFFECTIVE DATE: 10/25/2023