

## ORDINANCE NO. 23- 10

### AMENDMENT TO THE TOWN OF ROME CODE CHAPTER 260

#### SECTION 260-2 RADIOS OR OTHER ELECTRIC SOUND-AMPLIFICATION DEVICES

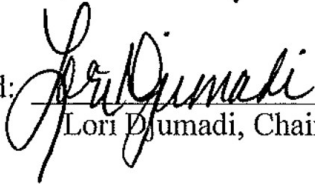
#### SECTION 260-5 DEFINITIONS

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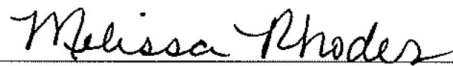
The Town Board of the Town of Rome, Adams County, Wisconsin, hereby amends the Town of Rome Code of Ordinances as set forth in Exhibit A, which is attached hereto and incorporated herein by reference. The amendment shall be published or posted pursuant to section 60.80 Wis. Stats. and shall take effect the day after such posting or publication.

Adopted this 7<sup>th</sup> day of September, 2023.

Approved: \_\_\_\_\_

  
Lori Djumadi, Chairperson

Attested: \_\_\_\_\_

  
Melissa Rhodes, Town Clerk/Treasurer

## Chapter 260, Noise

### § 260-2 Radios or other electric sound-amplification devices.

A. Except as provided in § 347.38(1), Wis. Stats. no person may operate or park, stop or leave standing a Motor Vehicle while using a radio or other electric sound amplification device emitting sound from the vehicle that is clearly audible under normal conditions from a distance of 50 or more feet, unless the electric sound amplification device is being used to request assistance or warn against an unsafe condition. This section does not apply to any of the following:

- (1). The operator of any authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm.
- (2). The operator of a vehicle of a public utility, as defined in § 196.01(5), Wis. Stats. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- (3). The operator of a vehicle that is being used for advertising purposes.
- (4). The operator of a vehicle that is being used in a community event or celebration, procession or assemblage.
- (5). The activation of a theft alarm signal device.
- (6). The operator of a motorcycle being operated outside of a business or residence district.

**B. No person may operate or park, stop or leave standing a ATV/UTV, bicycle, golf cart, moped, motor bicycle, electric personal assistive mobility device or boat while using a radio or other electric sound amplification device emitting sound from the vehicle that is clearly audible under normal conditions from a distance of 75 or more feet, unless the electric sound amplification device is being used to request assistance or warn against an unsafe condition.** § 260-5 Definitions.

For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meaning given herein. If not defined herein, the word, term or phrase shall have the definition commonly accepted including a relevant definition contained in the Wisconsin Statutes. When not inconsistent with the context, the words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory:

### **FARMING**

The operation of a farm owned or rented by the operator.

### **MOTOR VEHICLE**

Any automobile, truck, trailer, semitrailer, tractor, motor bus or any self-propelled or motor driven vehicle, except a motorcycle, moped, motor bicycle, electric personal assistive mobility device, or vehicle operated on rails.

**OPERATOR**  
Operator shall mean any person who has charge, care or control of a building, structure or premises or part thereof.

### **PERSON**

Includes a corporation, firm partnership, association, organization and any other group acting as a unit as well as individuals, including a personal representative, receiver or other representative appointed according to law. Whenever the term "person" is used in any section of this chapter prescribing a penalty or fine, as to partnerships or associations, the work shall include the partners or members thereof, and as to corporations, shall include the officers, agents or members thereof who are responsible

for any violation of such section.

#### **TOWN**

The Town of Rome, Adams County, Wisconsin, or any duly appointed designate thereof, including, but not limited to, the Town Board and Town committees.

#### **TOWN BOARD or BOARD**

The present governing body of the Town or any successors to the legislative power of said body, or any duly appointed designate thereof.

#### **UTILITIES**

Public and private facilities, such as water wells, water and sewage pumping stations, water storage tanks, electrical power substations, static transformer stations, telephone and telegraph exchanges, microwave radio relays and gas regulation stations, inclusive of associated transmission facilities but not including sewage disposal plants, municipal incinerators, warehouses, shops, storage yards and power plants.

#### **VEHICLE**

A motor vehicle, ATV/UTV, boat, golf cart, bicycle, moped, electric personal assistive mobility device, trailer, semitrailer or mobile home, whether or not such vehicle is registered under Wisconsin Law.

#### **YARD**

An open space on a lot which is unoccupied and unobstructed by buildings from its lowest level to the sky.