

**RESOLUTION REGULATING VEHICLE  
AND ENGINE NOISE**

WHEREAS, Revised Code Section 505.17 authorizes a board of township trustees to make such regulations and orders as are necessary to control passenger car, motorcycle, and internal combustion engine noise, as permitted under Revised Code Section 4513.221; and

WHEREAS, Revised Code Section 4513.221 authorizes a board of township trustees to regulate noise from passenger cars, motorcycles, or other devices using internal combustion engines in the unincorporated area of the township; and

WHEREAS, the Board of Township Trustees of Swanton Township, Lucas County, Ohio, has received complaints from residents with regard to loud noises emitted from passenger cars and motorcycles; and

WHEREAS, such residents have complained that these noise emissions have occurred at all times of the day and night; now therefore,

BE IT RESOLVED by the Board of Township Trustees ("Board") of Swanton Township, Lucas County, Ohio ("Township"), as follows:

SECTION 1. Passenger cars and motorcycles of a type subject to registration are prohibited from operating, within the speed limits specified herein, under any condition of load, acceleration, deceleration in such manner, as to exceed the following maximum noise limits based on a distance of not less than fifty feet from the center of the line of travel:

- (1) For passenger cars:
  - (a) When operated at a speed of thirty-five miles per hour or less, a maximum noise limit of seventy decibels;
  - (b) When operated at a speed of more than thirty-five miles per hour, a maximum noise limit of seventy-nine decibels.
- (2) For motorcycles:
  - (a) When operated at a speed of thirty-five miles per hour or less, a maximum noise limit of eighty-two decibels;
  - (b) When operated at a speed of more than thirty-five miles per hour, a maximum noise limit of eighty-six decibels.

SECTION 2. Maximum noise limits established pursuant to SECTION 1 of this resolution shall be measured on the "A" scale of a standard sound level meter meeting the applicable requirements for a type 2 sound level meter as defined in American national standards institute standard S1.4--1983, or the most recent revision thereof. Measurement practices shall be in substantial conformity with standards and recommended practice established by the society of automotive engineers, including SAE standard J 986 A NOV81, SAE standard J 366 MAR85,

SAE standard J 331 A, and such other standards and practices as may be approved by the federal government.

SECTION 3. Passenger cars, motorcycles, or other devices using internal combustion engines are prohibited from operating within the Township in the following manner:

- (1) operating or causing to be operated any motor vehicle, agricultural tractor, motorcycle, all-purpose vehicle, or snowmobile not equipped with a factory-installed muffler or equivalent muffler in good working order and in constant operation;
- (2) removing or rendering inoperative, or causing to be removed or rendered inoperative, other than for purposes of maintenance, repair, or replacement, of any muffler;
- (3) discharging into the open air of exhaust of any stationary or portable internal combustion engine except through a factory-installed muffler or equivalent muffler in good working order and in constant operation;
- (4) racing the motor of any vehicle described in division (1) of this section in such a manner that the exhaust system emits a loud, cracking, or chattering noise unusual to its normal operation.

SECTION 4. Whoever violates the prohibition set forth in SECTIONS 1 or 3 above is guilty of a minor misdemeanor. Fines levied and collected under this Resolution shall be paid into the Township General Revenue Fund.

SECTION 5. The Fiscal Officer is hereby directed to post this resolution in five conspicuous places in the Township for thirty days and direct that it be continuously posted on the Swanton Township website.

SECTION 6. These regulations shall become effective at the expiration of the thirty posting period required in SECTION 5.

SECTION 7. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.