

TOWN OF MOUNT MORRIS, NEW YORK
Local Law No. 1 of 2026

A Local Law Revising the Town's Noise Ordinance

Be it hereby enacted by the Town Board of the Town of Mount Morris as follows:

Section 1: Purpose, Intent, And Findings.

In recent months, the Town of Mount Morris has received an inordinate number of noise complaints from residents and occupants of residential properties. Many of these complaints stem from properties that have been the subject of earlier complaints, resulting in repeat responses from police and other officials. These disturbances and resulting complaints therefore drain Town and Livingston County resources and further adversely affect the quality of life of local residents and visitors alike. As such, the Town of Mount Morris Town Board finds that stricter penalties for noise ordinance violations are necessary to deter continued violations. Additionally, the Town's current noise ordinance requires measurements of decibel levels at property boundaries, which cannot be feasibly enforced by the Livingston County Sheriff's Office. The standard by which noise violations are evaluated has therefore been modified to align with the standard set forth under New York State's Penal Code.

Section 2: Repeal and Replace of Town Code § 19-3

Sections 19-3(A)-(C) of the Town Code of the Town of Mount Morris are hereby repealed and replaced by this Local Law.

Section 3: Excessive, Unnecessary Noise Prohibited During Certain Hours. Property owners or occupants of property located in the High Density residential district (H.R.) are prohibited from producing or emitting sustained, unnecessary noise levels extending beyond the property boundaries that causes or may cause a nuisance to nearby property owners or occupants of nearby properties between the hours of 11:00 p.m. and 7:00 a.m.

Section 4: Definitions. For the purposes of this local law, the following definitions shall apply:

- A. The term "sustained noise" shall mean any noise above the levels permitted by this local law that continue for a period of more than five (5) minutes.
- B. The term "unnecessary noise" shall mean any noise above levels permitted by this local law that is not caused by regular property maintenance activities (such as lawn mowing, tree care, or farm work).

Section 5: Noise Complaints. Noise complaints must be submitted by phone or email to the Town Code Enforcement Officer and Livingston County Sheriff's Department. The Town Code Enforcement Officer must keep a record of all noise complaints. In addition to any recordings of the alleged noise violations, such complaints should include:

- A. The dates and times of alleged noise violation; and

- B. The origin/location of the alleged noise.

Section 7: Enforcement. Following receipt of such complaint, the Code Enforcement Officer (or other enforcing official) shall notify the alleged offender via verbal or written notice, a copy or recitation of which shall be provided to the complainant. Following an initial complaint, the Code Enforcement Officer (or other enforcing official) may investigate whether repeated violations of Town's noise ordinance are occurring in connection with the alleged offender. Following such investigation, the Code Enforcement Officer (or other enforcing official) may submit a report/notice of violation to the Town Board detailing alleged incidents of noise ordinance violations. Such notice/report must include:

- A. The date and time of the alleged violation(s);
- B. A general description of the basis for the violation;
- C. A statement advising the alleged violator of potential fines and implications of an adverse finding as set forth under this local law; and
- D. Means and method to pay such fine(s) should the alleged offender choose not to contest the alleged noise violation(s) at a forthcoming hearing before the Town Board.

Section 8: Notice and Hearing. A copy of such notice of violation shall also be provided to the alleged offender. Within forty-five (45) days after receipt of such notice of violation, and if the alleged offender has not yet paid the fine(s) specified in the notice, the Town Board shall schedule a hearing on the alleged violation, notice of which shall be provided to the complainant and the alleged offender via mail.

- A. During such hearing, the Town Board may receive relevant evidence from the investigating officer, the complainant, the alleged offender, and/or other members of the public regarding the alleged violation.
- B. Within thirty-one (31) days of the close of the hearing, the Town Board shall vote via majority to issue a findings statement to the alleged offender. In the event that such findings statement determines the alleged offender to be liable, the findings statement must specify the penalty owed pursuant to this local law, means of payment, and consequences for non-payment.

Section 9: Penalties. Offenders of this ordinance shall be liable to pay the following fines:

- A. For a first violation occurring within a single 24-hour period: \$100
- B. For a second violation occurring within 6 months of the first violation: \$350
- C. For a third violation occurring within 3 months of the second violation: \$1,000
- D. For every day of violation occurring after the third violation: \$1,500

Section 10: Severability. If any provision of this Chapter is for any reason held unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this Chapter shall remain in effect. Such decision shall not affect the remainder of this Chapter. The Town hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

Section 11: Effective Date. This Chapter shall be effective immediately upon filing with the Secretary of State.

Dated: January 15, 2026
Mount Morris, New York

APPROVED:

CHELSEY WOODWORTH
Town Clerk