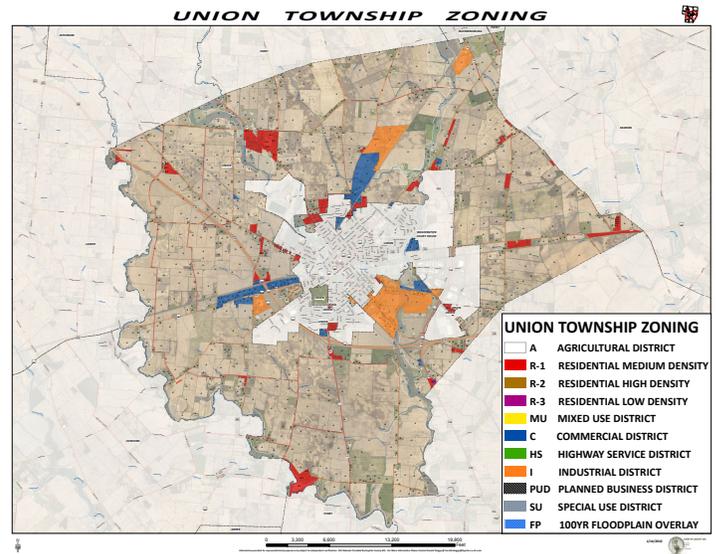


UNION TOWNSHIP POLICIES



POLICY STATEMENT

Union Township Personnel recognize the trust the residents of the township have placed in them and endeavor to provide the highest quality of service, the proper care of township property and equipment, the most responsible stewardship of the township's finances, ethical conduct, fair and equitable treatment for all, and to work diligently for the betterment of the quality of life for all the citizens of the township.

GENERAL POLICIES – pages 2 - 6

PUBLIC POLICIES – pages 7 - 19

GENERAL POLICIES

EQUAL OPPORTUNITY POLICY

Union Township will not discriminate on the basis of race, color, sex, age or national origin in employment or providing township service to residents.

PUBLIC RECORD ACCESS POLICY

The Township recognizes its obligation to make public records available to any citizen. The Township acknowledges that it may not deny a request for access to a public record on the basis of the intended use of the public record. The Township will not require any person to disclose his or her purpose or motive in requesting access to a public record. The Township will make requested record available within five (5) working days whenever possible. If a longer time is required the Township will notify the person making the request and provide the reason for the delay and an estimate of the date the request will be met.

The Township is not required to and will not compile lists, prepare summaries, or create documents that do not exist. The Township will provide access to and duplication of existing Township records which are public records. Costs associated with duplication may be charged.

Personal information of employees or elected officials, such as social security numbers, etc, are not public records and will not be available.

(See Public Record Policy for more details.)

CLEARING SNOW from PRIVATE LANE or DRIVE-WAYS

No Township equipment or employee shall be used to remove snow, ice, or other obstructions from private lanes or drive-ways unless the driver of the truck/equipment recognizes that an emergency situation exists and immediate action is necessary to protect health, life, or property. The driver is to evaluate the situation and exercise his/her best

TOWNSHIP CREDIT CARDS POLICY

- A. Township credit cards shall be used only by township personnel.
- B. Township credit cards shall be used solely for the purchase of goods or services for the township.
- C. Township personnel shall be responsible for the any township credit cards that they have been issued.
- D. Lost or stolen credit cards shall be reported immediately to the Township fiscal officer for appropriate action.

POLICY for TOWNSHIP EQUIPMENT, TOOLS, MATERIALS, and SUPPLIES

- A. All Township equipment, supplies, tools, and materials shall be used solely for Township business.
- B. Use of Township equipment, supplies, tools, and materials shall be by Township personnel or contract personnel performing Township business.
- C. An inventory shall be maintained of all Township equipment, tools, materials, and supplies stored at the Township garage.
- D. Divestment of any Township property, equipment, tools, supplies, or materials shall be done according to procedures specified in the Ohio Revised Code.
- E. All Township property, equipment, tools, supplies and materials will be used and serviced in a safe, proper manner in accordance with the the operating instructions, recommended maintenance, and safety instructions.

TOWNSHIP VEHICLE POLICY

Union Township is committed to ensuring personal and public safety in the use of Township vehicles. All employees operating Township vehicles are expected to drive responsibly and to follow basic rules of defensive driving for the protection of all concerned.

The Chairman of the Board of Township Trustees shall verify in January of each year that all personnel permitted to operate Township vehicles possess a valid driver's license necessary for the vehicles they operate.

- The Township requires all persons who either operate or travel within a Township vehicle to comply with all Federal, State, and local vehicle laws.
- Any accident involving a Township vehicle shall be reported immediately to the Sheriff's Office and to a Township Trustee.
- Should a cellular telephone call be necessary the driver should pull off the road into a legal parking spot during the course of the telephone call.

The following requirements must be adhered to when operating or traveling within a Township vehicle:

- A. Township vehicles may only be used for conducting Township business.
- B. Vehicles may only be driven by authorized Township employees or contracted persons having a valid driver's license.
- C. Only authorized persons are permitted to ride in a Township vehicle.
- D. The use of Township vehicles outside of the Township must be for Township business and must be pre-approved except:
 - When crossing another jurisdiction to reach a part of the township.
 - When hauling gravel from the stone quarry.

SEXUAL HARASSMENT POLICY

Sexual harassment, consists of unwelcome sexual advances, requests for sexual favors or other verbal or physical acts of a sexual or sex based nature.

Sexual harassment is unlawful, and such prohibited conduct exposes individuals involved in such conduct, to significant liability under the law.

Employees shall at all times treat other employees respectfully and with dignity in a manner so as not to offend the sensibilities of a co-worker. Accordingly, Union Township is committed to vigorously enforcing its Sexual Harassment Policy.

JUNK VEHICLE POLICY

Upon receiving a signed complaint of a junk motor vehicle the Township shall document the junk vehicle by a written description of the vehicle and its location and obtain a dated photograph of the vehicle and location. The owner of the property and any lien holder will be notified by regular mail that a complaint has been received and the date and time of the Trustees' Meeting when the complaint will be considered.

The Township Trustees at that meeting shall determine if the vehicle matches the definition of a junk vehicle and is in fact a junk vehicle and, if determined to be a junk vehicle, shall pass a Resolution declaring it to be a junk vehicle.

If a Resolution is passed declaring the vehicle to be a junk vehicle the Township shall notify the property owner and any lien holder of the Resolution. The notification shall contain the junk vehicle determination, the date for compliance, and the consequence of non-compliance with the Resolution. The notification shall be sent by certified mail.

The word "Vehicle" shall be considered both singular and plural. Multiple vehicles and locations may be addressed under one Resolution.

Authority granted by the OHIO REVISED CODE (ORC)

1. Union Township shall regulate junk motor vehicles, as defined in the ORC 505.173 (E), within the Township boundaries pursuant to the ORC 505.871.
2. The Township shall require "collector" cars to be stored in accordance with the ORC 505.173 (A)
3. The Township will provide for the removal of junk motor vehicles as provided under ORC 505.85.

TOWNSHIP TRAVEL POLICY

A: Purpose.

In order to fulfill the obligations of the Board of Township Trustees and Fiscal Officer of Union Township to responsibly manage the township funds this travel policy is adopted May 12, 2009 by the Board of Township Trustees.

B. Budget.

The Township's Fiscal Officer shall establish an entry for travel expenses and the Board of Township Trustees shall appropriate a maximum amount to be used for travel in the annual budget.

C. General.

This policy shall apply to all officers, officials, employees, and agents of Union Township who travel for the Township on township business.

All officers, officials, employees, and agents are expected to exercise good judgment and prudent care in the expenditures of township funds used for travel.

All travel in which travel costs exceed \$100.00 (one hundred dollars) shall be approved by the Board of Trustees prior to departure. All travel in which travel costs are less than \$100.00 (one hundred dollars) shall be approved by a Trustees prior to departure. A written request for any travel that will be paid for by the Township shall be submitted prior to travel.

Cash advances for pre-approved travel may be requested in order to prevent the person(s) from paying Township travel expenses from their personal funds. Cash advances will be limited to \$75.00 (seventy-five dollars) per day. A written request for a cash advance must be presented to the fiscal officer one week before the travel date and the advance check made available no more than two days prior to travel date. Persons securing a cash advance are responsible for the full amount of the advance. Prepayment of expenses, such as fees for conferences, meetings, etc. is encouraged.

All travel must be by a usually traveled route. Any extra costs incurred when travel is by an indirect route not for the benefit of the Township shall be borne by the person and reimbursement for expenses will be based on the costs that would have been incurred by the usually traveled route.

All travel will be by the most economical means of transportation. Every effort should be made to take advantage of any special rates, discounts, etc. on commercial travel means, vehicle rentals, lodging, etc

Lodging expenses will be reimbursed based on the single room rate or the lowest rate allowed a single occupancy. In situations where the person is accompanied by family, friends, or other persons, documentation shall be adequate to allow the separation of Township and personal costs. The Township shall only reimburse for actual Township costs. Lodging rates in excess of

the lowest standard rate for the area will be reimbursed at a level equal to no more than the lowest standard in the area.

Expenses for meals will be reimbursed when a person is traveling and will be calculated on a 24 (twenty-four) hour period from the time of departure on a per diem basis at \$30.00 (thirty dollars) per day. For partial days reimbursement will be at \$6.00 (six dollars) for breakfast, \$8.00 (eight dollars) for lunch, and \$16.00 (sixteen dollars) for dinner. This includes the costs of the meals and any tips. Any meal expense over the per diem will be borne by the person. Partial day reimbursement will only be in conjunction with a 24 (twenty-four) hour period and not individually.

Travel expense reimbursement will not cover personal services, alcoholic drinks, entertainment, supplemental insurance on car rental, flight insurance, fines for traffic or other violations, repairs to or expenses related to private vehicles, etc. or other unauthorized expenses.

Expenses related to entertaining a guest when circumstance require are sometimes reimbursable with prior approval from the Board of Township Trustees.

All expenses shall be documented with original receipts and an itemized expense report presented to the Board of Township Trustees for approval and authorization for payment.

D. Mileage Reimbursement.

When a person uses their own vehicle for transportation the Township will reimburse them at the Internal Revenue Service's (IRS) standard business mileage rate. If a person chooses to drive their own vehicle, contrary to the determined most economical mode of transportation, the person will be reimbursed for the cost of gasoline only. All private vehicles shall comply with the insurance liability under ORC 4509.51. No reimbursement will be paid for using Township vehicles. A valid driver's license is required.

E. Other Expenses

The Township shall reimburse a person for any miscellaneous expenses incurred for township business. Any claimed expense over \$2.00 (two dollars) must be accompanied by a receipt. Allowable expenses include but are not limit to bus, subway, taxi, telephone calls, tolls, parking fees, etc.

F. Options

A person may freely chooses to pay their own travel expenses and seek no reimbursement from the Township. In doing so they are exempt from any and all requirements of this travel policy.

G. Modifications.

The Board of Township Trustees may modify the expenses limits and requirements of this policy when dictated by unforeseen circumstances.

PUBLIC RECORDS POLICY

Introduction:

It is the policy of Union Township that openness leads to a better informed citizenry, which leads to more transparent government and sounder public policy. It is our policy to strictly adhere to the state's Public Records Act as well as other state and federal laws.

Ohio's Public Records Act imposes two primary obligations upon public offices:

1. Provide prompt inspection of public records (R.C. 149.43(B)(1)); and
2. Provide copies of public records within a reasonable period of time (R.C. 149.43(B) (2)).

The Public Records Act evolved from the principle that Ohio's citizens are entitled to access the records of their government. We agree that to advance that principle, the Public Records Act should be interpreted liberally in favor of disclosure.

Section 1 Public Records

Under Ohio law, a public office may only create records that are necessary for the adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the agency and for the protection of the legal and financial rights of the state and persons directly affected by the agency's activities. (R.C. 149.40).

In accordance with the Ohio Revised Code and court rulings, "records" are defined as those items that meet all of the following:

1. Any document, device, or item, regardless of physical form or characteristic, including an electronic record (which includes but is not limited to e-mail or other record created, generated, sent, communicated, received, or stored by electronic means);
2. That is created or received by, or coming under the jurisdiction of a public office; and
3. That documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. (R.C. § 149.011(G)).

The determination of whether a specific item constitutes a "record" will depend on the facts and circumstances surrounding the particular item requested. The Ohio Supreme Court has imposed an actual use standard in defining a "record," which means that an item is not automatically a "record" simply because the public office could (but did not) use a document it received to carry out its duties and responsibilities.

Furthermore, a public office is not required to create new records to respond to a public records request, even if it is only a matter of compiling information from existing records.

Section 1.1

It is the policy of Union Township that, as required by Ohio law, records will be organized and maintained so that they are made available for inspection to any person at all reasonable times during regular business hours. (R.C. 149.43(B)(1)).

Copies will be made available upon request within a reasonable period of time. (R.C. 149.43(B)(1)).

A current record retention schedule will be readily available to the public upon request. (R.C. 149.43(B)(2))

Section 1.2

Not all of Union Township's records are public records. Certain records are exempt from the Public Records Act. Exempt records include records:

1. The release of which is prohibited by state or federal law, or
2. That are subject to an express exception set forth in Ohio's Public Records Act, which may be released only if Union Township decides to waive the express exception.

Examples of records, the release of which is prohibited by state or federal law, include, but are not limited to, the following:

1. Attorney-client privileged information;
2. Records of a Certified Public Accountant or public accountant in the performance of an audit of a public office (R.C. 4701.19(B));
3. Federal tax returns (26 U.S.C. 6103(a));
4. Criminal background information and other law enforcement information on the LEADS/CCH/NCIC computer database (42 U.S.C. 3789g);
5. Records that have been sealed pursuant to a statutorily authorized court order (i.e. R.C. 2953.52);
6. Peace officer's home address during the pendency of a criminal case in which the officer is a witness or arresting officer (R.C. 2921.24(A)); and
7. Employees' and their family members records that were created for purposes of the Family Medical Leave Act or the Americans with Disabilities Act (29 CFR 825.500(g) and 1630.14(c)(1)).

Examples of records that are subject to an express exception set forth in Ohio's Public Records Act, which may be released only if Union Township decides to waive the express exception include, but are not limited to, the following:

1. Peace Officer, firefighter, EMT, prosecutor, assistant prosecutor, children's services worker, or corrections officer, Residential and Familial Information (R.C. 149.43(A)(7));
2. Records that pertain to a patient's medical history, diagnosis, prognosis, or medical condition and that were general and maintained in the process of medical treatment (R.C. 149.43(A)(1)(a));
3. Records that contain information that was specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding (R.C. 149.43(A)(1)(g)); and
4. Records that pertain to a law enforcement matter of a criminal, quasi-criminal, civil, or administrative nature and that, if released, would create a high probability of disclosing any of the following (1) the identity of an uncharged suspect, (2) the identity of a confidential source, (3) specific confidential investigatory techniques or procedures; (4) specific investigative work product; or (5) information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential source (R.C. 149.43(A)(2)).

The exemptions to the Public Records Act will be narrowly construed by this office in the favor of disclosure. This office may seek a legal review prior to determining whether or not an exception applies.

Section 2. Record Requests

Each request for public records should be evaluated for a response using the following guidelines:

Section 2.1

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow this office to identify, retrieve, and review the records. If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records such that this office cannot reasonably identify what public records are being requested, then this office may deny the request. In such case, this office will provide the requester with an opportunity to revise

the request by informing him/her of the manner in which records are maintained by the office and accessed in the ordinary course of this office's duties. (R.C. 149.43(B)(2)).

Section 2.2

The requester does not have to put a records request in writing, and does not have to provide his/her identity or the intended use of the requested public record. However, the records custodian may ask for a written request and may ask for the requestor's identity and/or intended use of the information requested if ;

1. It would benefit the requestor by helping the public office identify, locate or deliver the records being sought, and
2. The requestor is informed that a written request and the requestor's identity and intended use of the information requested are not required. (R.C. 149.43(B)(5)).

Section 2.21

This office will permit a requester to choose to have the public record duplicated upon paper, upon the same medium which this office keeps it, or upon any other medium which this office determines that it reasonably can be duplicated as an integral part of the normal operations of this office. This office is not required to allow the requester to make the copies of the public record. (R.C. 149.43(B)(6)).

Section 2.3

Public records should be available for inspection at all reasonable times during regular business hours. Public records should be made available for inspection promptly. (R.C. 149.43(B)(1)). To the extent that an office may operate 24-hours-a-day, the records of that office will be made available for inspection during normal administrative hours.

Copies of public records should be made available within a reasonable period of time. (R.C. 149.43(B)(1)).

The determination of the terms "prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

Section 2.4

Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), resolutions, budgets, etc.

Section 2.5

Upon request, this office will provide copies of public records to a requester by United States mail or by any other delivery means or transmission that this office deems reasonable. (R.C. 149.43(B)(7)).

This office will limit to ten the number of copies of public records provided per month to a requester by United States Mail, unless the requester certifies in writing that he/she does not intend to use or forward the requested records, or the information contained in them, for commercial purposes. (The word "commercial" should be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research). (R.C. 149.43(B)(7)).

Section 2.6

By Ohio law, this office is not required to permit a person who is incarcerated pursuant to a criminal conviction or a juvenile adjudication to inspect or to obtain a copy of any public record concerning a criminal investigation or prosecution or concerning what would be a criminal investigation if the subject of the investigation or prosecution were an adult, unless the judge who imposed the sentence or made the adjudication with respect to the person, or the judge's successor in office, finds that the information sought in the public record is necessary to support what appears to be a justifiable claim of the person. R.C. 149.43(B) (8).

Section 2.7

This office, in response to a written request made and signed by a journalist, which must include the journalist's name and title and the name and address of the journalist's employer and which states that the disclosure of the information sought would be in the public interest, will provide the address of the actual personal residence of anyone employed by this office as a peace officer, firefighter, EMT, prosecutor, assistant prosecutor, children's services worker, or corrections officer, and, if such employee's spouse, former spouse, or child is employed by a public office, the name and address of that public office. (R.C. 149.43(B)(9)).

Section 2.8

Any denial of public records requested, in part or in whole, should include an explanation, including legal authority, as to why the request was denied. If the initial request was provided in writing, the explanation for denial will be provided to the requester in writing. (R.C. 149.43(B)(3)).

If portions of a record are public and portions are exempt, the exempt portions should be redacted and the rest released. If there are redactions, the office will notify the requester of any redaction or make the redaction plainly visible. Each redaction should be accompanied by a supporting explanation, including legal authority, as to why the redaction was made. (R.C. 149.43(B)(1) and (2)).

Section 2.9

This office has no duty to provide records acquired after a request for records is complete.

Section 3. Costs for Public Records

Those seeking public records should be charged only the actual cost of making copies, unless the cost is otherwise set by statute. (R.C. 149.43(B)(1)). Employee time should not be calculated into the charge for copying a public record. However, in the event that circumstances make it reasonable for this office to hire an outside contractor to make copies of requested records, the requester will be charged the actual cost paid to the outside contractor for the copying service. (R.C. 149.43(F)(2)(a)). These circumstances may include but not be limited to a lack of in-house photocopying resources or labor.

This office has no duty to provide copies of public records free of charge to someone who indicates an inability or unwillingness to pay for them.

Section 3.1

The charge for paper copies is [TEN] cents per page.

Section 3.2

This office may require a requester to pay in advance the cost involved in providing the copy of the public record, as requested. (R.C. 149.43(B)(6)).

Section 3.3

Upon request, this office will provide copies of public records to a requester by United States mail or by any other delivery means or transmission that this office deems reasonable. This office may require such a requester to pay in advance the cost of postage or costs incurred for other supplies used in the mailing, delivery, or transmission. (R.C. 149.43(B)(7)).

Section 3.4

There may be instances when this office may be able to provide copies made in-house without disrupting its normal functions, but only over an extended period of time. In that instance, this office may offer the requester the options of (1) having the documents

produced through a faster method by employing temporary personnel and equipment, (2) using an external private contractor, or (3) having the documents produced in-house by this public office's normal staff and equipment in a less efficient and more time-consuming manner.

Section 4. Failure to Respond to a Public Records Request

This office recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, this office's failure to comply with a request may result in the requester commencing a mandamus action against this office in either the court of common pleas, in the court of appeals, or in the Supreme Court of Ohio. The court may order this office to comply with the Public Records Act, as well as order this office to pay statutory damages of one hundred dollars for each business day (beginning with the day the requester files the mandamus action) during which this public office failed to comply (up to a maximum of one thousand dollars), as well as court costs and the requester's reasonable attorney fees.

Adopted; February 12, 2008

Union Township Board of Trustees

Indigent Burial Policy

Union Township Policy for the Burial or Cremation of Unclaimed or Indigent Bodies at the Expense of the Township.

Resolution enacted March 25, 2008.

Union Township will pay for cremation of any unclaimed or indigent person, who at the time of death was a legal resident of Union Township, in accordance with the Ohio Revised Code Section 9.15. (See page 2)

Pursuant to the Ohio Revised Code Section 5.17.06 and Section 9.15, Union Township shall provide a grave, a grave marker, and the opening and closing for burial of the cremation remains of any unclaimed or indigent person who was at the time of death a legal resident of Union Township.(See pages 2 and 3)

Union Township shall only pay for the cost of cremation and the opening and closing for the burial of the cremation remains. The Township shall not pay for any other costs associated with embalming, funeral, transportation, services of any kind, visitation charges, etc.

In the event that cremation is not acceptable, Union Township will pay an amount equal to the cost of cremation toward another method that is more costly than cremation. In this case

Union Township shall require a payment for the grave site, and the opening and closing costs. Also Union Township shall not provide a grave marker/monument.

The Township may require documented proof that the individual that died was indigent. The Township may require documented proof of the legal residence of the individual that died.

The Township may seek bids for the cost of cremation from more than one funeral home. The Township may select the funeral home that will provide the cremation service.

OHIO REVISED CODE Sections cited.

9.15 Burial or cremation of body at expense of township or municipal corporation.

When the body of a dead person is found in a township or municipal corporation, and such person was not an inmate of a correctional, benevolent, or charitable institution of this state, and the body is not claimed by any person for private interment or cremation at the person's own expense, or delivered for the purpose of medical or surgical study or dissection in accordance with section 1713.34 of the Revised Code, it shall be disposed of as follows:

(A) If the person was a legal resident of the county, the proper officers of the township or municipal corporation in which the person's body was found shall cause it to be buried or cremated at the expense of the township or municipal corporation in which the person had a legal residence at the time of death.

(B) If the person had a legal residence in any other county of the state at the time of death, the superintendent of the county home of the county in which such body was found shall cause it to be buried or cremated at the expense of the township or municipal corporation in which the person had a legal residence at the time of death.

(C) If the person was an inmate of a correctional institution of the county or a patient or resident of a benevolent institution of the county, the person had no legal residence in the state, or the person's legal residence is unknown, the superintendent shall cause the person to be buried or cremated at the expense of the county.

Such officials shall provide, at the grave of the person or, if the person's cremated remains are buried, at the grave of the person's cremated remains, a stone or concrete marker on which the person's name and age, if known, and date of death shall be inscribed.

A political subdivision is not relieved of its duty to bury or cremate a person at its expense under this section when the body is claimed by an indigent person.

Effective Date: 2007 HB119 09-29-2007

517.06 Cemetery plat.

The board of township trustees shall have the cemetery laid out in lots, avenues, and paths, shall number the lots, and shall have a suitable plat of the lots made, which plat shall be carefully kept by the township fiscal officer. The board shall make and enforce all needful rules and regulations for the division of the cemetery into lots, for the allotment of lots to families or individuals, and for the care, supervision, and improvement of the lots. The board shall require the grass and weeds in the cemetery to be cut and destroyed at least twice each year. Suitable provision shall be made in the cemetery for persons whose burial is at the expense of the township.

Effective Date: 10-01-1953; 12-20-2005p

NOISE POLICY

Union Township Noise Resolution

Effective Date April 14, 2015

Ohio Revised Code Referenced - 505.172 Noise Control

Declaration of policy:

It is hereby declared to be the public policy of Union Township, Fayette County, Ohio to protect its citizens against excessive noise which is detrimental to life, health and enjoyment of property. In order to promote the public health, safety, welfare and the peace and quiet of the inhabitants of the Township, the following measurements and standards relating to noise are hereby adopted.

Enforcement:

Ohio Revised Code 505.172 Noise Control provides for any law enforcement officer with jurisdiction in a township to enforce this resolution.

Violations:

Whoever violates any regulation or order is guilty of a misdemeanor of the second degree. Fines levied and collected under this resolution shall be paid into the township general revenue fund.

Definitions:

For the purposes of this resolution, the following words and phrases shall have these meanings:

Daytime means the local time of day between the hours of 8:00 a.m. and 8:00 p.m. weekdays and from 9:00 a.m. to 8:00 p.m. on Saturdays, Sundays and legal holidays observed by local government unless otherwise specified.

Decibel means a unit for expressing the relative intensity of sounds on a scale from zero for the average least perceptible sound to about 130 for the average pain level.

Nighttime means those times excluded from the definition of daytime.

Noise means any steady-state or impulsive sound occurring on either a continuous or intermittent basis.

Noise disturbance means any noise which is of such intensity that it detrimentally effects the public health, safety, welfare and the peace and quiet of the inhabitants of the township.

Sound level meter means an instrument to measure sound intensity in decibels (dB).

Standards:

Except as otherwise provided, any noise which emanates from any operation, activity or source and which exceeds the maximum permissible sound levels established below is hereby prohibited. Such levels shall be measured at the property boundary of the sound source or at any point within any other property affected by the noise.

Maximum Noise Levels During Daytime:

Maximum permissible intermittent noise disturbance levels as observed or measured at the property line shall be 65 decibels within a continuous ten minute time period.

Maximum permissible sustained noise disturbance levels as observed or measured at the property line shall be 55 decibels within a continuous 60 minute time period.

Maximum Noise Levels During Nighttime:

Maximum permissible noise disturbance levels as observed or measured at the property line shall be 50 decibels for either intermittent or continuous noise disturbances.

Exemptions:

1. Operation of maintenance, repair or lawn or tree equipment of less than 95 decibels as measured or observed at the property line during daytime hours.
2. Crowd or amplified systems at sporting, social, or music events until 10:30 PM if less than 80 decibels.
3. Emergency equipment and sirens.
4. Emergency repair of facilities or restoration of services by utility companies.
5. Any person, with lawfully obtained permits, who operates or causes to be operated any equipment used in construction, repair, alteration or demolition work on buildings or structures, in the outdoors shall not be subject to the levels enumerated above during daytime hours.
6. County, Township, or State personnel performing public projects, repair or maintenance work.
7. Noise relating to the collection of trash or refuse with a duration of no more than 5 minutes.

Exemption Permits:

A permit for exemptions from the provisions of this resolution may be granted by the Township Trustees in accordance with the requirements below:

1. Any person responsible for any noise from the operation of any equipment used in construction, repair, alteration or demolition work shall apply to Union Township for an exemption or partial exemption permit from this resolution. Exemptions or partial exemption may be granted if the following conditions are met.
2. The noise does not endanger the public health, safety or welfare.
3. Compliance would cause a serious hardship without producing equal or greater benefit to the public.

In determining whether to grant such exemption the Township Trustees shall consider the following:

- A. The time of day the noise will occur;
- B. The duration of the noise;
- C. The loudness of the noise in relation to the maximum permissible sound levels.
- D. Whether the noise is intermittent or continuous.
- E. Such other matters as are reasonably related to the impact of the noise on the health, safety and welfare of the community and the degree of hardship which may result from the enforcement of the resolution.

Exemptions or partial exemptions issued pursuant to this resolution shall be granted for such time as the Township Trustees deems reasonable. Any such exemption shall be reviewed if complaints are received and may be revoked when the conditions under which it was granted are not met, or if circumstances no longer justify the exemption or partial exemption. The vote for cancellation of an exemption or partial exemption by Township Trustees must be unanimous.

General Prohibitions:

The following specific acts are violations of this resolution:

Sounding a horn or other signaling device on any motor vehicle except as an emergency or signal.

Operating or causing to be operated a public or private motor vehicle or motorcycle on a public right-of-way at any time in such a manner that the sound level emitted by the motor vehicle or motorcycle, when measured at a distance of 50 feet or more, exceeds the maximum permissible levels.

Talking, yelling, shouting, screaming, singing, or any other form of human sounds produced by any person or group of people between the hours of 10:30 p.m. and 7:00 a.m. in such a manner as to be audible across property boundaries or audible through partitions common to two or more residences within a building.

Playing, operating or permitting to be operated, any electronic device used for the amplification of sound, which emits sound within or without of a motor vehicle being operated or parked on a public road, highway, street, alley, or parking lot open to the public which emits sound audible from outside the motor vehicle at a distance of 50 feet or more

which exceeds the maximum permissible levels.

Any animal or bird except farm animals in agricultural districts that create noise such that it is audible at least once a minute for ten consecutive minutes and which exceeds the maximum permissible levels.

Measurement procedures:

If the noise disturbance is of such intensity that an observation by the investigating law enforcing

officer judges it to be excessive and estimates it above the maximum allowable level then measurements with a decibel meter is not required.

The measurement or estimate of noise or a noise disturbance shall be as follows:

The measurement or estimate shall be made at the property boundary on which such noise is generated, or at any point within the receiving property affected by the noise.

A minimum of 3 measurement or estimates of the sound level will be made at different points.

The measurement of sound or noise shall be made with a sound level meter or decibel meter.

Documentation:

A Noise Disturbance Report will be completed and contain the following:

Date and Time of the noise disturbance.

Name of the person reporting the noise disturbance.

Address of the noise disturbance.

Name of property owner.

Name of the person if not the property owner.

Type of the noise disturbance. Origin of the noise disturbance. Estimated or measured intensity.

A copy filed with the Fayette County Sheriff's Office.

Criteria Used:

U.S. Department of Health & Human Services

National Institutes of Health

Sound Ruler

Sounds that are too loud, or loud sounds over a long time, can damage your hearing.

The loudness of sounds is measured in decibels (dB).

How loud is too loud?

<u>dB level</u>	<u>What we hear</u>
10 dB	Normal breathing
20 dB	Rustling leaves, mosquito
30 dB	Whisper
40 dB	Stream, refrigerator humming
50-60 dB	Quiet office
50-65 dB	Normal conversation
60-65 dB	Laughter

70 dB	Vacuum cleaner, hair dryer
75 dB	Dishwasher
78 dB	Washing machine
80 dB	Garbage disposal, city traffic noise

Prolonged exposure to any noise above 85 dB can cause gradual hearing loss.

84 dB	Diesel truck
70-90 dB	Recreational vehicle
88 dB	Subway, motorcycle
85-90 dB	Lawnmower
100 dB	Train, garbage truck
97 dB	Newspaper press
98 dB	Farm tractor

Regular exposure of more than 1 minute risks permanent hearing loss.

103 dB	Jet flyover at 100 feet
105 dB	Snowmobile
110 dB	Jackhammer, power saw, symphony orchestra
120 dB	Thunderclap, discotheque/boom box
110-125 dB	Stereo
110-140 dB	Rock concerts
130 dB	Jet takeoff, shotgun firing
145 dB	Boom cars