

Resolution 50-25

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF BOURBON COUNTY, KANSAS, CONCERNING NOISE LIMITATIONS IN THE UNINCORPORATED AREAS OF THE COUNTY.

WHEREAS, the Board of County Commission of Bourbon County, Kansas, is authorized under K.S.A. 19-101 and applicable state statutes to adopt resolutions and regulations to protect and preserve the interest of Bourbon County and its citizens and to protect and promote the health, safety and welfare.

WHEREAS, the Bourbon County Board of Commissioners desires to protect the health, safety, and welfare of its residents by establishing regulations regarding excessive noise; and

WHEREAS, it has been determined by the Board of County Commissioners that unusual or loud noises are injurious to the health, peace, and quiet enjoyment of the public; and

WHEREAS, excessive noise can negatively impact the quality of life, tranquility, and property values of the county's citizens; and

WHEREAS, the United States Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), the National Institute for Occupational Safety and Health, and the United States Department of Transportation, all identify excessive noise as a public health and safety hazard that can cause permanent hearing loss, and other health problems; and

WHEREAS, beyond the workplace, the EPA and health organizations such as the American Public health Association (APHA) recognized that excessive noise is a public health issue affecting the general population and requiring broader strategies to mitigate its negative impacts; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BOURBON COUNTY, KANSAS THAT THE FOLLOWING RESOLUTION BE ADOPTED:

1. It shall be unlawful, in the unincorporated area of Bourbon County, Kansas, for any person to permit, allow, make, continue to cause to be or continued any loud, unnecessary, or unusual unwanted noise, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others.
2. The following EPA guidelines will be used to measure reported violations. To prevent hearing loss, noises greater than 70 dB for a duration of 24 hours. Any noise greater than 55 dB outdoors (7 a.m. to 10 p.m.) near sensitive areas (residences). Any noise causing a greater than 45 dB indoors (7 a.m. to 10 p.m.) in sensitive areas (residences). Any noises greater than 45 dB outdoors (10 p.m. to 7 a.m.) near sensitive areas (residences). Any noise greater than 35 dB indoors (10 p.m. to 7 a.m.) near sensitive areas (residences). These measurements recorded within 75 feet from the source shall be prima facie evidence of a violation of this section.

3. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat, or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom, shall be prima facie evidence of a violation of this section.
4. Enforcement shall be by the Bourbon County Commission or authorized designee.
5. Violations of this resolution will result in a Notice of Violation, Demand for Corrective Action, citation, or all of the above. The county may seek abatement or injunctive relief to stop continued violations.
6. Any person(s) determined to be in violation shall be subject to a fine of not more than five hundred dollars (\$500.00). Each day of violation constitutes a separate offense.
7. This Resolution shall be in effect from its adoption and publication once in the official county newspaper, as provided by law.

Adopted this 15th day of December 2025.

BOARD OF COUNTY COMMISSIONERS

BOURBON COUNTY, KANSAS

_____ Chairman

_____ Commissioner

_____ Commissioner

_____ ATTEST:

County Clerk