Town of Mukwonago
W320 S8315 Beulah Road
Mukwonago, WI 53149
www.TownOfMukwonago.us

FEE IS NON-REFUNDABLE
Date Received ___/___/____
Process Time 45 days

PRINT
SAVE

Phone (262)363-4555 Fax (262)363-8377

Amplifier Permit Application

SECTION 1 – APPLICANT INFORMATION	
Name of Event:	
Location of Event:	
Date of Event:	
Contact Person:	Cell #:
Daytime Phone #:	Email:

SECTION 2 – EVENT INFORMATION

Type of Amplified Sound:

☐ DJ
☐ Karaoke
☐ Sound System
☐ Other – Please specify

Requested time of amplification: Start:_____ Ending:_____ (In compliance with Ordinance 42-7) (attached)

SECTION 3 – PAYMENT

Fees: $25.00 Individual or Establishment **(Non-refundable)**

Check #_____ Cash_____ Date_____

Signature _____

DEPARTMENT	CONFIRMATION SIGNATURE
Chairperson	
Administrator	
Police Chief	
Fire Chief	
Date Approved	PERMIT #

Revised 5/12/2017

Sec. 42-7. Use of amplification devices for commercial purposes; licensing and regulation for noncommercial purposes.

(a) Declaration of policy. It is hereby declared that the use or operation of any device or apparatus for the amplification of sound from any sound-making or sound-producing device, or any device or apparatus for the reproduction or amplification of the human voice or other sounds is prohibited where:

- Such use or operation is detrimental to the health, welfare and safety of the inhabitants of the Town;
- Such use or operation diverts the attention of pedestrians and vehicle operators in the public streets, parks and places;
- Such use or operation creates a traffic hazard(s) and/or unreasonable increases the risk of traffic accidents causing injury to life and/or limb;
- Such use or operation unreasonably disturbs the public peace and comfort and the public's rights to peaceful enjoyment and/or use of the public streets, parks, and/or other public places; and/or
- Such use or operation unreasonably disturbs the peace, quiet and comfort of the neighboring inhabitants.

Therefore, it is hereby declared as a matter of legislative determination that the prohibition of such use or operation for commercial or business advertising purpose and the proper regulation of such use and operation for all other purposes is essential to protect the health, welfare, and safety of the inhabitants of the Town and to secure the peaceful enjoyment by the people of their rights to use the public streets, parks and/or other public places and to secure the peace, quiet and comfort of the Town inhabitants.

(b) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
Sound making or sound producing device or apparatus means any electric sound amplification device or apparatus that is designed and utilized for the amplification of any sound that is audible from a distance of 50 or more feet under normal conditions.
To use or operate any sound making or sound producing device or apparatus in, on, or adjacent to any public street, park or place means to use or operate or cause to be used or operated any sound making or sound producing device or apparatus on the street or public place in front of or outside of any building, place or premises, or in or upon any vehicles operated, standing or being in or on any public street, park or place, where the sound thereof may be heard in any public street, park, place, or from any stand, platform or other structure, or anywhere in the public streets, parks or places. Except for community events or celebrations, processions or assemblages on any highway within the Town; however, operation of any radio or electric sound amplification equipment within a motor vehicle shall be subject to the provisions of Section 346.94(16) of the Wisconsin Statutes and any ordinance adopted by the Town pursuant to Section 249.135 of the Wisconsin Statutes.

(c) Commercial uses. No person, firm or corporation shall use or operate any sound device or apparatus in, on, near or adjacent to any public street, park or place for commercial or business advertising purposes.

(d) Noncommercial uses.

(1) Generally. No person, firm or corporation shall use or operate any sound making or sound producing device or apparatus in, or near or adjacent to any public street, park or place, unless he shall first obtain a permit to be issued by the Town Board in the manner prescribed in this section and he or she complies with the provisions of this section and the terms and conditions prescribed in such permit.

(2) Application for permit. Each applicant for a permit shall file a written application with the Town Clerk at least ten days prior to the Town Board meeting and at least 30 days prior to the date upon which said sound making or sound producing device or apparatus is to be used or operated. Such application shall describe the specific location where, the day or days when, and the hour or hours during which the applicant proposes to use or operate such sound making or sound producing device or apparatus, specify the volume, the technology utilized, describe what reasonable steps are being taken to limit the noise to no more than 65 decibels at the property lines, and provide any other pertinent information as the Board may deem necessary to enable it to carry out the provisions of this ordinance.

(3) Issuance of permit; terms. The Town Board shall not deny a permit for any specific time, location or use, to any applicant who complies with the provisions of this Ordinance, except for one or more of the reasons specified in subsection (d) of this section or for non-payment of the fee prescribed in subsection (5) of this section, or to prevent overlapping in the granting of permits. Each permit issued pursuant to this section shall describe the specific location in which such sound device or apparatus may be used or operated there under, the exact period(s) during which such apparatus or device may be operated, the maximum volume or sound which may be produced during such use or operation, and such other terms and conditions as the Board may deem necessary for the proper enforcement of this section.

(4) Special restrictions. The Town Board shall not issue any permit for the use of a sound making or sound producing device or apparatus:

a. In any location within 500 feet of a school, courthouse or church, during the hours of school, court, or worship, respectively, or within 500 feet of any hospital or similar institution.

b. In any location where the Town Board upon such investigation, if any, as the Board in its discretion may deem necessary, shall determine the conditions of vehicular or pedestrian traffic or both are such that the use of such a device or apparatus will constitute an unreasonable threat to the safety of pedestrians and/or vehicular traffic.

c. In any location where the Board upon investigation, if any, as the Board may in its discretion deem necessary, shall determine that conditions are such that the use of a sound making or sound producing device or apparatus will unreasonably deprive the public of the right to the safe, comfortable, convenient and peaceful enjoyment of any public street, park and/or other public places, or will constitute a threat to the safety of pedestrians or vehicle operators.

d. In or on any vehicle except for purposes of operation of any radio or electric amplification device for purposes of any community event or celebration, procession or assemblage on any highway within the Town.

e. Between the hours of 10:00 p.m. and 10:00 a.m., unless a special exception is granted by the Town Board due to unique circumstances or location.

(5) Fees. Each applicant for a permit under this section shall, at the time of application, pay the fee established by the Town Board from time-to-time.

(6) Exemptions. The provisions of this ordinance shall not apply to the use or operation of any sound making or sound producing device or apparatus at any athletic or civically sponsored event or at any political rally by individuals or small groups or speech concerning religion.

(e) Violations. Any person who shall violate any provision of this section, upon conviction thereof, shall subject to a forfeiture of not than $100.00 together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 90 days in accordance with Wis. Stat. § 800.095, as amended from time-to-time. (Ord. 2008-1 § 1 1-30-2009)

Dear Applicant,

It is strongly recommended that you attend the Town Board meeting, at which time your application will be discussed. If the Town Board approves your request for amplified music, it will be subject to any comments or concerns by the police and fire department both prior to and during the event.

If you have any questions, please contact the Town Clerk, Kathy Karalewitz at 262-363-4555 - #5.

The Town Board looks forward to working with you on your application.