

Township of Greenwood

Clare County, Michigan

An Ordinance for the Regulation of Noise

An ordinance to secure the public health, safety and general welfare of the residents, property owners and visitors to Greenwood Township, Clare County, Michigan by the regulation of noise within said Township, to prescribe the penalties for the violation thereof.

THE TOWNSHIP OF GREENWOOD, CLARE COUNTY MICHIGAN ORDAINS:

Section 1: The ordinance shall be known and may be cited as the Greenwood Township Anti-noise and Public Nuisance Ordinance.

Section 2: General Prohibited Noise

It shall be unlawful for any person or entity to make, maintain, or continue, or cause to be made continued, any excessive, unnecessary, unnatural, repeated, prolonged or unusually loud noise, or any noise which annoys or disturbs or injures or irritates or unreasonably impairs the comfort repose, health, safety or peace of another, within the limits of Greenwood Township.

The above to apply to owner of any premises, and for the occupant or person in possession of any premises, be it individual, corporate or otherwise to knowingly make, allow to be made or to permit to be made upon premises so owned, occupied or possessed.

Section 3: Specific Violations

The following noises and acts are hereby declared to be excessive, unnecessary, unnatural or unusually loud which annoy, disturb, injure or unreasonably impair the comfort, repose, health or peace of others in violation of this ordinance, said specification is not to be construed to exclude other violations of this ordinance not specifically enumerated:

1. **Horns and other signaling devices.**

The sounding of any horn or signaling device on any automobile, motorcycle, boat, truck, bus or other vehicle, except as a danger warning.

2. **Radios, televisions, stereos and musical instruments.**

The using, operating or permitting to be played, used, or operated any radio receiving set, television receiving set or musical instrument or other such device for the production or reproduction of sound, in such a manner as to unreasonably or unnecessarily irritate, annoy, or disturb the peace, quiet and comfort of the neighboring inhabitants or at any-time at a volume unnecessary for convenient listening of the person or persons in the room, vehicle or chamber in which such machine or device is operating and who are voluntary listeners.

3. **Yelling, Shouting and Verbal Noise**

Yelling, shouting, hooting, whistling, singing or other verbal noises at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling or other type of residence or of any persons in the vicinity where such noise is plainly audible shall be sufficient evidence of a violation of this section.

4. The Keeping of Animals, Birds or Pets

The keeping of any animal, Bird or fowl, which emanates frequent or extended noise which shall unreasonably the quiet, comfort or repose of any person in the vicinity such as allowing or permitting any dog to bark repeatedly in an area where such barking can clearly be heard from nearby residential property.

5. Exhaust Noises

The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises.

6. Offensive noise

The creation or allowance of Offensive noise from parties, gatherings or other events from radios, televisions, loudspeakers or other amplified equipment.

Section 4: Exceptions

The noise prohibitions set out hereinbefore shall not apply to the following:

1. Any police vehicle, ambulance, fire engine or other emergency vehicle while engaged in necessary emergency activities or authorized public event.
2. Excavation or repair of roads, streets or highways or other property by or on behalf of the State of Michigan, Clare County, Greenwood Township or private contractor between eight o'clock (8:00) p.m., or sunset when warranted, and eight o'clock (8:00) a.m., when the public welfare, health, safety or convenience renders it impossible to perform such work during other hours.
3. Noises emitted from warning devices for the purpose of notifying individuals or the public at large or the routine testing of such devices, as authorized by law.
4. Sound which is generated incidental to a person's reasonable use and care of private property including, but not limited to, lawn mowers, tractors, trimmers, chain saws and snow blowers.
5. Noise emanating from the discharge of firearms providing that such discharge is otherwise authorized under Michigan law or local or County Ordinance.

Section 5: Severability

The several sections of this Ordinance shall be deemed severable, and should any section, clause, or provision thereof be declared unconstitutional or contrary to the law of the State of Michigan, and therefor voided by any court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part or section so declared to be unconstitutional or invalid.

Section 6: Violations

A violation of this Ordinance shall be deemed to be a Municipal Civil Infraction, and any person or other entity found responsible, therefore, shall be subject to a fine on a graduated scale: first offence \$50, second offence \$100 and occurring offences not to exceed \$500.00 for each offense. A violator of the Ordinance may be subject to additional sanctions, remedies, injunctions or judicial orders, as authorized under Michigan Law, including an order to reimburse the Township for prosecutorial fees and costs, as authorized under Michigan Law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

Section 7: Enforcement

The Greenwood Township Board of Trustees authorizes the following to enforce the provisions of this Ordinance: Clare County Sheriff's Department, Michigan State Police, Michigan Department of Natural Resources and any other duly authorized Law Enforcement Officer.

Section 8: Effective Adoption and Date

As required by law, this Ordinance shall become effective thirty (30) days after its publication on April 20, 2016 with an effective date of May 20, 2016.

This Ordinance is adopted by the Township Board of the Township of Greenwood, County of Clare, and State of Michigan at a meeting held on April 4, 2016.

Motion to adopt this Noise Ordinance David Lawrence

Motion Seconded by Lester Vida

Roll Call Vote:	(Yes)	(No)	(Abstain)	(Absent)
Vida	X			
Lawrence	X			
Ferrett	X			
Korman	X			
Bailow	X			