

ORDINANCE NO. 31

AN ORDINANCE TO PROVIDE FOR THE PUBLIC PEACE, HEALTH AND SAFETY BY
REGULATION OF EXCESSIVE NOISE AND TO PROVIDE PENALTIES FOR
VIOLATION.

Effective July 2, 1979

THE TOWNSHIP OF AUSABLE, IOSCO COUNTY, MICHIGAN ORDAINS:

SECTION 1. TITLE.

This Ordinance shall be known and cited as the Township of AuSable Anti-Noise Ordinance.

SECTION 2. ANTI-NOISE REGULATIONS.

- a. No person, firm, or corporation shall cause or create any unreasonable or improper noise or disturbance, injurious to the health, peace or quiet for any purpose other than to avoid an accident or collision.
 - (1) The playing of any radio, phonograph or any musical instrument in such manner or with such volume as to annoy or disturb the quiet, comfort or repose of other persons.
 - (2) Yelling, shouting, hooting or singing on the public streets between the hours of 11:00 P.M. and 7:00 A.M. or at any time or place so as to annoy or disturb the quiet, comfort or repose of any persons in the vicinity.
 - (3) The keeping of any animal, bird or fowl which emanates frequent or extended noise which shall disturb the quiet comfort and repose of any of the residents and property owners of the Township of AuSable.
- b. The following noises and disturbances are hereby declared to be a violation of this ordinance; provided, however, that the specifications of the same is not thereby to be construed to exclude other violations of this ordinance not specifically enumerated:
 - (1) The sounding of any horn or signal device on any automobile, motorcycle, bus, or other vehicle person in the vicinity.
 - (2) The operation of any automobile, motorcycle or other vehicle so out of repair, so loaded or constructed as to cause loud and unnecessary grating, grinding, rattling, exhausting, or other noise disturbing to the quiet, comfort or repose of other persons.
 - (3) The operation of any steam whistle attached to a boiler of any type except for the purpose of giving notice of the time of begin to stop or as a warning of fire or other danger, or for the purposes upon special permit therefor from the Township Board

- (4) The discharging outside of any enclosed building of the exhaust of any steam engine, internal combustion engine, motor vehicle, or motor boat engine except through a muffler or other similar device which will effectively prevent loud or explosive noise resulting therefrom.
- (5) The erection, excavation, demolition, alteration, or repair of any building or premises in any platted residential district or section of the township, including the streets and highways therein, in such a manner as to emanate noise or disturbance unreasonable annoying to other persons, other than between the hours of 6:00 A.M. and sundown on weekdays except in cases of urgent necessity, in the interest of public health and safety upon receipt of a permit therefor from the building inspector of the township, which permit shall limit the period that the activity may continue.
- (6) The creation of any excessive noise on any street, which unreasonably interferes with the operation of any school or church.
- (7) The creation of any load or excessive noise, unreasonably disturbing to other persons in the vicinity in connection with the loading or unloading of any vehicle, trailer, box car, or other carrier, or in connection with the opening or destruction of bales, boxes, crates, or other containers.
- (8) The use of any drum, loudspeaker, or other instrument or device for the purpose of attracting attention to any performance, show, sale or display of merchandise which, by the creation of such noise shall be unreasonably disturbing to other persons in the vicinity.
- (9) The operation of any race track, motorcycles, motor vehicles, boats, racers, automobiles or vehicles of any kind of nature in any area or grounds, testing area, or obstacle course for motor vehicles operation and/or where the noise emanating therefrom would be reasonably disturbing and annoying to other persons in the vicinity.

c. None of the prohibitions hereinbefore enumerated shall apply to any of the following:

- (1) Any police vehicle, ambulance, fire engine or emergency vehicle while engaged in necessary emergency activities.

SECTION 3. VALIDITY.

The several provisions of this ordinance are declared to be separate and the holding of any court that any section or provision thereof is invalid shall not affect or impair the validity of any other section or portion.

SECTION 4. PENALTIES FOR VIOLATION.

Any person, firm or corporation found violating any of the provisions of this ordinance shall, upon conviction, be punished by a fine of not to exceed \$100.00 or by imprisonment not to

exceed 90 days, or both such fine and imprisonment, at the discretion of the court. Each day that a violation shall continue shall constitute a separate offense. The provisions of this ordinance may also be enforced by suit of injunction, damages, or other appropriate legal action.

SECTION 5. EFFECTIVE DATE.

This ordinance shall become effective upon publication.

We, the undersigned, being respectively the Supervisor and Township Clerk of the Township of AuSable, Iosco County, Michigan, do hereby certify that the above Ordinance No. 31 was duly adopted by the Township Board of the Township of AuSable on July 2, 1979, at which time a quorum was present, by yeas and nays as follows:

YEAS: Andrus, McLaren, Schweickert, Matthews, Hall

NAYS: None

TOWNSHIP of AuSable

Dated: July 2, 1979

Raymond Andrus
By: Raymond Andrus
Its: Supervisor

Dated: July 2, 1979

Della Schweickert
By: Della Schweickert
Its: Clerk