

**SUMMERFIELD TOWNSHIP
NOISE AND PUBLIC NUISANCE ORDINANCE
ORDINANCE NUMBER 2013-001**

An Ordinance making unreasonable noises or disturbances unlawful, defining the same, establishing lawful exceptions, establishing penalties for violations of the provisions of this Ordinance as well as severability of the provisions of this Ordinance.

THE TOWNSHIP OF SUMMERFIELD ORDAINS:

Section 1. Title.

This Ordinance shall be known and referred to as the "Summerfield Township Noise and Public Nuisance Ordinance."

Section 2. Anti-Noise Regulations.

- A. **General Regulation.** No person, firm, corporation or entity shall cause or create any unreasonable or unnecessarily loud noise or disturbance, injurious to the health, peace or quiet of the residents and property owners of Summerfield Township.
- B. **Specific Violations.** The following noises and disturbances are hereby declared to be a violation of this Ordinance, provided, however, that the specification of the same is not thereby to be construed to exclude other violations of this Ordinance not specifically enumerated:
- (1) The constant sounding of any horn or signal device on any automobile, truck, motorcycle, bus, or other motor vehicle for any purpose other than to avoid an accident or collision.
 - (2) The playing of any radio, stereo, boom box, CD player, television or other electronic or mechanical sound producing device, including any musical instrument in such a manner or with such volume as to annoy or disturb the quiet, comfort or repose of other persons.
 - (3) Yelling, shouting, screaming, hooting or singing on the public streets or at any time or place so as to annoy or disturb the quiet, comfort or repose of other persons.
 - (4) The operation of any automobile, truck, motorcycle, bus or other motor vehicle so as to cause loud and unnecessary grating, grinding, rattling, exhaust noise, or other unreasonable noise which is clearly audible from nearby properties and unreasonably disturbing to the quiet, comfort, or repose of other persons.

- (5) 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 noises resulting therefrom.
- (6) The erection, excavation, demolition, alteration, or repair of any building or premises in any part of the Township, including the streets and highways therein, in such a manner as to emanate noise or disturbance unreasonably annoying to other persons, other than between the hours of 7:00 a.m. and 7:00 p.m. except in cases of urgent necessity in the interest of public health and safety. In such cases, a permit shall be obtained from the building inspector or ordinance enforcement officer of the township, which permit shall limit the periods that the activity may continue.
- (7) The emission or creation of any excessive noise on any street which unreasonably interferes with the operation of any school church, hospital or court.
- (8) The creation of any loud or excessive noise, unreasonably disturbing to other persons in the vicinity in connection with the operation, loading or unloading of any vehicle, trailer, railroad car, or other carrier, or in connection with the repairing of any such vehicle in or near residential areas.
- (9) The use of any drum, loudspeaker or other 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.
- (10) The operation of any race track, proving ground, testing area, or obstacle course for motorcycles, motor vehicles, boats, racers, automobiles or vehicles of any kind or nature in any area of the Township where the noise emanating therefrom would be unreasonably disturbing and annoying to other persons in the vicinity.
- (11) To permit any animal unreasonably to cause annoyance, alarm or noise disturbance at any time of the day or night by repeated barking, whining, screeching, howling, braying or other like sounds, which may be clearly heard beyond the boundaries of the animal owner's real property.

C. None of the prohibitions herein before enumerated shall apply to any of the following:

- (1) Any police vehicle, ambulance, fire engine or emergency vehicle while engaged in necessary emergency activities.
- (2) Excavation or repair of bridges, streets, or highways by or on behalf of Summerfield Township, the State of Michigan, or the County of Monroe.
- (3) Any public emergency warning system while engaged in the testing of said system.
- (4) Warning devices emitting sound for warning purposes as authorized by law.
- (5) Any 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, generators, chainsaws and snow blowers where the equipment has been maintained in normal and usual operating condition to limit its noise generation.
- (6) Any sound which is generated as a result of bona fide agricultural activities or by agricultural animals.
- (7) Devices or activity creating sound made to alert persons to the existence of an emergency, danger or attempted crime.
- (8) Regular activities or operations of an airport.
- (9) Noise emanating from the discharge of firearms providing that such discharge is otherwise authorized under Michigan law or local ordinance.
- (10) Bells, chimes and similar devices while being used for religious purposes or for special civic celebrations.

Section 3. Public Nuisance Regulations.

No person, firm, corporation, or entity shall create, cause or maintain any public nuisance within the township by the unreasonable emission of dust, smoke, fly ash or noxious odors which are offensive or disturbing to adjacent property owners and residents.

Section 4. Severability.

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 5. Penalties for Violation.

Any person, firm, corporation, or entity found violating any of the provisions of this Ordinance shall, upon conviction, be punished by a fine of not to exceed \$500.00 or by imprisonment not to exceed 90 days, or by 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 an action for injunction, damages, or other appropriate legal action.

Section 6. Publication and Effective Date.

This Ordinance shall be published in a newspaper of general circulation in Summerfield Township and shall become effective thirty (30) days after publication.

This Ordinance is hereby declared to have been adopted by the Township Board of Summerfield Township at a meeting thereof duly called and held on the 17th day of June, 2013, and ordered to be given publication in the manner duly prescribed by law.

John Chandler, Supervisor

Trudy Goodin, Clerk

Adopted: June 17, 2013