

CASCO TOWNSHIP ORDINANCE NO. 915-2025

ANTI-NOISE AND PUBLIC NUISANCE

**AN ORDINANCE TO RESTATE AND REPLACE
ORDINANCE NO. 041717 TO SECURE THE PUBLIC
HEALTH, SAFETY, AND GENERAL WELFARE OF THE
RESIDENTS AND PROPERTY OWNERS OF CASCO
TOWNSHIP, ALLEGAN COUNTY, MICHIGAN, BY THE
REGULATION OF NOISE WITHIN THE TOWNSHIP AND
TO PRESCRIBE THE PENALTIES FOR THE VIOLATION
OF THE ORDINANCE.**

THE TOWNSHIP OF CASCO, ALLEGAN COUNTY, MICHIGAN ORDAINS:

Section 1. Ordinance Title.

This Ordinance shall be known as and may be cited as "The Casco Township Anti-Noise and Public Nuisance Ordinance."

Section 2. Definitions.

The following terms used in this Ordinance are defined as follows.

- A. "Day Time Hours:" the hours between 7:00 a.m. and sundown.
- B. "Night Time Hours:" the hours between sundown and 7:00 a.m., local time.
- C. "Loud noise:" sounds that can be heard at a distance greater than 25 feet during the night time hours, or greater than 50 feet during the day time hours, beyond the property line from where the noise is created.

Section 3. Anti Noise Regulations.

- A. General Regulation. No person, firm, or corporation shall cause or create any unreasonable or unnecessarily loud noise which disturbs the peace within the Township.
- B. Specific Violations. The following loud noises are declared to be a violation of this Ordinance; provided, however, that the specification of the following is not to be construed to exclude other violations of this Ordinance not specifically enumerated.
 - 1. The playing of any radio, phonograph, television, or other electronic or mechanical sound producing device, including any musical instrument, in such a manner or with such volume as to unreasonably disturb the peace within the Township.

2. Yelling, shouting, hooting, or singing on the public streets during the night time hours, or at any time or place so as to unreasonably disturb the peace within the Township.
3. The emission or creation of any loud noise which unreasonably interferes with the operation of any school, church, hospital, or court.
4. The keeping of any animal, bird, or fowl which creates frequent or extended noise which unreasonably disturbs the peace within the Township, such as allowing or permitting any dog to bark repeatedly in an area where such barking can be clearly heard from nearby residential property.
5. The operation of any automobile, motorcycle, motor boat, or other vehicle so out of repair or so loaded or constructed as to cause loud and unnecessary grating, grinding, rattling, or other unreasonable noise including the noise resulting from exhaust, which is clearly audible from nearby properties and unreasonably disturbing to the peace within the Township.
6. The sounding of any horn or other device on any motor vehicle unless necessary to operate the vehicle safely and efficiently or as required by the Michigan Motor Vehicle Code.
7. The erection, excavation, demolition, alteration, or repair of any building or premises in any part of the Township, including the streets and highways, in such a manner as to emanate noise to unreasonably disturb the peace within the Township, other than daytime hours, except in cases of urgent necessity in the interest of public health and safety. In such case, 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.
8. The creation of a loud noise unreasonably disturbing to the peace within the Township 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 or other carrier.
9. The operation of any machinery, equipment, or mechanical device so as to emit a loud noise which is unreasonably disturbing to the peace within the Township.
10. The operation of any race track, proving ground, testing area, or obstacle course for motor vehicles or vehicles of any kind or nature in any area of the Township where the noise emanating therefrom would be unreasonably disturbing to the peace within the Township. Under no circumstances shall any race track, proving ground, testing area, or obstacle course operate after 11:00 p.m. on any evening.

C. Exceptions. None of the prohibitions hereinbefore enumerated shall apply to the following.

1. Any police, ambulance, fire, or other emergency vehicle engaged in necessary emergency activities.
2. Excavation or repair of bridges, streets, highways, or other property by or on behalf of the State of Michigan, the Township, or Allegan County during day time hours when the public welfare, safety, and convenience render it impossible or unsafe to perform such work during other hours.
3. Warning devices emitting sound for warning purposes as authorized by law.
4. Any agricultural equipment while engaged in normal agricultural activities including but not limited to planting, cultivation, irrigation, and harvesting of crops. No portion of this Ordinance shall be construed to conflict with the Michigan Right to Farm Act (Act 93 of 1981, as amended) or other applicable state law.
5. Noises occurring during day time hours caused by construction, repairs, or demolition as long as a valid building permit has been issued by the Township and is currently in effect, provided such noise is not louder than required to perform the permitted work.
6. Noises occurring during day time hours caused by maintenance of grounds, provided such noise is not louder than required to perform the maintenance and the maintenance cannot reasonably be performed during other hours. However, noises from snow removal operations which are not louder than required to accomplish the removal are allowed during any hours.
7. Noises emanating from the discharge of firearms are excluded, providing the discharge of firearms is authorized under Michigan law and all local ordinances.
8. The Township Board may issue a permit for a variance from this Ordinance for purposes of a public or private meeting, concert, parade, or other similar event. Application must be received by the Township Clerk at least 60 days prior to the event.

Section 4. Penalty.

A violation of this Ordinance is a misdemeanor. Further, each violation is a separate offense, a nuisance per se immediately enjoined in the circuit court, and punishable by imprisonment for not more than 90 days or by a fine of not more than \$500 or both such fine imprisonment.

Section 5. Severability.

This Ordinance and its various parts, sections, subsections, sentences, phrases, and clauses are severable. If any part, section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected.

Section 6. Administrative Liability.

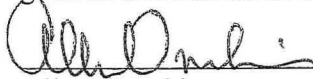
No officer, agent, or employee of the Township, or member of the Township Board, shall be personally liable for any damage that may accrue to any person as a result of any act, decision, or other consequence or occurrence arising out of the discharge of duties and responsibilities pursuant to this Ordinance.

Section 7. Repeal.

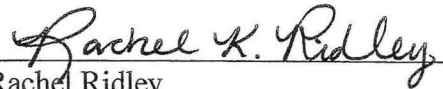
All ordinances or their parts which are in conflict in whole or in part with any of the provisions of this Ordinance as of the effective date of this Ordinance are repealed to the extent of such conflict, except that terms defined in this Ordinance for purposes of interpretation, administration, and enforcement of this Ordinance only, will in no manner repeal, modify, or otherwise change the definition of any such terms as used in other Township ordinances. Specifically this Ordinance repeals and replaces in its entirety the Noise Control Ordinance adopted by the Township in 2017.

Section 8. Effective Date.

This Ordinance was approved and adopted by the Township Board of Casco Township, Allegan County, Michigan, at a regular meeting held on Sept. 15th, 2025, and it is ordered to take effect 30 days after publication in the South Haven Tribune, a newspaper with general circulation in the Township.



Allan Overhiser
Township Supervisor



Rachel Ridley
Township Clerk

CERTIFICATE

I, Rachel Ridley, the Clerk for the Township of Casco, Allegan County, Michigan, certify that the foregoing Casco Township Anti-Noise and Public Nuisance Ordinance was adopted at a regular meeting of the Casco Township Board of Trustees held on Sept. 15th 2025.

The following members of the Township Board were present at that meeting: Allan Overhiser, Rachel Ridley, Kenny Cleverger, Dan Fleming & Mary Campbell

_____. The following members of the Township Board were absent: none

_____. The Ordinance was adopted by the Township Board with members of the Board Overhiser, Ridley, Cleverger, Fleming & Campbell

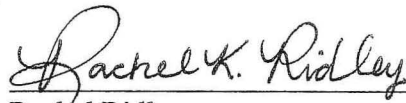
_____ voting in favor and members of the Board (none)

_____ voting in opposition. The full text or a summary of the Ordinance was published in the

_____ on October 5th, 2025. A certified copy of the

Ordinance was sent to the Allegan County Clerk, by first-class mail with postage pre-paid on

November 3, 2025.


Rachel Ridley,
Casco Township Clerk