

1 **CHARTER TOWNSHIP OF GREEN**

2 **COUNTY OF MECOSTA, STATE OF MICHIGAN**

3 **ORDINANCE NO.**

4 **NOISE ORDINANCE**

5 **An ordinance to secure the public health, safety, and general welfare of the**
6 **residents and property owners of the Charter Township of Green, by regulating,**
7 **and where necessary prohibiting noise within said Township and proscribing**
8 **penalties for the violation thereof.**

9 **THE CHARTER TOWNSHIP OF GREEN, COUNTY OF MECOSTA, STATE OF**
10 **MICHIGAN, ORDAINS:**

11 **Section 1: Title.**

12 This Ordinance shall be known and may be cited as the Noise Ordinance of the Charter
13 Township of Green.

14 **Section 2: Purpose.**

15 Pursuant to its statutorily authorized power to enact ordinances for the purpose of
16 preserving and protecting the general health, safety, and welfare, the Township Board
17 of the Charter Township of Green hereby enacts the following Noise Ordinance, the
18 purpose of which is to prohibit excessive, unnecessary, unnatural, or unusually loud

19 noises, or which are prolonged, unusual, and unnatural in their time, place, and use,
20 and which disturb the peace and comfort of the public, or are a detriment to the public
21 health, comfort, convenience, safety, welfare, peace and prosperity of the general
22 public, and to provide penalties for the violation of this Ordinance.

23 **Section 3: General Prohibited Noise.**

24 A. It shall be unlawful for any person or entity to make, maintain, or continue, or cause
25 to be made or continued, any excessive, unnecessary, unnatural, repeated, prolonged
26 or unusually loud noise, or any noise which annoys or disturbs or injures or irritates or
27 unreasonably impairs the comfort, repose, health, or peace of another, within the ~~limits~~
28 **JURISDICTION** of the Charter Township of Green.

29 B. It shall be unlawful for the owner of any premises within the Charter Township of
30 Green, and for the occupant or person in possession of any premises within the Charter
31 Township of Green, whether individual, corporate, or otherwise, to knowingly make,
32 allow to be made, or to permit to be made upon the premises so owned, occupied, or
33 possessed, any excessive, unnecessary, unnatural, repeated, prolonged or unusually
34 loud noise, or any noise which annoys or disturbs or injures or irritates or unreasonably
35 impairs the comfort, repose, health, or peace of other, within the ~~limits~~ **JURISDICTION**
36 of the Charter Township of Green.

37 **Section 4: Specific Noises Prohibited; Standards.**

38 The following noises and acts are hereby declared to be excessive, unnecessary,
39 unnatural, or unusually loud which annoy, disturb, injure, or unreasonably impair the

40 comfort, repose, health, or peace of others in violation of this Ordinance, said
41 specification is not to be construed to exclude other violations not enumerated:

42 A. HORNS AND OTHER SIGNALING DEVICES. The sounding of any horn or
43 signaling device on any automobile, motorcycle, boat, bus, truck, or other vehicle,
44 except as a danger warning; the creation by means of any such signaling device of any
45 unreasonably loud or harsh sound; the sounding of any such device for an unnecessary
46 and unreasonable period of time, or at an unnecessary and unreasonable time of the
47 day or night; and, the use of any hand held or hand operated signal device which emits
48 a loud or harsh sound except as a danger warning.

49 B. RADIOS, TELEVISIONS, PHONOGRAPHS, AND MUSICAL INSTRUMENTS. The
50 using, operating, or permitting to be played, used, or operated, any radio receiving set,
51 television receiving set, phonograph, or musical instrument, or other such device for the
52 production or reproduction of sound, in such a manner as to unreasonably or
53 unnecessarily irritate, annoy, or disturb the peace, quiet, and conform of the
54 neighboring inhabitants, or at any time at a volume unnecessary for convenient listening
55 of the person or persons in the room, vehicle, or chamber in which such machine or
56 device is being operated, and who are voluntarily listeners thereto. The operation of
57 any such radio, television, phonograph, musical instrument, or other such machine or
58 device between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. in
59 such a manner as to be plainly audible at a distance of fifty (50') feet from the building,
60 structure, or vehicle in which it is located, or which is plainly audible in a dwelling unit
61 other than that in which it is located, shall be prima facie evidence of a violation of this
62 Section.

63 C. YELLING, SHOUTING, AND VERBAL NOISE. Yelling, shouting, hooting, whistling,
64 singing, or other verbal noise upon any premises, or upon the public streets, between
65 the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m., or at any other time
66 or place, in such a manner so as to unreasonably annoy or disturb peace, natural
67 quietude, comfort, or repose of persons in any office, or in any dwelling, hotel, or other
68 type of residence, or of any persons in the vicinity where such noise is plainly audible at
69 a distance of fifty (50') feet from its point of origin shall be prima facie evidence of a
70 violation of this Section.

71 D. ANIMALS, BIRDS, OR PETS. The keeping of any animal, bird, or pet which, by
72 causing frequent or continuous noise, plainly audible at a distance of fifty (50') feet
73 **WITHIN RESIDENTIAL ZONED AREA** from its point of origin, shall be a prima facie
74 evidence of a violation of this Section.

75 E. EXHAUST NOISES. The discharge into the open air of the exhaust of any steam
76 engine, stationary internal combustion engine, or any other form of engine, whether in a
77 boat, motor vehicle, motorcycle, off-road vehicle, or tractor, except through a muffler or
78 other device which effectively prevents or reduces loud or explosive noises.

79 ~~F. LOADING, UNLOADING, AND OPENING OF BOXES. The creation of a loud and~~
80 ~~excessive noise in connection with the loading or unloading of any vehicle or trailer, or the~~
81 ~~opening or destruction of bales, boxes, crates, and containers.~~

82 ~~G.~~ F. CONSTRUCTION OR REPAIRING OF BUILDINGS. The erection (including
83 excavation), demolition, alteration or repair of any building or structure other than
84 between the hours of seven o'clock (7:00) a.m. and nine o'clock (9:00) p.m. where

85 such activity results in the creation of unusually loud noise or noise which annoys,
86 disturbs, injures, or unreasonably impairs the comfort, repose, health, peace or safety
87 of others except in case of urgent necessity in the interest of public health and safety,
88 for the duration of such emergency.

89 ~~H.~~ **G. BUSINESS OPERATIONS AND OTHER PREMISES ACTIVITIES.** The carrying
90 on of any business operations, or any other activities upon any premises in such a
91 manner so as to create any excessive, unnecessary, or unusually loud noise, which
92 disturbs, injures, or unreasonably impairs the comfort, repose, health, peace or safety
93 of others.

94 ~~H.~~ **H. PILE DRIVERS AND OTHER HEAVY EQUIPMENT.** The operation between the
95 hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. of any pile driver, steam
96 shovel, pneumatic hammer, derrick, steam or electric hoist, or other form of heavy
97 equipment, the use of which is attended by loud, or repeated or continuous noise.

98 ~~J.~~ **I.** The operation of any race track, proving ground, testing area, or obstacle course
99 for vehicles, motorcycles, boats, racers, automobiles, snowmobiles, off-road vehicles,
100 or vehicles of any kind or nature in a **RESIDENTIAL ZONED AREA** of the Township, ~~or~~
101 ~~adjacent to a residential area of the Township~~ where such noise emanating from the
102 identified vehicles would be unusually loud or continuous, or unreasonably disturbing,
103 or upsetting to persons in that vicinity.

104 **Section 5: Exceptions.**

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

106 A. Any police vehicle, ambulance, fire engine, or other emergency vehicle while
107 engaged in necessary emergency activities.

108 B. Excavation or repair of bridges, streets, or highways, or other property by or on
109 behalf of the State of Michigan, Charter Township of Green, or County of Mecosta,
110 between sundown and seven o'clock (7:00) a.m. when the public welfare, health, safety
111 or convenience renders it impossible to perform such work during other hours.

112 C. Noises emitted from warning devices for the purpose of notifying individuals or the
113 public at large as authorized by law.

114 D. All railroad operations meeting the maximum permissible noise levels allowed or
115 permitted by law.

116 E. Noise emanating from the discharge of firearms providing that such discharge is
117 otherwise authorized under Michigan law or local ordinance.

118 **F. FARM OPERATIONS AS DEFINED BY “MICHIGAN RIGHT TO FARM” ACT 93**
119 **OF 1981, MCL 286.471 - 286.474 .**

120 **Section 6: Severability.**

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

126 **Section 7: Violations.**

127 A violation of this Ordinance shall be deemed to be a civil infraction, and any person,
128 firm, or entity found responsible therefore shall be subject to a fine not to exceed \$500
129 for each offense. A violator of this Ordinance may be subject to additional sanctions,
130 remedies, injunctions or judicial orders as authorized under Michigan law. Each day a
131 violation of this Ordinance continues to exist constitutes a separate violation.

132 **Section 8: Effective Adoption and Date.**

133 A. This Ordinance shall become effective thirty (30) days after its publication, as
134 required by law.

135 B. This Ordinance was adopted by the Township Board of the Charter Township of
136 Green, County of Mecosta, and State of Michigan, at its regular meeting held on .