

RECORD OF ORDINANCES

ORDINANCE NO. 7

Township of EVANGELINE County of CHARLEVOIX

Ordinance No. 7 enacted by the Board May 20, 1974

Published: May 23, 1974, within 10 days after enactment.

Effective June 21, 1974.

Record of votes of Board Members:

(Yes or No)

(Yes or No.)

.....(.....)

.....(.....)

.....(.....)

.....(.....)

I CERTIFY that publication was made on May 23, 1974 within 10 days after enactment of ordinance.

Signed: _____, Township Clerk

THE TOWNSHIP OF EVANGELINE ORDAINS,

An Ordinance to regulate unreasonable noise within Evangeline Township; to prescribe rules, regulations and conditions limiting the operation of any noise, disturbance or loud speaker; and to prescribe penalties for the violation of the provisions of this Ordinance.

THE TOWNSHIP OF EVANGELINE, CHARLEVOIX COUNTY, MICHIGAN, ORDAINS:

SECTION I. TITLE

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

SECTION II. ANTI-NOISE REGULATIONS

A. General Regulation. No person, firm or corporation 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 the 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 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 upset or disturb the quiet, comfort or repose of other parties.

Signed _____ Supervisor Clerk

2. Yelling, shouting, hooting or singing on the public roads between the hours of 10:00 o'clock P.M. and 7:00 A.M., or at any time or place so as to unreasonably upset or disturb the quiet, comfort or repose of any persons in the vicinity.

3. The emission or creation of any excessive noise which unreasonably interferes with the operation of any school or church.

4. The keeping of any animal, bird or fowl, which emanates frequent or extended noise which shall unreasonably disturb 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 be clearly heard from nearby residential property.

5. The operation of any automobile, motorcycle 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 quiet, comfort or repose of other persons. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain same so that the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this section.

6. The sounding of any horn or other device on any motor vehicle unless necessary to operate said vehicle safely or as required by the Michigan Motor Vehicle Code.

7. The discharging outside of any enclosed building of the exhaust of any 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. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain same so that the noise emitted by such vehicle as originally manufactured shall be in violation of this section.

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

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

2. Warning devices emitting sound for warning purposes as authorized by law.

SECTION III. VALIDITY

The several provisions of this Ordinance are declared to be separate; if any Court of Law shall hold that any section or provision thereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this Ordinance.

SECTION IV. PENALTIES

Any person, firm or corporation found violating the provisions of

this Ordinance, shall, upon conviction, be punished by a fine of not to exceed Five Hundred Dollars (\$500.00) or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment, at the discretion of the Court. East day that a violation shall continue is to constitute a separate offense. Provisions of this Ordinance may also be enforced by suit for injunction, damages or other appropriate legal action.

SECTION V. EFFECTIVE DATE

This Ordinance shall take effect on June 21, 1974.

Signed

Joseph J. Eaton
Supervisor

Clerk

EVANGELINE TOWNSHIP

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EVANGELINE TOWNSHIP CLERK