

## Chapter 20 – NOISE AND NUISANCE

### Section 1. Noise Violations

- (a) Restrictions - Generally. It shall be unlawful for any person to make, continue, or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the Township. Such prohibition shall include, but not be limited to, the noises enumerated in this Section 1.
- (b) The following is prohibited:
- (1) Horns and Signal Devices. The sound of any horn or signal device on any automobile, truck, motorcycle, bus or other vehicle while not in motion except as a danger signal if another vehicle is approaching apparently out of control or to give warning of intent to get under motion, or if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary or unreasonable period of time are all unlawful.
  - (2) Musical instruments; Electronically Amplified Sound. It shall be unlawful to play any musical instrument or allow any electrically or electronically produced, reproduced or amplified sound to emanate from any place or premises between the hours of 10:00 p.m. and 8:00 a.m., so as to be heard more than one hundred (100) feet from the property line of such place or premises or so as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling or other residence, or other place of employment or repose are all unlawful. This provision shall not be applicable to community events approved by the Township.
  - (3) Shouting and Whistling. Yelling, shouting, hooting, whistling or singing or the making of any other loud noise on the public streets, between the hours of 10:00 p.m. and 8:00 a.m., or the making of any such noise at any place at any time so as to unreasonably annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel or other type of residence, or of any person in the vicinity is unlawful.
  - (4) Whistle or Siren. The blowing of any whistle or siren, except to give notice of the time to begin or stop work or as a warning of fire, emergency, or danger is unlawful.
  - (5) Engine Exhaust. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine or motor vehicle, except through a muffler or other device which effectively prevents loud explosive noises therefrom is unlawful.

- (6) Construction Noises. Except for government projects, it shall be unlawful to erect, excavate, demolish, alter or repair any structure, or excavate any street or highway, other than between the hours of 7:00 a.m. and 10:00 p.m., without first obtaining a permit from the Township.
  - (7) Devices to Attract Attention. The use of any drum, loud speaker, amplifier, or other instrument or device for the purpose of attracting attention is unlawful.
  - (8) Noise or Commotion in Vehicles. To make a commotion or make unnecessarily loud noises in vehicles, whereby the peace and good order of the neighborhood is disturbed, or where persons owning or occupying property in the neighborhood are disturbed or annoyed is unlawful.
  - (9) Sound Trucks. To operate or cause to be operated a sound truck with radio or amplifier within the Township, without first having obtained a permit therefor from the Township is unlawful.
  - (10) Sound System in Parked or Moving Motor Vehicle. No person operating or in control of a parked or moving motor vehicle (including motorcycles and mopeds) shall operate or permit the operation of an electronically-amplified sound system in or about the vehicle so as to produce sound that is clearly audible at a distance of fifty (50) feet from the vehicle between the hours of 7:00 a.m. and 10:00 p.m., or clearly audible at a distance of twenty-five (25) feet from the vehicle between the hours of 10:00 p.m. and 8:00 a.m.
  - (11) Allow a dog, dogs or any pet to bark, yelp or wane excessively, unreasonably loud or so as to unreasonably disturb persons on a lot or parcel other than where the pet or dog is located.
- (c) Exceptions. None of the noise prohibitions contained in this Chapter shall apply to or be enforced against:
- (1) Any authorized emergency, firefighting or police vehicle when responding to an official call.
  - (2) Necessary excavations or repairs of bridges, streets or highways by or on behalf of the Township, county or state during the night, when the public safety, welfare and convenience renders it impossible to perform such work during the day.
  - (3) The reasonable use of stationary amplifiers or loud speakers in the course of lawful public addresses which are noncommercial in character.
  - (4) Power Chain Saw Noise. Power chain saws operated by internal combustion engines utilized between the hours of 7:00 a.m. and 10:00 p.m.

**Section 2. Littering**

No person shall litter.

**Section 3. Disturbance of the Peace Offenses**

No person shall:

- (a) Create or engage in any disturbance, fight or quarrel in any public place, except in reasonable self-defense when attacked without reasonable provocation or in reasonable defense of another who was so attacked.
- (b) Disturb the public peace and quiet by loud, boisterous, or vulgar conduct, noise or language.
- (c) Without proper authority, conduct himself or herself in any public place so as to obstruct the free and uninterrupted passage of the public.
- (d) Disturb or unreasonably interfere with any service of worship or any other assembly gathered for lawful purposes.
- (e) Fire, discharge, display, or possess any fireworks except of the type and under the conditions permitted by Chapter 39 of the Penal Code of the State of Michigan, as amended.
- (f) Incite, cause, or attempt to incite or cause any assembled group of persons to act in a manner that is likely to or does endanger the safety of another person or of property.

**Section 4. Prohibition of Nuisances**

- (a) Smoke. No person who is responsible for any chimney or smoke stack shall permit the omission therefrom, within the Township, dense smoke or smoke containing soot or other substances in sufficient quantities to permit a noticeable deposit thereof on buildings on lots or parcels other than where the smoke source is located.
- (b) Creation of Noxious or Offensive Odors. No person shall permit matter to putrefy or decay, or be burned so as to cause, nor shall he or she in any other manner cause or occasion, noxious or offensive odors, fumes or gases in any place or places within the Township in such manner as to imperil the health or safety of any person or persons or so as to disturb unnecessarily and without reasonable cause the comfort of any person or persons within the Township.
- (c) Dangerous Structures. No person shall maintain any structure or building which is unsafe or a menace to the health, morals or safety of the public.
- (d) Abandoned Refrigerators and Airtight Containers. No person shall have in his or her possession, either inside or outside of any building, structure or dwelling, in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator, or

any other similar airtight container of any kind large enough for a child to enter which has a snap, latch or other locking device thereon, without first removing the snap, latch or other locking device, or the doors, from such icebox, refrigerator, or other airtight container, in such a fashion as to render such container safe.

- (e) Control of Glare, Fumes, Dust and Odors. Every use and activity shall be so conducted and operated such that it is not unreasonable, obnoxious or dangerous by reason of glare, fumes, dust, or odors beyond the lot or parcel on which the use or activity is located, provided however, that such regulations shall not prohibit lawful farming operations that are protected by the Michigan Right to Farm Act to the extent of such protection.

Obnoxious or dangerous fumes, glare, dust, or odors are defined as:

- Fumes: any smoke-like, vaporous, or gaseous exhalation or release from matter or substances, especially of a harmful or allergic nature.
- Dust: earth or other matter of fine, dry particles that can cause irritation or a rash, pollute the air, or inhibit sight/vision.
- Odor: the property of a substance that activates the sense of smell, particularly an allergic reaction or a disagreeable scent or fragrance.
- Glare: a harsh, bright, or dazzling light (or reflection of light) that causes blinding, annoyance or disruption.

- (f) General Nuisances.

- (1) The word “nuisance” as used in this Chapter means any act or acts or omission to act on the part of any person which creates, allows or permits the existence of a situation which unreasonably annoys, injures or endangers the peace, welfare, order, health or safety of the public or private parties in their persons or property. As defined herein, a nuisance includes, but is not limited to, conditions which render persons insecure or endangered in life or in the use and enjoyment of their property, such as effects and emanations from noise, glare, lights, vibrations, dust, smoke, odor, gas, steam, fly-ash, soot, aids, chemicals, fumes, cinders, worms, insects, rodents, flies or decaying matter, whether such effects and emanations are natural or result from human or mechanical alteration or manipulation of materials. A nuisance also includes residues or leaching from deposits of matter which seep into water on the surface or in the ground thereby making it unfit or unpalatable for human consumption, or for use by domestic animals. A nuisance can also include a condition which is indecent, obnoxious, or offensive to the senses. Finally, a nuisance includes anything that is deemed to be a nuisance (private or public) by the common law.
- (2) It is the duty of the person who creates, causes, allows, suffers or permits the existence of a nuisance to end or abate the same. The term “abate” or

“abatement” shall include demolition, removal, repair, maintenance, construction, reconstruction, replacement and reconditioning of structures, appliances, appurtenances or equipment; and it shall also include removal, transportation, buying, disposal and treatment of refuse, manure or other substance or media capable of causing obnoxious odors or of attracting or breeding flies, and the application of chemicals insecticides or other substances or the use of mechanical means to control, eradicate and eliminate the nuisance conditions, including screen-belts of trees and fences.

- (3) Nuisances are prohibited.