

Ordinance No 3 06-05

Paradise
Uniform Township Noise Ordinance

Section 1. No person within the township shall cause a noise disturbance, which is defined as sound created by human activity with or without the use of any device, which by reason of its volume, intensity, location, or time of day impairs the health, welfare, or peace of another person of normal human sensibilities.

Section 2. Prohibited Acts. The following acts and activities are declared to be noise disturbances and are prohibited. This enumeration shall not be deemed exclusive.

- A. The playing of any radio, television, phonograph, other sound reproduction device, or musical instrument in such a manner or at such a volume as to be sufficiently audible to annoy or disturb the quiet, comfort, or repose of persons in the vicinity.
- B. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person in the vicinity.
- C. The use of any motor vehicle, including motorcycles, in such a manner as to create a disturbing noise, including, but not limited to, the screeching of tires and the discharge into the open air of exhaust from the engine without a sufficient muffler.
- D. Shouting or other raucous or boisterous behavior for an unreasonable length of time.

Section 3. The Grand Traverse County Sheriff and his deputies are authorized as local enforcement officers of this ordinance. Section 4.

- A. A violation of this ordinance is a municipal civil infraction, subject to a maximum fine of \$500.00 plus court costs.

- B. Any person who refuses to abate a noise disturbance upon the demand of an authorized local enforcement officer, interferes with the officer's enforcement of the ordinance, or retaliates against another who had made complaint of a noise disturbance is guilty of a misdemeanor punishable by maximum 90 days in jail and a fine of \$500.00 plus court costs.

Section 5. Exempted from this ordinance is any activity defined as a "farm operation" by the Michigan Right to Farm Act, 1980 P.A. 93, MCL 286.471 et seq.

Section 6. Nothing in this ordinance impairs or precludes a separate cause of action provided by statute or common law for conduct prohibited herein.

Section 7. The provisions of this ordinance are severable and if any part is declared void or unenforceable by a court of competent jurisdiction, the remaining parts shall remain in force.

Ayes: *Dean, Smith, Roop, M Sedlach, J Sedlach*

Nays: 0

Date Passed: *6-8-05*

Attested, by order of the Township of Paradise

Judith E Smith

Judith E Smith Township Clerk

Evelynne Marie Dean

Evelynne Marie Dean Township Supervisor