

**Township of Surrey  
County of Clare, State of Michigan  
Surrey Township Ordinance No. 36**

An ordinance prohibiting unnecessary noises within Surrey Township, Clare County, State of Michigan.

**THE TOWNSHIP OF SURREY, COUNTY OF CLARE  
STATE OF MICHIGAN, HEREBY ORDAINS**

**Section 1: TITLE**

This ordinance shall be known as the Surrey Township Noise Ordinance

**Section 2.** It is found and declared that:

- (a) The making and creation of loud, unnecessary or unusual noises within the limits of the Township of Surrey is a condition which has existed for some time and the extent and the volume of such noises is increasing;
- (b) The making, creation or maintenance of such loud, unnecessary, unnatural or unusual noises which are prolonged, unusual, and unnatural in their time, place and use affect and are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the residents of the Township of Surrey; and
- (c) The necessity in the public interest for the provisions and prohibitions hereinafter contained and enacted, is declared as a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the Township of Surrey and its inhabitants.

**Section 3.** 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 annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of the Township.

**Section 4.** The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this ordinance, but said enumeration shall not be deemed to be exclusive, namely:

- a. Horns, Signaling Devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle, street car or other vehicle on any street or public place of the Township, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time. The use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust and the use of any such signaling device when traffic is for any reason held up.
- (b) Radios, Phonographs, etc. The using, operating or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operating and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of ten o'clock P.M. and seven o'clock A.M. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- (c) Loud Speakers, Amplifiers for Advertising. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.

(d) Yelling, Shouting, etc. Yelling, shouting, hooting, whistling, or singing in the public streets, particularly between the hours of 10 P.M. and 7 A.M. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

(e) Animals, Birds, etc. The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any persons in the vicinity.

(f) Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(g) Blowers. The operation of any noise-creating blower or power fan or any internal combustion engine, the operation which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.

**Section 5. Penalties.** Any person or other entity who violates any of the provisions of this ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine of not more than \$500, plus costs, which may include all direct or indirect expenses to which the township has been put in connection with the violation. In no case, however, shall costs of less than \$9 be ordered. A violator of this ordinance shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under Michigan law. Each day a violation of this ordinance continues to exist constitutes a separate violation.

**Section 6. Separability.** It is the intention of the Township Board that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Township Board that if any provision of this ordinance be declared to be invalid, all other provisions thereof shall remain valid and enforceable.

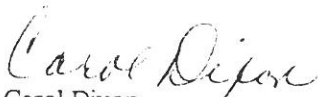
**Section 7.** The Clare County Sheriff Department, and the Michigan State Police are authorized to issue tickets and enforce this ordinance.

**Section 8. Effective Date:** This Ordinance shall become effective immediately upon publication as required by law following adoption by the township board.



Carol Dixon  
Surrey Township Clerk

Clerk's Certificate: I hereby certify that the foregoing ordinance is a true copy of the ordinance adopted by the Surrey Township Board on the 5th day of September, 2000, and that it was published in the Clare County Review on September 17, 2000.



Carol Dixon  
Surrey Township Clerk