

**NOTICE OF PUBLICATION BY POSTING
YORK CHARTER TOWNSHIP**

At a regular meeting of the Charter Township of York Board of Trustees held on April 8, 2008, the above-mentioned Ordinance was presented for first reading and such first reading was approved at said meeting. Consideration for adoption of this Ordinance will be part of the agenda at the next regularly scheduled meeting of the York Township Board.

Publication of the proposed Ordinance was made by posting, and a copy of the proposed Ordinance may be reviewed and inspected, in the Office of the York Township Clerk, 11560 Stony Creek Rd., Milan, MI 48160, and on the Township's website at www.twp-york.org pursuant to Section 8 of the Charter Township Act, being MCL 42.8,3(b).

Helen Neill, Clerk, Charter Township of York

Published: April 24, 2008

**CHARTER TOWNSHIP OF YORK
COUNTY OF WASHTENAW, STATE OF MICHIGAN
ORDINANCE NO.**

NOISE ORDINANCE

[An ordinance to secure the public health, safety, and general welfare of the residents and property owners of the Charter Township of York by regulating and, where necessary, prohibiting loud and unreasonable noise within said Township and proscribing penalties for the violation thereof.]

THE CHARTER TOWNSHIP OF YORK, COUNTY OF WASHTENAW, STATE OF MICHIGAN, ORDAINS

SECTION 1: TITLE

This Ordinance shall be known and may be cited as the Noise Ordinance of the Charter Township of York.

SECTION 2: PURPOSE

The purpose of this Ordinance is to protect the general public health, safety, and welfare by prohibiting excessive, unnecessary, unnatural, or unusual loud noise, or such noise which is prolonged, unusual, and unnatural in time, place, and use, and which disturbs the peace, comfort or repose of the general public or is otherwise detrimental to the public health, comfort, convenience, safety, welfare, peace or prosperity.

SECTION 3: GENERAL PROHIBITED NOISE

- A. It shall be unlawful for any person or entity to make, maintain, or continue, or cause to be made, maintained or continued, any excessive, unnecessary, unnatural, repeated, prolonged or unusual loud noise, or any such noise which annoys, disturbs, injures,

irritates or unreasonably impairs the comfort, repose, health, or peace of another person or entity within the limits of the Charter Township of York.

- B.** It shall be unlawful for the owner of any premises within the Charter Township of York, and for the occupant or person in possession or control of any premises within the Charter Township of York, whether individual, corporate, or otherwise, to knowingly make, allow, or permit to be made upon such premises so owned, occupied, or possessed, any excessive, unnecessary, unnatural, repeated, prolonged or unusual loud noise, or any such noise which annoys, disturbs, injures, irritates, or unreasonably impairs the comfort, repose, health, or peace of another person or entity within the limits of the Charter Township of York.

SECTION 4: SPECIFIC NOISES PROHIBITED; STANDARDS.

The following noises and acts are hereby declared to be excessive, unnecessary, unnatural, or unusually loud which annoy, disturb, injure, or unreasonably impair the comfort, repose, health, or peace of others in violation of this Ordinance, but such specification shall not to be construed to exclude other noises prohibited by this Ordinance which are not specifically enumerated:

- A.** HORNS AND OTHER SIGNALING DEVICES. The use and sounding of any hand held horn or signaling device or on any automobile, boat, bus, truck, or other vehicle, except as a danger warning, in such a manner as to be continuous or for an extended period of time such that it disturbs the quiet, peace, comfort or repose of any person.
- B.** RADIOS, TELEVISIONS, PHONOGRAPHS, AND MUSICAL INSTRUMENTS. 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 persons. The operation of any said radio, television, phonograph, musical instrument, or other such sound-producing device between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. in such manner as to be plainly audible at a distance of fifty (50') feet from the building, structure, or vehicle in which it is located, or which is plainly audible in a dwelling unit other than that in which it is located, shall be prima facie evidence of a violation of this Section.
- C.** YELLING, SHOUTING, AND VERBAL NOISE. Yelling, shouting, hooting, whistling, singing, or other verbal noise upon any premises, or upon the public streets, between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m., or at any other time or place, in such a manner so as to unreasonably annoy or disturb peace, comfort, or repose of persons in any office, dwelling, hotel, or other type of residence or business, or of any persons in the vicinity where such noise is plainly audible at a distance of fifty (50') feet from its point of origin shall be prima facie evidence of a violation of this Section.
- D.** ANIMALS, BIRDS, OR PETS. The keeping of any animal, bird or pet which, by frequent or extended noise, does unreasonably disturb the quiet, comfort or repose of any person in the vicinity. Permitting any dog to bark repeatedly in an area where such barking can be clearly heard from nearby residential property or which is plainly audible at a distance of

fifty (50') feet from its point of origin, shall be prima facie evidence of a violation of this Section.

- E.** EXHAUST NOISES. The discharge into the open air of the exhaust of any steam engine, internal combustion engine, or any other form of engine, whether in a boat, motor vehicle, motorcycle, off-road vehicle, or tractor, except through a muffler or other device which effectively prevents or reduces loud or explosive noises.
- F.** CONSTRUCTION OR REPAIRING BUILDINGS. The erection (including excavation), demolition, alteration or repair of any building or structure other than between the hours of seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m. where such activity results in the creation of unusually loud noise or noise which annoys, disturbs, injures, or unreasonably impairs the comfort, repose, health, peace or safety of others, except in case of urgent necessity in the interest of public health and safety for the duration of such emergency.
- G.** BUSINESS OPERATION AND OTHER PREMISES ACTIVITIES. The carrying on of any business operations, or any other activities upon any premises in such a manner so as to create any excessive, unnecessary, or unusually loud noise, which disturbs, injures, or unreasonably impairs the comfort, repose, health, peace or safety of others.
- H.** PILE DRIVERS AND OTHER HEAVY EQUIPMENT. The operation between the hours of eight o'clock (8:00) p.m. and seven o'clock (7:00) a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or other form of heavy equipment, the use of which is attended by loud, or repeated or continuous use.
- I.** The operation of any race track, proving ground, testing area, or obstacle course for vehicles, motorcycles, boats, racers, automobiles, snowmobiles, off-road vehicles, or vehicles of any kind or nature in a residential area of the Township, or adjacent to a residential area of the Township where such noise emanating from the identified vehicles would be unusually loud or continuous, or unreasonably disturbing, or upsetting to persons in that vicinity.

SECTION 5: EXCEPTIONS

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

- A.** Any police vehicle, ambulance, fire engine, or other emergency vehicle while engaged in necessary emergency activities.
- B.** Excavation or repair of bridges, streets, or highways, or other property by or on behalf of the State of Michigan, Charter Township of York, or County of Washtenaw, between 8:00 o'clock p.m. and seven (7:00) a.m. when the public welfare, health, safety or convenience renders it impossible to perform such work during other hours.
- C.** Noises emitted from warning devices for the purpose of notifying individuals or the public at large as authorized by law.

Effective date:
