

CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
NOISE CONTROL
ORDINANCE NO. 98

AN ORDINANCE TO SECURE THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF SUPERIOR CHARTER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, BY THE REGULATION OF NOISE, WITHIN SAID TOWNSHIP TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, BUT NOT TO CONFLICT WITH THE MICHIGAN RIGHT TO FARM ACT, P.A. 1981, NO. 93, MCLA 286.471

Section 98-01 – Excessive Noise Declared Nuisance. All loud or unusual noises or sounds which offend the peace and quiet of persons of ordinary sensibilities are hereby declared to be public nuisances.

Section 98-02 - Specific Offenses. Each of the following acts is declared unlawful and prohibited, but this enumeration shall not be deemed to be exclusive, namely:

A. Animal and bird noises. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort or repose of any person of ordinary sensibilities.

B. Construction noises. The erection (including excavating therefore), demolition, alteration or repair of any building, and the excavation of streets and highways, other than during daylight hours, unless a permit be first obtained from the Township.

C. Sound amplifiers. Use of any loud speaker or amplifier, radio, television, musical instrument or any other sound producing device, whether stationary or mounted on a vehicle, shall be subject to the following restrictions:

1. Amplification shall be limited to provide comfortable listening conditions to the user, without adversely disturbing the peace of other persons.

A reasonable guideline in determining such disturbances is to measure the volume of sound so that it will not be audible for a distance in excess of one hundred (100) feet from the sound amplifying equipment, and the volume is not unreasonably loud, raucous, jarring, disturbing, or a nuisance to persons within said one hundred (100) feet area of audibility.

2. Sound amplifying equipment mounted on vehicles for the purpose of broadcasting specific information requires the permission of the Ordinance

Officer. Such broadcasts must be deemed to be in the public's interest. permission is not required if broadcasts are conducted by emergency vehicle operators or law enforcement officers.

3. Sound shall not be issued within one hundred (100) yards of hospitals, schools or churches.

D. Engine exhausts. 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 or explosive noises therefrom.

E. Power Equipment. The discharge into the open air of noise from a compressor, mower, blower or power fan shall be muffled sufficiently to deaden such noise.

F. None of the prohibitions hereinbefore enumerated shall apply to any of the following:

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

2. Excavation or repair of bridges, streets, or highways by or on behalf of the Charter Township of Superior, County of Washtenaw, or State of Michigan, between sundown and sunup, when the public welfare, safety, and convenience render it impossible to perform such work during other hours.

Section 98-03 - Penalties. Any person who shall violate any provisions of this Noise Control Ordinance shall severely for each and every violation and noncompliance respectively, upon conviction thereof, be punished by a fine not to exceed \$500.00, or by imprisonment for a period not to exceed 90 days, or by both such fine and imprisonment as the Court may assign.

Section 98-04 - Publication. This ordinance shall be published in a newspaper of general circulation within the Charter Township of Superior within thirty (30) days following adoption thereof.

This ordinance shall become effective upon publication. All ordinances or parts thereof in conflict herewith are hereby repealed.

August 7, 1989