

TOWNSHIP OF ELY  
MARQUETTE COUNTY, MICHIGAN

**NOISE ORDINANCE**

ORDINANCE NO. 2021-3

AN ORDINANCE PROHIBITING ANY LOUD, UNNECESSARY OR UNUSUAL NOISE DISTURBING THE PUBLIC HEALTH, WELFARE, SAFETY, PEACE AND COMFORT

THE TOWNSHIP OF ELY ORDAINS:

SECTION 1: UNLAWFUL NOISE PROHIBITED

- (A) It shall be unlawful for any person, firm, business, or corporation; to make or cause any loud, unnecessary, or unusual noise, or any noise which unreasonably annoys or disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others within the limits of the township.
- (B) It shall be unlawful for the owner, occupant, or person, firm, business, corporation or other entity in control of any premises within the township to allow or permit to be made upon the premises, any loud, unnecessary, unusual noise, or any noise which unreasonably annoys or disturbs, injures, or endangers the comfort, repose, health, peace or safety of others.
- (C) The following acts, among others, are declared to be loud, disturbing, injurious, and unnecessary and unlawful noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:
  - (1) Continuous horn, signaling devices, compression brakes, or any harsh and unreasonable loud sounds emanating for a motor vehicle.
  - (2) Using radios, T.V. sets, musical instruments, loudspeakers, amplifiers, or other machines or devices for the producing or reproducing of sound in a manner as to unreasonably disturb the peace, quiet, and comfort of any person in the vicinity with louder volume than necessary for the person or persons who are in the room, vehicle, or chamber in which the machine or device is operating. The operation of any of the above-named devices in such a manner that the noise is plainly audible at a distance of 50 feet or more from the source of the noise between the hours of 11:00 p.m. and 7:00 a.m., will be prima facie evidence of a violation of this subsection.
  - (3) Continuous yelling or shouting on the public street at any place or time, unreasonably disturbing any person in the vicinity.
  - (4) The keeping of any animal causing long and continued noises unreasonably disturbing the comfort, peace, or repose of any person in the vicinity; and/or

- (5) The operation of any electric motor, compressor, or internal combustion engine, or any other form of engine, either stationary or moving, whether in a motor vehicle, boat, motorcycle, off-road vehicle, tractor, or other equipment, except through a muffler or other device that effectively prevents or reduces loud or explosive noises.
- (6) Except in the event of an emergency, the demolition, excavation, alteration, construction or repair of any road, building or structure other than between the hours of 7:00 a.m. and 11:00 p.m., where the activity results in the creation of unusually or unreasonably loud noise which unreasonably disturbs the comfort, peace or repose of neighbors or other persons.

SECTION 2: EXCEPTIONS. None of the terms or provisions of Section 1 shall apply to or be enforced against:

- (A) Emergency vehicles. Any police or fire vehicle, or ambulance while responding to, or engaged in, an emergency; and/or any Department of Public Works (DPW) trucks while engaged in snow removal or other necessary township function; and/or
- (B) Special events. Any participant in a football game, parade, or other special, lawful public event.

SECTION 3: PENALTIES AND ENFORCEMENT

- (A) Any person in violation of any section of Section 1 shall be guilty of a municipal civil infraction and shall be subject to payment of a civil fine as provided in the schedule below.
  - (1) First Violation. Any person who admits responsibility for, or who is found responsible for, a violation of Section 1 shall be subject to a civil fine of \$50
  - (2) Second violation. Any person who admits responsibility for, or who is found responsible for, a second violation of Section 1, in any 12-month period shall be subject to a civil fine of \$100.
  - (3) Third and subsequent violations. Any person who admits responsibility for, or who is found responsible for, a third or subsequent violation of Section 1, in any 12-month period shall be subject to a civil fine of \$500.
- (B) This Ordinance shall be enforced by the Zoning Administrator, Ordinance Enforcement Officer, the Supervisor of the Township or by any other person as the Township Board may, by Resolution, from time to time designate.

SECTION 4: EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after publication.

Motion to adopt the Noise Ordinance made by Board Member Wing and supported by Schuhknecht.

Roll Call Vote:

Members voting Aye: Gischia, Wing, Schuhknecht, Taseris and Laakso

Members voting Nay: None

Supervisor Laakso declared the Noise Ordinance adopted on this 20<sup>th</sup> day of the month of October 2021.

Certification:

I, Molly A. Taseris, Ely Township Clerk, certify the Noise Ordinance was adopted on October 20, 2021.

Dated: \_\_\_\_\_

By: \_\_\_\_\_