

ORDINANCE #22

BUTMAN TOWNSHIP NOISE ORDINANCEN

1. **PREAMBLE:**

The purpose of this ordinance is to protect the public health, safety and general welfare of the inhabitants of the Township, the lands and resources lying within the Township, to prescribe penalties for the violation thereof and to repeal all ordinances or parts of ordinances therewith.

2. **PROHIBITED ACTS:**

- 2.a It shall be unlawful between the hours of 11:00 P.M. and 7:00 A.M. for any person to make a create, maintain or permit any loud, unnecessary, unnatural or unusual noise of such character, intensity, or duration, either steadily or intermittently at any place which annoys, disturbs, endangers or impairs the comfort, health, convenience, safety, welfare, enjoyment and peace and quiet of other persons in the vicinity.
- 2.b It shall be unlawful at any time of the day or night, for any person to play a radio, CD, audio tape, television, computer or musical instrument in such a manner or at such a volume as to disturb the quiet, comfort and repose of neighboring inhabitants or at a volume which is plainly audible to persons other than those who are occupants of the home, room or vehicle in which devise or instruments I played and who are voluntary listeners thereto.
- 2.c It shall be unlawful at ay time of the day or night to keep any animal, dog or bird which by causing frequent or long-continuing noise, or barking, causes a disturbance as defined in paragph 2.a above.

3. **EXPEMPTIONS**

- 3.a Any acitivity that is a "farm operation" with the Michigan Right to Farm Act, 1980 P.A. no 93, MCLA 286.47l et seq, shall be exempt from the application of this ordinance.
- 3.b This ordinance shall not apply to any activity which generates noise or sound if that activity is specifically regulated or controlled, in whole or in part, as to allowable noise or sound levels, or allowed

during certain hours of operation or use, by State Law or regulation, city, village or township ordinance. To this extent that there is partial regulation of noise or sound generation, then this ordinance may be applied to that activity but not in conflict with State law, regulation or ordinance of the local jurisdiction in which the activity occurs.

4. **SAVINGS CLAUSE:**

The provisions of this ordinance are hereby declared to be severable and if at any sot, sentence, word, section, or provision is declared null and void or unenforceable, for any reason, by a court f competent jurisdiction, the remaining portions of said ordinance shall remain in force.

5. **PENALTIES:**

It is a misdemeanor for any person to violage any provision of this ordinance and upon conviction shall be subject to a fine not to exceed \$500 (Five Hundred Dollars) or by imprisonment in the county jail for not more than 90 (ninety) days or both. Each day that a violation continues to exist shall constitute a separate violation of this ordinance.

6. **EFFECTIVE DATE:**

This ordinance will take effect 30 (thirty) days following publication hereof in the Gladwin County Record on: December 27, 2000.

We, Robert E Pearce Supervisor and Paul D Joyce Clerk for the Township Of Butman, Gladwin county, Michigan hereby declare Ordinance #22 adopted.

Ayes 5
Nays 0
Absent 0

Robert E Pearce, Supervisor
Township of Butman