

**REPUBLIC TOWNSHIP ORDINANCE
MARQUETTE COUNTY, MICHIGAN**

NOISE ORDINANCE

ORDINANCE NO. 2023 - 1

An ordinance prohibiting unnecessary noises, to preserve the peace, welfare, order, health, and safety of persons and property within Republic Township; to provide penalties for the violation of said Ordinance; and to repeal existing Ordinance 2013-33 Noise.

THE TOWNSHIP OF REPUBLIC, COUNTY OF MARQUETTE, ORDAINS:

SECTION 1. Title

This Ordinance shall be known and cited as the “Republic Township Noise Ordinance”.

SECTION 2. Purpose

- A. It is found and declared that the making and creation of loud, unnecessary, or unusual noises with the limits of the Township of Republic is a condition which has existed for some time and the extent and the volume 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 effect and are a detriment to public health, comfort, convenience, welfare and prosperity of the residents of Republic Township; and
- C. The necessity in the public interest for the provisions and prohibitions herein after contained and enacted, is declared as a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions herein after contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare, prosperity and peace and quiet of the Township of Republic and its inhabitants.

SECTION 3. Regulations

General regulation. It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the Township of Republic.

Specific violations. The following noises and disturbances are hereby declared to be a violation of this ordinance; provided, however, that the specification of the same is not thereby to be construed to exclude other violations of this ordinance not specifically enumerated:

- A. **HORNS, SIGNALING DEVICES, ETC.** – The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place of the Township of Republic, 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 or unreasonable length of time; 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. **LOUD SPEAKERS, AMPLIFIERS FOR ADVERTISING, ETC.** – 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 attention for the public to any building, structure, premises or vehicle.
Concerts, bands, sporting and public events are limited to between the hours of 10:00AM to 11:00PM (see exception section).
- C. **RADIO AND MUSICAL INSTRUMENTS** – The playing of any radio, television, or any musical instruments in such a manner or with such volume, particularly during the hours between 11:00PM and 7:00AM or at any such time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling or other type of residence, or of any persons in the vicinity. The operation of any set, instrument, phonograph machine or device during these restricted hours in such a manner, as to be plainly audible at a distance of twenty (20) feet from building, structure, premises or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- D. **SHOUTING AND WHISTLING** - Yelling, shouting, hooting whistling or singing or the making of any loud noise on the public streets between the hours of 11:00PM and 7:00AM or at any time so as to annoy, disturb the quiet, comfort or repose of any persons in the vicinity.
- E. **ANIMAL AND BIRD NOISES** – The keeping of any animals or birds which by causing frequent or long continued noise that shall disturb the comfort or repose of any person in the vicinity; such as allowing or permitting any dog to bark repeatedly in an area where such barking can be clearly heard from a nearby residential property.
- F. **WHISTLE OR SIREN** – The blowing of any whistle or siren except to give notice of the time, or as a warning of fire or any other type of emergency.
- G. **EXPLOSIVES, FIREARMS AND SIMILAR DEVICES** – The using or firing of explosives, firearms, or similar devices which create impulsive sound so as to cause a noise disturbance across a real property boundary or on a public space or right of way. Fireworks shall comply with the Michigan Fireworks Safety Act including days and hours of allowed use.
- H. **DEFECT IN VEHICLE OR LOAD** – The use of any automobile or motorcycle or vehicle so out of repair or so loaded in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- I. **EXHAUSTS** – The discharge into the open air of the exhaust of any stationary internal combustion engine, motor boat or motor vehicle except through a muffler or other device that will effectively prevent loud or explosive noises there from.
- J. **MOTOR VEHICLES** – Racing the motor of any vehicle unnecessarily or operating any motor vehicle in such a manner that the vehicle is so rapidly accelerated or started from a stopped position that the exhaust system emits a loud, cracking or chattering noise unusual to its normal operation, or whereby the tires of such vehicle squeal or leave tire marks on the pavement or asphalt or other surface, commonly called peeling.
- K. **DOMESTIC POWER TOOLS** – Operating or permitting the operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool, lawnmower or similar device used outdoors, other than powered snow removal equipment, in residential areas between the hours of 9:00PM and 7:00AM the following day on weekdays and

before 9:00AM or after 7:00pm on Sundays so as to cause a noise disturbance across a residential real property boundary.

SECTION 4. Exceptions

None of the prohibitions shall apply to or be enforced against any Police or Fire Vehicle of the Township or Ambulance while engaged upon necessary public emergency business, necessary evacuations or repairs to the water system, the sewage system, streets or Township Properties by or on behalf of the Township, County, or State during the night, when the public safety, welfare and convenience renders it impossible to perform such work during the day; the reasonable use of stationary amplifiers or loud speakers in the course of public events which are non-commercial in character.

Concerts, bands, sporting and public events may apply to the Township Board 30 days before the event to request a change in hours of operation for a single event. The Township Board at a scheduled meeting shall approve/deny or modify the requested change in hours of operation.

SECTION 5. Penalty

Any person who shall violate any of the provisions of this Ordinance shall be punished as provided by the MUNICIPAL CIVIL INFRACTION ORDINANCE.

SECTION 6. Severability

The provisions of this Ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the Ordinance which shall continue in full force and effect.

SECTION 7. Repeal

Republic Township Ordinance 2013-33, is hereby repealed in its entirety and all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 8. Effective Date and Adoption

This Ordinance shall take effect immediately following publication, after adoption by the Township Board.

This Ordinance was offered for adoption by Township Board Member _____
and was seconded by Township Board Member _____, the vote being as
follows:

YEAS: (5) James Brennan
 Anna Griepentrog
 Kristina Koski
 Frank Haslip
 John Ison

NAYS: (0)

ABSENT/ABSTAIN: (0)

ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an ordinance adopted by the Republic Township Board at a regular meeting held at the Republic Township Hall on _____, 20____ pursuant to the required statutory notice and procedures.

Published _____, 20____
The Mining Journal

Recorded _____, 20____
Recorded ordinance in Ordinance Book within
one week of publication along with name
and how each member voted.

Anna Griepentrog, Republic Township Clerk