

NOISE ORDINANCE
Koylton Township
Tuscola County, Michigan

PREAMBLE

An Ordinance prohibiting unnecessary noises within the Township of Koylton.

ARTICLE I

Section 1:

It is found and declared that:

1. The making and creation of loud, unnecessary, or unusual noises within the limits of the Township of Koylton is a condition which has existed for some time and the extent and volume of such noises is increasing.
2. 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, affect and are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the residents of the Township of Koylton.
3. The necessity in the public interest for the provisions and prohibitions hereinafter contained and enacted, is declared as a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions hereinafter, contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the Township of Koylton and its inhabitants.

Section 2:

It shall be unlawful for any person to make, continue, or cause to be made or continued any loud noise, within the limits of the Township of Koylton, which exceeds 55 dB(A) under residential settings, between the hours of 9:00 pm and 6:00 am. And 75 dB(a) under residential settings, between the hours of 6:00 am and 9:00 pm.

Section 3:

It shall be unlawful for any person or persons to knowingly assist, abet, allow, permit, or encourage any other person or persons to make, continue, or case to be made or continued any loud noise within the limits of the Township of Koylton, which exceeds 55 dB(A) under residential settings, between the hours of 9:00 pm and 6:00 am. And 75 dB(a) under residential settings, between the hours of 6:00 am and 9:00 pm.

Section 4:

The following acts among others, are declared to be loud, disturbing noises in violation of this Ordinance, but said enumeration shall not be deemed to be exclusive namely:

1. 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 except as a danger warning. The creation by means of any such signaling device of any unreasonable loud or harsh sound, and the sounding of any such device for any unnecessary and unreasonable period of time. The use of any signaling device except

on operated by hand or electricity, 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.

2. Radios, Phonographs, etc.: The using, operating, or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to exceed dB(A) levels under Section 2 and Section 3, from the primary residents in which the complaint is located shall be prima facie evidence of a violation of this section.
3. Loudspeakers, Amplifiers for advertising: The using, operating, or permitting to be placed, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.
4. Yelling, Shouting, etc.: Yelling, shouting, hooting, whistling, or singing on the public street that disturbs the quiet, comfort, or repose of persons in any office, or in any dwelling, hotel, or other type of residence, or of any persons in the vicinity.
5. Steam Whistles: The blowing of any locomotive steam whistles attached to any stationary boiler except to give notice of the time to begin or stop work, as a warning of fire or danger, or upon request of proper city authorities.
6. Exhausts: The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
7. Defect in vehicle or load: The use of any automobile, motorcycle, or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
8. Tire screeching: Intentionally or by the immoderate operation of a motor vehicle to cause the tire to screech.
9. Loading, Unloading, opening boxes: The creation of a loud and excessive noise in connection within loading or unloading any vehicle or the opening and destruction of bales, boxes, crates, and containers.
10. Schools, Courts, Churches, Hospitals: The creation of a loud and excessive noise on any street adjacent to any school, institution of learning, church, or court while the same are in use, or adjacent to any hospital which unreasonably interferes with the functions of such institution, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.
11. Hawkers, Peddlers: The shouting and crying of peddlers, hawkers, and vendors which disturbs the peace and quiet of the neighborhood.
12. Drums: The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance show or sale.
13. Metal rails, Pillars and Columns, Transportation thereof: The transportation of rails, pillars, or columns of iron, steel, or other material over and along streets and other public places upon carts, trays, cars, trucks, or in any other manner so loaded as to cause loud noises or as to disturb the peace and quiet of such streets or other public places.

14. Pile Drivers, Hammers, etc.:
15. Blowers: The operation of any noise creating blower or power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.

Section 5: Agricultural, Emergencies, Emergency Vehicles and Business Exemptions

This ordinance shall not apply to noises caused by farming and business operations which are carried on or in an area properly zoned for that activity, providing that the activity causing the noise is necessary to the farm or business operation. This ordinance shall not apply to noises caused by emergency vehicles and/or emergencies to protect human life and property.

Section 6 Penalties:

The person or persons who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding \$250.00 first offense, \$500.00 second offense including court costs, or by imprisonment.


Section 7 Separability:


It is the intention of the Township of Koylton that each separate provision of this Ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Township of Koylton that if any provisions thereof shall remain valid and enforceable.

Section 8 Effective Date:

This Ordinance will become effective immediately after publication in a newspaper of general circulation within Koylton Township.

We, the undersigned, do hereby certify that the above Koylton Township Noise Ordinance was duly adopted by the Koylton Township Board, at which meeting a quorum was present.

 _____ Doug Kramer, Township Supervisor

 _____ Melissa Kelly, Township Clerk