

## NOTICE TO CLEMENT TOWNSHIP RESIDENTS

### Section 1: Title

- 1.01 This Ordinance shall hereinafter be known and cited as the Clement Township Noise Ordinance.

### Section 2: Purpose

- 2.01 The purpose of this Ordinance is to protect the public health, safety, morals and the general welfare of the inhabitants of the Township and the lands and resources within the Township by the regulation of noise, to prescribe penalties for the violation thereof and to repeal all ordinances or parts of ordinances in conflict therewith.

### Section 3: Noise Control

- 3.01 No person firm or Corporation shall cause or create any unreasonable or improper noise or disturbance injurious to the health, peace or quiet of the residents and property owners of the Township of Clement The following noises and disturbances are hereby declared to be a violation of the Ordinance, provided, however, that the specification of the same is not thereby construed to exclude other violation of this Ordinance, not specifically enumerated.
- a. Horns and signal devices. The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle for any purpose other than to avoid an accident or collision.
  - b. Radio and musical instruments. The playing of any radio, phonograph, or any musical instrument in such a manner or with such volume as to annoy or disturb the quiet comfort or repose of other persons.
  - c. Motor vehicles. The operation of any automobile, motorcycle, snowmobile or other vehicle either so out of repair or so loaded or constructed as to cause loud and unnecessary grating, grinding, rattling, exhausting or other noise disturbing the quiet comfort or repose of other persons.
  - d. Engine exhaust. The discharging outside of any enclosed building or the exhaust of any steam engine, internal combustion engine, motor vehicle or motor boat engine except through a muffler or other similar device which will effectively prevent loud or explosive noises resulting there from.
  - e. Sound amplifiers. Use of any loud speaker, amplifier, or other instrument or device, whether stationary or mounted on a vehicle, for any purpose except by speakers in the course of a public address which is non-commercial in character and except when used to amplify religious services or music, and when so used shall be subject to the following restrictions.
    1. The only sounds permitted are music or human speech.
    2. Operations are only permitted for (12) hours each day, from 8:00 a.m. to 8:00 p.m. except on Sundays and Holidays when no operations shall be authorized.
    3. Sound amplifying equipment mounted on vehicles shall not be operated without the approval of the Township Board. The sound truck upon which such amplifying equipment is mounted shall be operated at least (10) miles per hour except when said truck is stopped or impeded by traffic.

4. Sound shall not be issued within one hundred (100) yards of hospitals, clinics, schools and churches.
5. The volume of sound from a structure shall be controlled so that it will not be audible to a distance in excess of one hundred (100) feet from the sound amplifying equipment and so that the volume is not unreasonably loud, raucous, jarring, disturbing or a nuisance to persons within the area of audibility. The volume of sound from a vehicle shall not be audible for a distance in excess of five hundred (500) feet.
- f. Blowers: The discharge into the open air from any noise creating blower or power from a power fan unless the noise from such blower or fan is muffled, sufficiently to deaden such noise.
- g. Shouting, whistling, yelling, hooting, singing or the making of any other loud noise on the public streets between the hours of 11:00 p.m. and 8:00 a.m. or the making of any such noise at any time so as to disturb the quiet, comfort or repose of persons in any school, place of worship, office, dwelling, hotel or any other place of occupancy of any person in the place of occupancy.
- 3.03 None of the prohibitions enumerated in this Section shall apply to any police vehicle, ambulance, fire engine or emergency vehicle while engaged in necessary emergency activities, or any farm equipment while engaged in a farming activity.

#### Section 4: Penalties

- 4.01 Any person, firm or corporation who shall violate any provision of this Ordinance shall, upon conviction, be punished by a fine not to exceed five hundred (\$500.00) dollars or by imprisonment not to exceed ninety (90) days, or both such imprisonment and fine at the discretion of the court. Each day that a violation continues to exist shall constitute a separate offense.
- 4.02 Any person, firm or corporation guilty of violation of the within Ordinance shall also be subject to civil proceedings for damages and or injunctive relief by the Township or by any person, firm or corporation injured by such violation.
- 4.03 Both criminal and civil proceedings may be commenced against any person; firm or corporation violating this Ordinance and commencement of any such proceedings shall not constitute an election of remedies preventing the commencement of any other proceedings against such violator.

#### Section 5: Saving Clause

- 5.01 The provisions of this ordinance are severable and any decision by a court of competent jurisdiction that a provision or clause invalid shall not affect any other part or portion thereof other than that part declared void or inoperable.

#### Section 6: Conflicting Provisions

- 6.01 Any Ordinance or part of any Ordinance herewith is hereby repealed.

#### Section 7: Effective Date

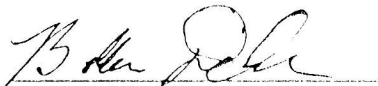
- 7.01 This Ordinance is hereby declared adopted by the Township Board of Clement Township at a regular meeting therefore held on the 13th day of November, 2002, and ordered to be given publication in the Gladwin County Record according to the statutes made and provided. This ordinance shall take affect and be in force from and after thirty (30) days of publication.

Motion by: Bobbie Doke

Supported by: Bill Evans

Roll call vote: Doke (yes) Gillis (No) Fisch (Yes) Evans (Yes) Prosser (Yes)

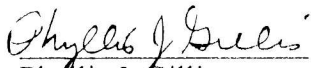
ayes 4 nays 1 absent 0



Bobbie Doke  
Clement Township Supervisor

November 14, 2002

Date



Phyllis J. Gillis  
Clement Township Clerk

November 14, 2002

Date