

# Ordinance No. 1999-1 Noise

## AN ORDINANCE TO CONTROL NOISE WITHIN THE VILLAGE

### THE VILLAGE OF SOUTH RANGE ORDAINS:

Section 1. This ordinance shall be referred to as the Village of South Range Noise Ordinance.

Section 2. As used in this ordinance, the term "loud noise" shall mean any sound which, due to its volume, duration or character, annoys, disturbs, injures or endangers the comfort, health, peace and safety of reasonable persons of ordinary sensibilities. "Loud noise" shall be limited to noise heard on the public streets, parking lots opened to the public, or other public places, any church or occupied building which is not the source of the noise, including the grounds surrounding the building. Noise shall be determined at a distance of at least fifty (50) feet measured in a straight line from the source of the noise.

Section 3. No person shall cause, create, or continue any loud noise within the Village limits.

Section 4. The following are determined to be violations of this ordinance:

(a) Horns and signal devices: The sounding of any horn or signal device on any automobile, motorcycle, bus or other motor vehicle for any purposed other than to avoid an accident or collision or other reason allowed by law.

(b) Electronic devices and musical instruments: The playing of amplified music or sound so as to annoy or disturb the quiet, comfort or repose of other persons.

(c) Shouting, singing, etc: Yelling, shouting, hooting, hollering, whistling, or singing on the public streets, particularly between the hours of eleven o'clock p.m. (11:00) and seven o'clock a.m. (7:00), or at any other time or place so as to as to annoy of disturb the quiet, comfort or reposed of other persons.

(d) Vehicle noises: The operation of any truck, automobile, motorcycle or other internal combustion vehicle so as to cause loud noise. The continuous or prolonged running of vehicles with internal combustion engines, particularly between the hours of eleven o'clock p.m. (11:00) and seven o'clock a.m. (7:00).

(e) Steam whistles: The operation of any steam whistle attached to a boiler of any type, except for the purpose of giving notice of the time to begin or stop work or as a warning of fire or other danger, of for other purposes upon special permit from the Village Council.

(f) Engine exhausts: The discharge outside of any enclosed building of the exhaust of any steam engine, internal combustion motor engine, vehicle or motorboat engine, except through a muffler or similar device.

(g) Construction noises: The erection, demolition, alteration or repair of any building or premises in any residential area other than between the hours of 8:00 a.m. and 9:00 p.m..

(h) Devices to attract attention: The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention to any performance, show, sale or display of merchandise.

The enumeration of noises or activities shall not be construed to be an exhaustive list of all prohibited noises or activities. This enumeration is merely an elaboration of the general prohibition contained in Section 3 of this

ordinance.

Section 5. None of the prohibitions of this ordinance shall apply to any of the following:

- (a) Any police vehicle, ambulance, fire engine or emergency vehicle which is engaged in necessary emergency activities.
- (b) Excavation or repair of streets, highways, sewer or water construction by or on behalf of the Village of South Range, Adams Township, County of Houghton or State of Michigan, between the hours of 9:00 p.m. and 7:00 a.m. when the public welfare, safety and convenience render it necessary to perform work during those hours.
- (c) Snow removal machinery or equipment operated by any municipality at any time.
- (d) Sound created by or during a cultural, ethnic, or community activity open to the public sponsored by, or otherwise granted permission by, the Village of South Range.
- (e) Any violation of this ordinance shall result in a civil infraction and an initial fine of Fifty dollars (\$50.00). Each subsequent violation shall result in a civil infraction and each subsequent fine shall be raised in Fifty dollar (\$50.00) increments.

Section 6. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Section 7. This ordinance shall become effective upon publication.

Approved and adopted this 6th day of May, 1999.