

# NOISE ORDINANCE 2022-01

## AN ORDINANCE TO PROHIBIT EXCESSIVE AND UNNECESSARY NOISE

### Section 1.

No person 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 village.

### Section 2.

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

- a) 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) 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) Yelling, shouting, hooting, or singing on the public streets between the hours of 10:00 p.m. and 6:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of any person in the vicinity.
- d) The keeping of any animal, bird or fowl which emanates frequent or extended noise which shall disturb the quiet, comfort and repose of any person in the vicinity.
- e) The operation of any automobile, motorcycle, or other vehicle so out of repair, so loaded or constructed as to cause loud or unnecessary grating, rattling, exhausting, or other noise disturbing the quiet, comfort, or repose of other persons.
- f) 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 as a warning of fire or other danger, or for other purposes upon danger, or for other purposes upon special permit therefore from the village council.
- g) The discharging outside of any enclosed building of the exhaust of any steam engine, internal combustion engine, motor vehicle, or motorboat engine except through a muffler or other similar device which will effectively prevent loud or explosive noises resulting therefrom or discharging outside of any enclosed building of any air operated devices, unless inspected and approved by the building inspector.
- h) The erection, excavation, demolition, alteration, or reconstruction of any building or premises in any platted residential district or section of the village, including the streets and highways therein, in such a manner as to create noise or disturbance unreasonably annoying to other persons, other than between the hours of 10:00 p.m. and 6:00 a.m. except in the case of urgent necessity, in the interest of public health and safety, upon receipt of a permit thereof from the building inspector of the county, which permit shall limit the period that the activity may continue.
- i) The emission or creation of any excessive noises on any street which unreasonably interferes with the operation of any school or church.
- j) The creation of any loud or excessive noise, unreasonably disturbing to other person in the vicinity in connection with the loading or unloading of any vehicle, trailer, or other carrier, or in connection with the opening or destruction of bales, boxes, crates, or other containers.

## NOISE ORDINANCE 2022-01

- k) 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 which, by the creation of much noise, shall be unreasonably disturbing to other persons in the vicinity.
- l) The operation of any obstacle course or racetrack for motorcycles, or vehicles of any kind or nature in any area of the village not specially zoned for such an operation and/or where the noise emanating therefrom would be unreasonably disturbing and annoying to other persons in the vicinity.

### Section 3.

None of the prohibitions enumerated in subsections (a) and (b) of this section shall apply to any of the following:

- a) Any police vehicle, ambulance, fire engine or emergency vehicle while engaged in necessary emergency activities.
- b) Excavation or repair of bridges, streets, or highway by or on behalf of the county, state, or the county between the hours of 6:00 p.m. and 7:00 a.m. when the public welfare, safety and convenience render it impossible to perform such work during other hours.

### Section 4.

The provisions of this section are deemed to be in addition to any other noise regulations set out in the Code

### Section 5.

EXCEPTIONS:

UNDER CIRCUMSTANCES DETERMINED BY THE VILLAGE COUNCIL OR THE VILLAGE PRESIDENT TO BE IN THE PUBLIC INTEREST, THEY MAY GRANT EXCEPTIONS FROM ANY PROVISIONS OF THIS ORDINANCE.

### Section 6.

EFFECTIVE DATE AND ADOPTION

- a) This ordinance shall become effective eight days after its publication as required by law. All ordinances or parts of Ordinances in conflict herewith are hereby repealed.
- b) This Ordinance was adopted by the Village Council of the Village of Ashley, Gratiot County, Michigan at the Regular meeting thereof held on December 8, 2022.

Signed by *Michelle Fitzpatrick*  
Ashley Village Clerk/Treasurer  
Published December 18, 2022  
Effective date December 26, 2022