

**CHARTER TOWNSHIP OF PITTSFIELD
WASHTENAW COUNTY, MICHIGAN
ORDINANCE No. 337**

**NOISE ORDINANCE
SECOND READING**

AMENDING CHAPTER 14, ARTICLE VIII

AN ORDINANCE TO AMEND THE TOWNSHIP CODE, CHAPTER 14, ARTICLE VIII.
NOISE OFFENSES.

**PITTSFIELD CHARTER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN,
HEREBY ORDAINS:**

That Article VIII of Chapter 14, 14-35 - 14-37 of the Pittsfield Charter Township Code of Ordinances are amended to read as follows:

Sec. 14-35. Specific acts prohibited.

The following acts are declared unreasonably loud, disturbing, or unnecessary noises and are unlawful and prohibited, but this enumeration shall not be deemed to be exclusive:

- A. The playing of any radio, phonograph, tape recorder, stereo, musical instrument or any sound amplification device of any character in such a manner or with such volume, at any time or place as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel or other type of residence or of any person in the vicinity.
- B. The discharge into the open air of exhaust of any steam engine, compressed air machine, stationary internal combustion engine, motor vehicle, or any other machine, except through a muffler or other device that will effectively prevent loud or explosive or disturbing noises.
- C. The use of engine brakes (commonly called jakebrakes) by any vehicle operator.
- D. The creation of a loud unnecessary noise in connection with the loading or unloading of any vehicle or the opening and closing or destruction of bales, boxes, crates or their containers.
- E. Yelling, shouting, whistling, loud talking or singing on the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m., or at any other time or place as to annoy or disturb the quiet comfort or repose of persons in any office, dwelling, hotel or any other type of residence or of any persons in the vicinity.
- F. The use of any drums, loudspeakers, musical devices, or other instruments or devices for the purpose of attracting attention by the creation of noise to any performance, show or sale or display of merchandise.

G. The use of mechanical loudspeakers, on or from motor vehicles in a manner that causes the sound emitted from the vehicle to be heard on private property, except when a specific permit is first granted by the Township Board of Trustees. The Township Board of Trustees shall cause such a permit be issued when it finds the following:

(1) The applicant has a noncommercial message that cannot be effectively communicated to the public by any other means of communication available.

(2) The applicant will limit the use of the loudspeakers to times, locations and sound levels that will not unreasonably disturb the public peace.

(3) The applicant will not use such equipment in residential areas between 6:00 p.m. and 9:00 a.m.

H. Construction, repair, erection, excavation, demolition, alteration or remodeling at any time on Sunday and between 8:00 p.m. and 7:00 a.m., Monday through Saturday, except in case of urgent necessity in the interest of public safety and then only upon permission having been first obtained from the Department of Building Services or the Department of Utilities and Municipal Services.

I. The firing of firearms, air guns, or other combustible substances for the purpose of making a noise or disturbance.

J. The practicing and training of any drum corps, band, orchestra or other musical organization, or the practice by individuals on the various musical instruments, that produce a noise or disturbance, and which annoy the peace, repose and comfort of the residents in the vicinity.

K. The excessive sounding of any horn or signal device, emanating from a motor vehicle, so as to create any loud or harsh sound plainly audible within any dwelling unit or residence, except as a warning of danger signal or an alert. As used in this subsection, "motor vehicle" means any vehicle that is self-propelled.

L. The playing or operation of any device designed for sound reproduction, including, but not limited to, any radio, television set, musical instrument, audio system, including cassette tape players, compact disc players, MP3 players, and speakers, or loud speaker in such a manner or with such volume as to be plainly audible in any dwelling unit or residence which is not the source of the sound, or to operate any such device on public property or on a public right-of-way so as to be plainly audible 50 feet or more from such device.

Sec. 14-36 Exemptions

The playing or operation of any device designed for sound reproduction, specifically, any radio, musical instrument, audio system, or loud speaker for the purpose of an approved religious event or approved school function on school property or place of worship between the hours of 7:00 a.m. and 11:00 p.m. is exempt from violation of this ordinance.

A. For purposes of this section, “approved” shall be defined as an activity approved by a school administration, governmental body with jurisdiction over the property, or religious organization and supervised by an adult employee, member, or volunteer or the entity.

B. Definitions

(1) “Religious event” means an activity related to a religion and its beliefs.

(2) "School function" means an activity related to schooling, education, enrichment, and extra-curricular activities, including but not limited to sports teams, music clubs, bands, and drama productions.

(3) "School property" means land or structures owned or leased by an identified school, school district, or higher learning institution.

(4) "Place of Worship" means land or structures owned or leased by an identified cathedral, church, congregation, ministry, mission, mosque, or temple.

Sec. 14-37 Registered owner of motor vehicle responsible for noise violations.

In a prosecution for a violation of this article, proof that the particular motor vehicle described in the citation, complaint, or warrant was used in the violation, together with proof that the defendant named in the citation, complaint or warrant was the registered owner of the motor vehicle at the time of the violation, constitutes in evidence a presumption that the registered owner of the motor vehicle was the person who operated or controlled the motor vehicle when the noise violation occurred. The person in whose name the motor vehicle is registered with the Secretary of State is presumed to be the registered owner of the motor vehicle.

Publication and Effective Date

This Ordinance shall be published in the manner as required by law. Except as otherwise provided by law, this Ordinance shall be effective the day following final publication of the Ordinance or at such later date after publication as may be specified by the township board.

This Ordinance was duly adopted by the Pittsfield Charter Township Board at its regular meeting called and held on the _____ day of _____, 2022, and was ordered given publication in the manner required by law.

Michelle L. Anzaldi
Charter Township of Pittsfield Clerk

Dated: _____, 2022

Mandy Grewal
Charter Township of Pittsfield Supervisor

Dated: _____, 2022

First Reading:

July 13, 2022

Adoption:

Posted:

Final Publication:

Effective Date:

CLERK'S CERTIFICATE

I, Michelle L. Anzaldi, Clerk of the Charter Township of Pittsfield, Washtenaw County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of Pittsfield Charter Township Zoning Ordinance No. 337, which was duly adopted by the Township Board of Pittsfield Charter Township at a Regular Meeting of said Board, held on _____, 2022, after said Ordinance had previously been introduced at a Regular Meeting of the Board held on July 13, 2022, and published in the form it was introduced.

I further certify that Member _____ moved for adoption of said Ordinance, and that Member _____ supported said motion.

I further certify that the following Members voted for adoption of said Ordinance _____, and that the following Members voted against adoption of said Ordinance _____, and that the following Members were absent or abstained from voting on the adoption of said Ordinance _____.

I further certify that after its passage the Ordinance was published on _____, 2022, in accordance with P.A. 359 of 1947, as amended, by Ann Arbor News.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and that such recording has been authenticated by the signatures of the Supervisor and the Clerk.

Michelle L. Anzaldi
Charter Township of Pittsfield Clerk
Dated: _____, 2022

First Reading: July 13, 2022
Adoption:
Posted:
Final Publication:
Effective Date: