

**GALIEN TOWNSHIP
COUNTY OF BERRIEN
STATE OF MICHIGAN**

NOISE ORDINANCE

ORDINANCE NO. 14

An ordinance to regulate noise to allow for reasonable use of property and to govern conditions creating disturbance or interferences with quiet enjoyment of property, and to prescribe penalties for the violation thereof.

GALIEN TOWNSHIP ORDAINS:

SECTION 1. Declaration of Standards. The Township Board in developing and adopting this "Noise Control Ordinance" has taken into consideration the character of the Township as a rural, agricultural, and residential community. The need to promote quiet and peaceful enjoyment of residential property while recognizing the rights of farms has operated as a prime consideration in the adoption of regulation to abate, control, or eliminate noises and disturbances that interfere with the quiet enjoyment of property.

SECTION 2. General Regulation. No person, firm, or entity shall cause, permit or create any noise that has the effect of interrupting or interfering with the quiet enjoyment, use or benefit or surrounding properties.

SECTION 3. Definition of Noise. Noise is defined as any undesired sound. By extension, noise is any unwanted disturbance within a useful frequency band that by virtue of its intensity, volume, frequency, or time of day or night would cause disturbance or interference with normal residential activities.

SECTION 4. Specific Violations. The following, not by way of limitation, are hereby declared to be violations of this ordinance:

a. The operating or maintaining of noise making, noise amplifying or noise producing instruments, or devices by which the peace or good order of the neighborhood is disturbed is hereby declared a nuisance. No person, firm, or entity by himself or another, shall operate or maintain any radio, phonograph, player piano, calliope or other noise making, noise amplifying, or noise producing instrument or device in any public or private place in any manner by which the peace and good order of the neighborhood is disturbed; or persons occupying property in the neighborhood are disturbed or annoyed.

b. The operation of unmuffled motor vehicles or equipment by which the peace or good order of the neighborhood is disturbed is hereby declared a nuisance. No person, firm, or entity by himself or another, shall operate or maintain any motorized vehicle or equipment that produces noise or creates a disturbance in excess of farm equipment operated in generally accepted agricultural practices, in any manner by which the peace and good order of the neighborhood is disturbed; or persons occupying property in the

neighborhood are disturbed or annoyed.

SECTION 5. Exceptions. This ordinance shall not apply to public vehicles or projects.

SECTION 6. Validity. The several provisions of this Ordinance are declared to be separate and the holding of any court that any section or provision thereof is invalid shall not affect or impair the validity of any other section or portion.

SECTION 7. Penalties for Violation. Any person, firm, or corporation found violating any of the provisions of this Ordinance shall, upon conviction, be punished by a fine of not to exceed \$100.00 or by imprisonment not to exceed 90 days, or by both such fine or imprisonment, at the discretion of the court. Each day that a violation shall continue shall constitute a separate offense. The provisions of this Ordinance may also be enforced by suit for injunction, damages, or other appropriate legal action.

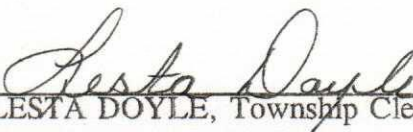
SECTION 8. Effective Date. This Ordinance shall take effect on November 7, 1998. All Ordinances or parts in conflict herewith are hereby repealed.

ORDINANCE DECLARED ADOPTED.


LESTA DOYLE, Township Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of Galien Township, County of Berrien, State of Michigan, at a Regular Meeting, held on the 29th day of September, 1998, and that said Meeting was conducted and public notice of said meeting was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act.


LESTA DOYLE, Township Clerk