

TOWNSHIP OF WATSON  
ALLEGAN COUNTY, MICHIGAN  
ORDINANCE NO. 2000-1  
ADOPTED: May 4, 2000  
EFFECTIVE: June 21, 2000

An ordinance to secure the public health, safety; and general welfare of the residents and property owners of Watson Township, Allegan County, Michigan by the regulation of noise within said Township and to prescribe the sanctions for the violation thereof.

THE TOWNSHIP OF WATSON  
ALLEGAN COUNTY MICHIGAN  
ORDAINS:

SECTION I  
ORDINANCE TITLE

This Ordinance shall be known and may be cited as “The Township of Watson Anti-Noise and Public Nuisance Ordinance”.

SECTION II  
DEFINITIONS

The following terms used in this Ordinance are defined as follow:

- (a) DAYTIME HOURS: The hours between 7:00 a.m. and 10:00 p.m. local time.
- (b) NIGHT HOURS: The hours between 10:00 p.m. and 7:00 a.m., local time.
- (c) LOUD NOISE: Sounds that can be heard at a distance greater than twenty five (25) feet during the night time hours or greater than fifty (50) feet during the day time hours

SECTION III  
ANTI-NOISE REGULATIONS

- (a) GENERAL REGULATION No person, firm or corporation shall cause or create any unreasonable or unnecessarily loud noise or disturbance, injurious to the health, peace, or quiet of the residents and property owners of the Township.
- (b) SPECIFIC VIOLATIONS The following noises and disturbances are hereby declared to be a violation of this Ordinance, provided, however, that the specification of the same is not thereby to be construed to exclude other violations of this Ordinance not specifically enumerated:
  - 1. The playing of any radio, phonograph, compact disc, television, or other electronic or mechanical sound producing device, including any musical instrument in such a manner or with such volume as to unreasonably upset or disturb the quiet, comfort or repose of other persons from nearby residential property.

SECTION III

(b) SPECIFIC VIOLATIONS CONTINUED

2. Yelling, shouting, hooting or singing on the public streets between the hours of 10:00 p.m. and 7:00 a.m. or at any time or place so as to unreasonably upset or disturb the quiet, comfort or repose of any persons in the vicinity.
3. The emission or creation of any excessive noise which unreasonably interferes with the operation of any school, church, hospital or court.
4. The keeping of any animal, bird, or fowl, which emanates frequent or extended noise which shall unreasonably disturb the quiet, comfort or repose of any person in the vicinity; such as allowing or permitting any dog to bark repeatedly in an area where such barking can be clearly heard from nearby residential property.
5. The operation of any automobile, motorcycle, or other vehicle so out of repair or so loaded or constructed as to cause loud and unnecessary grating, grinding, rattling, or other unreasonable noise including the noise resulting from exhaust, which is clearly audible from nearby properties and unreasonably disturbing to the quiet, comfort, or repose of other persons. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain same so that the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this section.
6. The sound of any horn or other device on any motor vehicle unless necessary to operate said vehicle safely or as required by the Michigan Motor Vehicle Code.
7. The discharging outside of any enclosed building of 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. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain same so the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this section.
8. The erection, excavation, demolition, alteration or repair of any building or premises in any part of the Township, and including the streets and highways, in such a manner as to emanate noise or disturbance unreasonably annoying to other persons, other than between the hours of 7:00 a.m. and sundown on any day, except in cases of urgent necessity in the interest of public health and safety. In such case, a permit shall be obtained from the Ordinance Enforcement Officer of the Township, which permit shall limit the periods that the activity may continue.
9. The creation of a loud or excessive noise unreasonably disturbing to other persons in the vicinity in connection with the operation, loading or unloading of any vehicle, trailer, railroad car, or other carrier or in connection with the repairing of any such vehicle in or near residential areas.
10. The use of any drum, loud speaker or other instrument or device for the purpose of attracting attention to any performance, show, sale, display or other commercial purpose which, by the creation of such noise, shall be unreasonably disturbing to other persons in the vicinity.
11. The operation of a loudspeaker or other sound amplifying device upon any vehicle on the streets of the Township with the purpose of advertising, where such vehicle, speaker or sound amplifying device emits loud and raucous noises unreasonably disturbing to nearby residential property.

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SECTION III

(b) SPECIFIC VIOLATIONS CONTINUED

12. The operation of any machinery, equipment or mechanical device so as to emit unreasonably loud noise which is disturbing to the quiet, comfort, or repose of any person.
13. The operation of any race-track, proving ground, testing area or obstacle course for motor vehicles, motorcycles, boats, racers, automobiles or vehicles of any kind or nature in any area of the Township where the noise emanating therefrom would be unreasonably disturbing and upsetting to other persons in the vicinity. Under no circumstances shall any race-track, proving ground, testing area or obstacle course operate after 11:00 p.m. on any evening.

(c) EXCEPTIONS      None of the prohibitions hereinbefore enumerated shall apply to the following.

1. Any police vehicle, ambulance, fire engine or emergency vehicle while engaged in necessary emergency activities.
2. Excavation or repair of bridges, streets or highways or other property by or on behalf of the State of Michigan, Watson Township or the County of Allegan, between sundown and 7:00 a.m. when the public welfare, safety and convenience render it impossible to perform such work during other hours.
3. Warning devices emitting sound for warning purposes as authorized by law.
4. Any agricultural equipment while engaged in normal agricultural activities including but not limited to planting, cultivation, irrigation and harvesting of crops.
5. Noises occurring between 7:00 a.m. and sundown caused by construction, repairs or demolition as long as a valid building permit has been issued by the Township and is currently in effect, and provided, such noise is not unduly excessive.
6. Noises occurring between 7:00 a.m. and sundown caused by maintenance of grounds, provided, such noise is not unduly excessive.
7. Noises emanating from the discharge of firearms are excluded, providing the discharge of firearms was authorized under Michigan Law and all local Ordinances.
8. The Watson Township Board may issue a permit, within thirty (30) days of the receipt of an application thereof, for a variance from this Ordinance for the purposes of a public or private meeting, concert, parade or other similar event. Application must be received by the Township Clerk at least forty-five (45) days prior to the event.

SECTION IV  
PUBLIC NUISANCE REGULATIONS

No Person, firm or corporation shall create, cause or maintain any public nuisance within the Township by the unreasonable emission of dust, smoke, fly ash or noxious odors which are offensive or disturbing to adjacent property owners and residents or persons in the area.

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SECTION V  
SANCTIONS

Any person, firm, or corporation who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine of not more than \$500.00 along with costs which may include all expenses, direct and indirect, to which Watson Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 nor more than \$500.00 be ordered. A violator of this Ordinance shall also be subject to such additional sanctions and judicial orders as are authorized under Michigan Law. Each day that a violation of this Ordinance continues to exist shall constitute a separate violation of this Ordinance. The sanctions herein provided for shall be in addition to any injunctive or other relief, which might be available or appropriate under the circumstances.

SECTION VI  
SEVERABILITY

The several provisions of this Ordinance are declared to be separate; if any court of law shall hold that any section or provision thereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this Ordinance.

SECTION VII  
EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days following publication, following adoption. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Catherine Pardee, clerk  
Watson Township