

BLAIR TOWNSHIP NOTICE OF ADOPTION

Please take notice that on Tuesday January 9, 2007 at 6:00 pm at the Blair Township Hall 2121 County Rd 633, Grawn MI 49637; the following amendments to the Uniform Noise Ordinance #117-05 were adopted by the Blair Township Board of Trustees at which a quorum was present, and said amendments were declared adopted.

UNIFORM NOISE ORDINANCE

Section 1. No person within the township shall cause a noise disturbance, which is defined as sound created by human activity with or without the use of any device, which by reason of its volume, intensity, location, or time of day impairs the health, welfare, or peace of another person of normal human sensibilities.

Section 2. Prohibited Acts. The following acts and activities are declared to be noise disturbances and are prohibited. This enumeration shall not be deemed exclusive.

- A. The playing of any radio, television, phonograph, other sound reproduction device, or musical instrument in such a manner or at such a volume as to be sufficiently audible to annoy or disturb the quiet, comfort, or repose of persons in the vicinity.
- B. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person in the vicinity.
- C. The use of any motor vehicle, including motorcycles, in such a manner as to create a disturbing noise, including, but not limited to, the screeching of tires and the discharge into the open air of exhaust from the engine without a sufficient muffler.
- D. Shouting or other raucous or boisterous behavior for an unreasonable length of time.
- E. (Optional, enforced by Township Official) Construction or demolition activity between the hours of 10:00 P.M. and 6:00 A.M.; refuse collection between the hours of 10:00 P.M. and 6:00 A.M.; the operation of power or heavy duty equipment between the hours of 10:00 P.M. and 6:00 A.M.

Section 3. The Grand Traverse County Sheriff and his deputies are authorized as local enforcement officers of this ordinance.

Section 4.

- A. A violation of this ordinance is a municipal civil infraction, subject to a maximum fine of \$500.00 plus court costs.

- B. Any person who refuses to abate a noise disturbance upon the demand of an authorized local enforcement officer, interferes with the officer's enforcement of the ordinance, or retaliates against another who had made complaint of a noise disturbance is guilty of a misdemeanor punishable by maximum 90 days in jail and a fine of \$500.00 plus court costs.

Section 5. Exempted from this ordinance is any activity defined as a "farm operation" by the Michigan Right to Farm Act, 1980 P.A. 93, MCL 286.471 et seq.

Section 6. Nothing in this ordinance impairs or precludes a separate cause of action provided by statute or common law for conduct prohibited herein.

Section 7. The provisions of this ordinance are severable and if any part is declared void or unenforceable by a court of competent jurisdiction, the remaining parts shall remain in force.

These Ordinance amendments shall become effective thirty (30) days after publication. A copy of the above amendments can be reviewed or purchased at the Township Offices during regular business hours.

Betty A. Tharp, Clerk
Blair Township
2121 County Rd 633
Grawn, MI 49637
January 22, 2007 - 1T

Amended

Adopted: January 9, 2007

Published: January 22, 2007

Effective: February 21, 2007

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of amended Uniform Ordinance No. 117-05 presented to the Township Board on January 9, 2007.

I further certify that the Ordinance was duly adopted by the Township Board, County of Grand Traverse, Michigan at a Regular Meeting held on January 9, 2007 at which the following members were present.

Present: Tharp, Lowe, DeKuiper, Bearer, Clous
Absent: Rademaker

Moved By: Clous

Supported By: Tharp

The Roll Call Vote was as follows :

Yeas: DeKuiper, Clous, Lowe, Bearer, Tharp
Nays: None

I further certify that the meeting was conducted, and public notice there was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), Minutes of such meetings were kept and will be made available as required by law and 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 Township (Deputy) Clerk.

Lori L. McGee
Lori L. McGee, Deputy Township Clerk

Amended
Adopted by Blair Township Board of Trustees: January 9, 2007
Published in Traverse City Record Eagle: January 22, 2007
Effective: February 21, 2007