

**TROWBRIDGE TOWNSHIP
ALLEGAN COUNTY, MICHIGAN
ORDINANCE NO. 1-2022
ADOPTED: August 4th 2022
EFFECTIVE: August 19th 2022**

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

**THE TOWNSHIP OF TROWBRIDGE
ALLEGAN COUNTY, MICHIGAN
ORDAINS:**

**SECTION I
ORDINANCE TITLE**

The Ordinance shall be known and may be cited as "The Township of Trowbridge Anti-Noise Ordinance".

**SECTION II
DEFINITIONS**

The following terms used in the Ordinance are defined as follows:

- (A) DAY HOURS: The hours between 6:00 a.m. and 11:00 p.m. local time.
(B) NIGHT HOURS: The hours between 11:00 p.m. and 6:00 a.m. local time.

**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 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.
2. Yelling, shouting, hooting, or singing on the public streets between 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 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
5. 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.
6. 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.
7. 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.
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 6:00 a.m. and 11:00 p.m. 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 Township Supervisor, which permit shall limit the periods that the activity may continue.
9. 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.
10. 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.

(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, Trowbridge Township, or the County of Allegan, between 11:00 p.m. and 6:00 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 the normal agricultural activities including but not limited to planting, cultivation, irrigation, and harvesting of crops.
5. Noises occurring between 6:00 a.m. and 11:00 p.m. 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 6:00 a.m. and 11:00 p.m. 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 Township Supervisor shall have the authority to grant permits for short-term outdoor recreational or holiday activities that may generate noise in excess of the limits set forth in this ordinance. The Township Supervisor shall have the right to impose reasonable terms and conditions designed to minimize any adverse impact on the proposed activity on the surrounding area.

SECTION IV **MEASUREMENT OF NOISE**

1. *Violations.* In order to regulate and prove violations occurring under this article, any noise in excess of the maximum decibel limits according to the regulations set forth in this article is deemed to be in violation of this article. However, violations under this article which have no decibel determination available shall nevertheless be deemed violations of this article.
2. *Noise originating from private property.*
 - a. *Generally.* Noise radiating from all properties or buildings, as measured at the boundaries of the property, which is in excess of the dB(A) established for the

districts and times set forth in the table in this subsection shall constitute prima facie evidence that such sound unreasonably disturbs the comfort, quiet and repose of persons in the area and is therefore in violation of this article. As an example, such noise includes that emitting from the production, processing, cleaning, servicing, testing, repairing and manufacturing of materials, goods or products, including vehicles.

Zoning District	Limitations (dB(A))	
	6:00 a.m. to 11:00 p.m.	11:00 p.m. to 6:00 a.m.
Residential	95	85
Neighborhood Business (Commercial)	95	85
Industrial	95	85

b. *Nonconforming commercial, agricultural or industrial uses.* Any commercial, agricultural or industrial use of property which exists now or in the future as a legal nonconforming use (as defined in section 42-85) in a higher zoning classification shall be allowed to emit noise in excess of the limitations set forth in the table in subsection (b)(1) of this section for the particular zoning classification where such is located, provided that such noise does not exceed either of the following limitations:

3. *Measurement of noise.* All measurements of dB(A) according to subsections (b) and (c) of this section shall be made by using a sound level meter conforming to the standards set forth for type 1 or type 2 sound level meters as specified in American National Standards Institute publication ANSI S1.1971 (R1976), Specification for Sound Level Meters, or its successor, and operated on the A-weighting scale with slow meter response.

SECTION V

VIOLATIONS AND PENALTIES

A violation of this Ordinance is a municipal civil infraction as defined by Michigan statutes and will be punishable by a civil fine of not more than \$500.00. Additionally, the violator will pay costs, which may include all expenses, direct and indirect, to which Trowbridge Township has been put in connection with the municipal civil infraction. In no case, however, will costs of less than \$75.00 or more than \$500.00 be ordered. The Township has the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance (Reference Trowbridge Zoning Ordinance, Section 23.01 Penalties).

SECTION VI

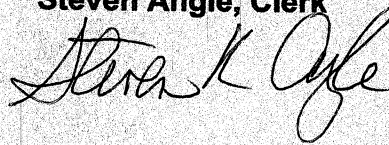
SEVERABILITY

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 or any other section or provision of this Ordinance.

SECTION VII
EFFECTIVE DATE

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

TROWBRIDGE TOWNSHIP
Steven Angle, Clerk

A handwritten signature in cursive script, appearing to read "Steven K. Angle", written in black ink.