

AN ORDINANCE TO PROHIBIT THE MAKING, CREATION OR MAINTENANCE OF CERTAIN EXCESSIVE, UNNECESSARY, UNNATURAL OR UNUSUALLY LOUD NOISES IN ORDER TO PRESERVE AND PROTECT THE COMFORT, REPOSE, HEALTH, PEACE AND SAFETY OF RESIDENTS IN THE VILLAGE

THE VILLAGE OF PERRINTON ORDAINS:

Section 1. Prohibited Noises.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises and in violation of this chapter, provided, however, that this enumeration shall not be exclusive:

1. The use, operation or permitting the use or operation of any radio or receiving set, musical instrument, phonograph, or other machine or device designed for the production or reproduction of sound in such a manner as to disturb the peace, quiet and comfort of others in the vicinity or with a volume louder than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which the device is operated and who are voluntary listeners. The operation of any of the above named devices between the hours of 11:00 p.m. and 7:00 a.m. or in such a manner that the noise is plainly audible at a distance of fifty (50) feet from the source of the noise, will be prima facie evidence of a violation of this ordinance.

2. Yelling, shouting, hooting, whistling or singing in the public streets or any other public place, particularly between the hours of 11:00 p.m and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in the vicinity.

3. A discharge into the open air of the exhaust of any stationary engine, boat or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises.

4. The operation of any device or the creation, causing or permitting of any conduct resulting in noise which is plainly audible at a distance of fifty (50) feet from the source of the noise shall be prima facie evidence of a violation of this ordinance.

5. Notwithstanding the foregoing, the provisions hereof shall not apply to the following:

- a. Railroad equipment operated on a railroad right of way.

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GOSTANZO, P.C.
ATTORNEYS AT LAW
175 WARWICK DRIVE
P.O. BOX 578
ALMA, MICHIGAN

- b. Emergency activities necessary to restore property to a safe condition following a fire, accident or a natural disaster; to restore public utilities; or to protect persons or property from imminent danger.
- c. Sound made to alert persons to the existence of an emergency, danger or attempted crime.
- d. Activities or operations of governmental units or agencies.
- e. Parades, concerts, festivals, fairs or other similar activities conducted pursuant to permit issued by the Village.
- f. Athletic, musical or cultural activities or events conducted by or under the auspices of the Village or any public or private school.

6. Penalty. Violation of this ordinance shall constitute a civil infraction. A person found responsible under this ordinance shall be subject to a fine of up to \$500.00 per occurrence.

Section 2. Separability. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

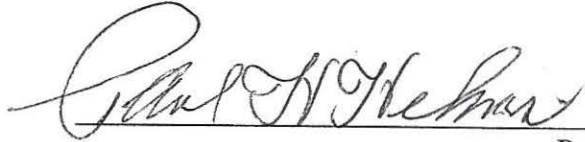
Section 3. Ordinances repealed. All ordinances and/or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall take effect and be in force 30 days from and after its enactment as provided by the Village Council.

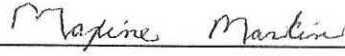
Passed and approved by the Village Council of the Village of Perrinton, Michigan, in regular session held Sept. 11, 2000.

We, the undersigned President and Clerk of the Village of Perrinton, Michigan, do hereby certify that the above and foregoing ordinance, known as Ordinance No. 118 of the Village of Perrinton, Michigan, was introduced at a regular meeting of the Village Council, held on Aug. 7, 2000, and was thereafter passed at a regular meeting on Sept. 11, 2000, at least two weeks elapsing between the introduction and the enactment.

Dated at Perrinton, Michigan, on Sept. 11, 2000.



President



Clerk

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