

TOWNSHIP OF MARATHON
NOISE CONTROL ORDINANCE

Ordinance No. 84-1

An ordinance to regulate excessive noise which would create a nuisance or disturb the public peace within the Township and to provide penalties for the violation thereof.

THE TOWNSHIP OF MARATHON ORDAINS:

Section 1. GENERAL. No person shall at any time cause a noise to be created which by its loud or continuous nature is a nuisance to persons occupying nearby properties. This section shall not apply to farm or business operations which are carried on in an area properly zoned for that activity, providing that the activity causing the noise is necessary to the farm or business operation.

Section 2. MOTOR VEHICLES. No motor vehicle which creates excessive noise shall be operated upon the public roads or other public property located within the Township. For purposes of this section, the term "excessive noise" shall be deemed to mean noise louder than that which would be created if the motor vehicle was equipped with a standard muffler system in good working order.

Section 3. OFF-ROAD VEHICLES. No trail bike, snowmobile, or other vehicle which is not licensed for use upon public roads shall be operated within the Township unless it is equipped with a muffler which effectively prevents loud noises therefrom.

Section 4. NIGHT DISTURBANCES. No excessive noise shall be made on any private property within the Township between the hours of 8:00 p.m. and 8:00 a.m. This section shall include noises created by phonographs, radios, stereo equipment, musical instruments, loud parties, etc. For purposes of this section, the term "excessive noise" shall be deemed to mean any noise which is audible beyond the property lines of the property on which the noise originates and which is audible beyond such property lines at a level louder than the noise caused by ordinary conversation.

Section 5. DOGS. No person shall permit any dog which is harbored on his premises to create a nuisance by loud, frequent or habitual barking, howling, or other noise.

Section 6. WAIVER. Permission to waive the provisions of this ordinance may be granted by the Township Board for specific events or social occasions.

Section 7. PENALTY. Any person who shall violate a provision of this ordinance shall be guilty of a misdemeanor which shall be punishable by a fine of not more than \$500.

Section 8. SEVERABILITY This ordinance and the various sections and provisions thereof are hereby declared to be severable. If any section or provision is adjudged unconstitutional or invalid, the same shall not affect the validity of the remainder of the ordinance.

Section 9. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days from the date of

publication specified below.

The undersigned Supervisor and Clerk of the Township of Marathon hereby certify that his Ordinance was duly adopted by the Marathon Township Board at a meeting held on the 9th day of October, 1984 and was published in the LakeVille Aerial on the 16th day of October, 1984.

Howard Folsom, Supervisor

Laura J. Ring, Clerk.

TOWNSHIP OF MARATHON

AMENDMENT TO ORDINANCE NO. 84-1

An ordinance to amend the Marathon Township Ordinance No. 84-1 which regulates noise within the Township, changing the penalty for violations from a criminal misdemeanor to a municipal civil infraction.

THE TOWNSHIP OF MARATHON ORDAINS:

Section 7 of the Marathon Township Ordinance No. 84-1 is hereby amended to read as follows:

Section 7. Any person, firm, or corporation who violates any of the provisions of this Ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than Fifty (\$50.00) Dollars, plus costs and other sanctions, for each infraction. Repeat offenses under this Ordinance shall be subject to increased fines as provided by Ordinance No. 96-2.

The undersigned Supervisor and Clerk of the Township of Marathon hereby certify that this Ordinance Amendment was duly adopted by the Township Board at a meeting held on the 12th day of November 1996 and was published in the Lapeer County Press on the 27th day of November, 1996. This Ordinance Amendment shall be effective 30 days after said date of publication.

Howard Folsom, Supervisor

Laura Ring, Clerk