

South Branch Township, Crawford County, Michigan Township

Anti-Noise and Public Nuisance Ordinance

Ordinance Number __ of 2026

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the creation of noise and disturbances within South Branch Township or the creation or maintenance of any public nuisance within South Branch Township.

**THE TOWNSHIP OF SOUTH BRANCH, COUNTY OF CRAWFORD, MICHIGAN
ORDAINS:**

Section 1. Title and Purpose

1. Title

This Ordinance shall be known and cited as the “Anti-Noise and Public Nuisance Ordinance”. This Ordinance shall replace “Township Anti Noise and Public Nuisance Ordinance Number 1 of 2013.

2. Purpose & Quiet Hours

No person, firm or corporation shall make, create or continue, or cause to be made, created or continued, any loud, unreasonable, unnecessary, unnatural or unusual noise which annoys, disturbs, injures, endangers or impairs the comfort, repose, health, peace, convenience, safety, welfare or enjoyment of the Township residents and property owners of the neighborhood in which the noise is heard.

The hours between 11:00 p.m. and 7:00 a.m. shall be designated as Quiet Hours during which local law enforcement shall enforce the provisions of this Ordinance with enhanced scrutiny. Any loud, unnecessary, unnatural or unusual noises occurring between the hours of 11:00 p.m. and 7:00 a.m. are considered a public nuisance and will constitute a per se violation of this Ordinance.

Section 2 Definitions

Motor Vehicle: Any device in, upon, or by which any person or property is or may be transported if that device is propelled by an energy source other than muscle or wind.

ORV: An off-road vehicle as defined by section 81101 of 1994 PS 451, as amended, MCL324.81101.

Quiet Hours: The hours between 11:00 p.m. and 7:00 a.m. within South Branch Township, Crawford County, Michigan.

Ordinance: For the purposes of this ordinance, "Ordinance" shall refer to Anti-Noise and Public Nuisance Ordinance, documented herein.

Township: For the purposes of this Ordinance the term Township is deemed to mean the South Branch Township.

Section 3 Anti-Noise Regulations

1. Prohibitions

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:

- A. The sounding of any horn or other device on any motorcycle, trike, quadricycle, bus, ORV or other motor vehicle unless necessary to operate said vehicle safely or as required by the Michigan Motor Vehicle Code.
- B. The playing of any radio, phonograph, 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 in the vicinity.
- C. Yelling, shouting, hooting or singing on the public streets between the hours of 11:00 p.m. and 7:00 a.m., or any time or place so as to unreasonably upset or disturb the quiet, comfort or repose of other persons in the vicinity.
- D. The keeping of any animal, bird or fowl, which emanates frequent or extended noise which shall unreasonably disturb the quiet, comfort or repose of other persons in the vicinity; such as allowing or permitting a dog to bark repeatedly in an area where such barking can be clearly heard from nearby residential property.
- E. 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, exhausting, or other noise which is clearly audible from nearby properties and unreasonably disturbing to the quiet, comfort or repose of the persons in the vicinity.
- F. The operation of any steam whistle attached to a boiler of any type except for the purpose of giving notice of the time to begin or stop work or as a warning of fire

or other danger, or for other purposes upon special permit from the Township Board.

- G. The discharge 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 resulting there from.
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.
- H. The erection, excavation, demolition, alteration, or repair of any building or premises in any part of the Township, including the street 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 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 Crawford County Building Inspector or the Township Zoning Administrator, as applicable, and such permit shall limit the period that the activity may continue.
- I. The emission or creation of any excessive noise that unreasonably interferes with the operation of a school, church, hospital or court.
- J. The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention to any performance, show or sale, or display of merchandise which, by creation of such noise, shall be unreasonably disturbing to other persons in the vicinity.
- K. The use of any drum, loudspeaker or other instrument or device when operating said device on any vehicle on the streets of the Township for the purpose of attracting attention to any performance, show or sale, or display of merchandise which, by creation of such noise, shall be unreasonably disturbing to other persons in the vicinity.
- L. The operation of any track, proving ground, testing area, or course for motorcycles, trikes, quadricycles, ORVs, motor vehicles, boats, racers, automobiles or vehicles of any kind or nature in any area of the township not specifically zoned or permitted for such an operation and/or where the noise emanating there from would be unreasonable, disturbing and annoying to other persons in the vicinity. Under no circumstances shall any zoned or permitted track, proving ground, testing area, or course for motorcycles, trikes,

quadricycles, ORVs, motor vehicles, boats, racers, automobiles or vehicles operate during Quiet Hours.

- M. The ignition, discharge, and use of consumer fireworks will be allowed only within the Michigan Fireworks Safety Act, Public Act 256, MCL28.451, et seq. The days allowed will be the Holidays the State of Michigan allows including the day before and the day after. Consumer fireworks are also prohibited during “burning bans” and “high fire danger” periods as posted by the DNR. All shrapnel or other materials created from the use of consumer fireworks, other than on your own property, will be considered litter if not properly discarded, and give cause to issue a ticket for littering.
- N. 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.

2. Exemptions

None of the above prohibitions hereinbefore enumerated shall apply to any of the following:

- A. Any police vehicle, ambulance, fire engine or emergency vehicle while engaged in necessary emergency activities.
- B. Excavation or repairs of bridges, streets or highways by or on behalf of South Branch Township, the State of Michigan, or the County of Crawford between the hours of 6:00 p.m. and 7:00 a.m. when public welfare, safety and convenience render it impossible to perform such work during other hours.

3. Enforcement

The determination of whether any noise or disturbance is a violation of the provisions of this Ordinance shall be the discretion of local law enforcement.

- A. Local Law enforcement shall consider whether any reasonable person or persons of normal sensitivity would be annoyed, disturbed, injured, endangered or impaired by the noise in question whether due to volume, or duration or both.
- B. Local Law enforcement shall consider the following characteristics and conditions when determining whether a given noise constitutes a violation under this chapter:

1. The level of the noise;
2. Whether the noise is usual or unusual;
3. Whether the origin of the noise is natural or unnatural;
4. The level of the ambient noise;
5. The proximity of the noise to sleeping and/or living quarters;
6. The nature and the zoning of the area from which the noise emanates and the nature and the zoning of the area in which the noise is heard;
7. The time of day or night the noise occurs;
8. The day of the week on which the noise occurs;
9. The day of the year on which the noise occurs;
10. The duration of the noise; and,
11. Whether the noise is recurrent, intermittent, or constant.

The foregoing list of conditions and characteristics shall not be considered exhaustive and local law enforcement shall be required to consider the totality of the circumstances when determining violations of this Ordinance.

Section 4 Public Nuisance Per Se

No person, firm or corporation shall create, cause or maintain any public nuisance within South Branch Township by the unreasonable creation of noise, dust, smoke, fly ash or noxious odors, offensive or disturbing to adjacent property owners and residents in the area.

A violation of this ordinance is hereby declared to be a nuisance per se and is declared to be offensive to the public health, safety and welfare of Township residents.

Section 5 Enforcement

The determination of whether any activity enumerated in Section 3A is a public nuisance and a violation of this Ordinance shall be the discretion of local law enforcement.

Section 6 Validity

The several provisions of this Ordinance are declared to be separate and the holding of any court that any section or provision thereof is invalid shall not affect or impair the validity of any other section or portion.

Section 7 Penalties

Any person, firm, or corporation found violating any of the provisions of this Ordinance shall, upon conviction, be punished by a fine of \$250 per civil infraction. Each occurrence is a separate civil infraction.

Section 8 Effective Date

This Ordinance shall take effect after adoption and 30 days after publication. All Township ordinances or parts of ordinances that are in conflict herewith are hereby repealed.