

CHAPTER 91: NUISANCES

Section

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§ 91.01 CONDITIONS DECLARED TO BE PUBLIC NUISANCES.

Whatever annoys, injures or endangers the safety, health, comfort or repose of the public, offends public decency, interferes with or obstructs or renders dangerous any street, highway or navigable stream, or in any way renders the public insecure in life or property, is hereby declared to be a public nuisance. Public nuisances shall include but not be limited to whatever is forbidden by any provision of this chapter.

(Ord. passed 6-20-83)

§ 91.02 NUISANCES PROHIBITED.

No person shall create, maintain or permit to be maintained a public nuisance in the city.

(Ord. passed 6-20-83) Penalty, see § 10.99

§ 91.03 NOISE NUISANCES ENUMERATED; EXCEPTIONS.

(A) *Enumeration.* No person shall engage in the following noise-creating activities:

(1) *Horns and signal devices.* The sounding of any horn or signal device on any automobile, motorcycle, bus, train or other vehicle while not in motion, except as a danger signal or to give warning of intent to get into motion, or, if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle has begun; the creation by means of such signal devices of any unreasonably loud or harsh sound; and the sounding of any signal device for any unreasonable or unnecessary period of time.

(2) *Radio, television and musical instruments.* The playing of any radio, phonograph, television set or musical instrument in such manner, or with such volume during the hours between 11:00 p.m. and 7:00 a.m. or at any other time so as to disturb the quiet, comfort or repose of persons in any dwelling, hotel, hospital or other type of residence, or in any office, or of any persons in the vicinity; and, except as provided in division (B) of this section, the playing at any time of any radio, phonograph or television on any premises outside of a building or the playing of any radio or phonograph installed in a building or automobile, or a public address system or other device, so that it may be heard in the street.

(3) *Shouting, whistling, and the like.* Yelling, shouting, hooting, whistling, singing or the making of any other loud noises between the hours of 11:00 p.m. and 7:00 a.m., or the making of any such noise at any time so as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel, hospital or other type of residence, or of any persons in the vicinity.

(4) *Hawking.* The hawking of goods, merchandise or newspapers in a loud or boisterous manner so as to annoy or disturb the quiet, comfort, or repose of any other person in the area.

(5) *Animal and bird noises.* The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any person.

(6) *Whistle or siren.* The creation of loud and excessive noise by the blowing of any whistles or sirens, except to give notice of the time to begin or stop work or as a warning of fire or danger. White Cloud, MI Code of Ordinances

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(7) *Engine exhaust.* The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine or motor vehicle, except through a muffler or other device which effectively prevents loud or explosive noises therefrom.

(8) *Construction noises.* The erection (including excavation therefore), demolition, alteration or repair of any building, and the excavation of streets and highways on Sundays, and on other days except between the hours of 7:00 a.m. and 10:00 p.m.

(9) *Handling merchandise.* The creation of a loud and excessive noise in connection with loading and unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.

(10) *Devices to attract attention.* The use of any drum, loud speaker, amplifier or other instrument or device for the purpose of attracting public attention, except as otherwise permitted in this section.

(B) *Exceptions.* None of the terms or prohibitions of the preceding section shall apply or be enforced against:

(1) *Emergency vehicles.* Any police or fire vehicle or any ambulance, while engaged upon necessary emergency business.

(2) *Highway and utility maintenance and construction.* Necessary excavations in or repairs of bridges, streets or highways, or any public utility installment by or on behalf of the city, or any public utility or any agency of the state during the night or on Sunday, when the public safety, welfare and convenience necessitates the performance of the work at such time.

(3) *Public addresses.* The reasonable use of stationary amplifiers or loud speakers for public addresses.

(4) *Sacred music.* The use of sound amplifiers or other such devices by churches, or other organizations approved by the Council, to broadcast Christmas or other holiday music, and the ringing of church bells and chimes and the giving of chime concerts between the hours of 7:00 a.m. and 10:00 p.m.

(5) *Religious, educational and recreational broadcasts.* The use of public address systems and other sound amplifiers outside of buildings or upon sound trucks between the hours of 7:00 a.m. and 9:00 p.m. for religious, educational and recreational purposes; provided, that no such sound amplifiers shall be used unless approval therefore is given by the City Clerk, and that the sound from such equipment be so regulated that it may be heard by people on the streets and will not create a nuisance.

(Ord. passed 6-20-83) Penalty, see § 10.99

Cross-reference:

Noisy dogs and cats prohibited, see § 90.05

§ 91.04 VIOLATIONS.

Each violation of any provision of this chapter shall be deemed a misdemeanor and shall be punishable by the penalty in § 10.99.

(Ord. passed 6-20-83)