

DRAFT

SALEM TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
RESOLUTION NO. _____
**A Resolution to Adopt
Salem Township Nuisance Ordinance**

At a regular meeting of the Township Board of Trustees of Salem Township, Washtenaw County, Michigan, held at the Township Hall of said Township on the _____ day of _____, at 7:30 p.m. Eastern Standard Time, the following resolution was offered by Roperti and supported by _____.

The Township of Salem Ordains that:

INTENT

A Nuisance Ordinance, effective _____, 2002, will give the Township an enforceable community nuisance ordinance that acknowledges Salem Residents are entitled to an expected quality of life and, at the same time, also respect people's right to daily activities without unreasonable interference.

SECTION 1.

DEFINITION OF A NUISANCE

It shall be unlawful for any person(s) to, or knowingly allow another person(s) or animal(s), to continue any persistent unreasonably loud or disturbing noise, on any property owned or controlled by said person(s). Agricultural animals or practices are exempt per Section 3 of this ordinance.

SECTION 2.

VIOLATIONS OF THIS ORDINANCE

Violations of this ordinance include but are not limited to the following:

1. Sound amplification using audio equipment, radios, televisions, horns, or sirens operated in an unlawful manner as defined in Section 1.
2. Operation of any motor vehicle, including but not limited to 2, 3, or 4-wheeled off-road vehicles, operated in an unlawful manner as defined in Section 1.

3. Continued or persistent animal noise, including dogs, in an unlawful manner as defined in Section 1. Agriculture animals are exempt per Section 3.
4. Use of firearms, air guns, fireworks, or other explosive device(s) operated in an unlawful manner as defined in Section 1.
5. Any and all other noises, not included in items 1-4 above, generated in an unlawful manner as defined in Section 1.

SECTION 3.

SPECIAL CONSIDERATIONS AND EXEMPTIONS

1. This Ordinance is not intended to prohibit noises or sounds, which are incidental to a person's reasonable use and care of private property, such as lawn mowers, tractors and trimmers. Other activities specifically authorized by any other Ordinance or special event(s) approved by the Board of Trustees is also exempt.
2. Any Bona fide Agricultural practice, or Agriculture animals are exempt from this Ordinance.

SECTION 4.

ORDINANCE ENFORCEMENT

1. Enforcement of this Ordinance is applicable to all private and public properties, and all right-of-ways.
2. The hours between 11 p.m. and 7 a.m. are considered "Quiet Hours". If the noise is clearly audible beyond 50 feet from the source of that noise, it may be in violation and unlawful per the definition in Section 1.
3. For the purpose of prosecution, it will be assumed that the person operating or in control of the source of the noise as defined in Section 1, is in fact the responsible party.

SECTION 5.

TERMS OF PUNISHMENT OR FINES

Any person violating this Ordinance is guilty of a misdemeanor punishable by not more than a \$100.00 fine, or imprisonment for not more than 93 days, or both.

This Ordinance and the various parts, sections, sub-sections, provisions, sentences and clauses are severable. If any part of this ordinance is found to be unconstitutional or invalid, the remainder of this Ordinance shall not be affected thereby.

SECTION 6.

RESOLVED

This resolution and Nuisance Ordinance shall become effective five (5) days following publication in the *South Lyon Herald*, Official Newspaper of the Township on 2002.

I, Marcia Van Fossen, hereby certify that the attached is a true and complete copy of an Ordinance adopted by the Township of Salem, Board of Trustees, at a regular meeting held on 2002, and that the same was published in the *South Lyon Herald*, a newspaper of general circulation within the Township on 2002.

Marcia Van Fossen