

ORDINANCE NO. 379

ZEELAND CHARTER TOWNSHIP

ANTI-NOISE ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE REGULATION OF NOISE WITHIN THE CHARTER TOWNSHIP OF ZEELAND, OTTAWA COUNTY, MICHIGAN, AND TO PROVIDE PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

THE CHARTER TOWNSHIP OF ZEELAND, COUNTY OF OTTAWA, STATE OF MICHIGAN, ORDAINS:

Section 1: Short Title

This Ordinance shall be known and may be cited and referred to as the "Zeeland Charter Township Anti-Noise Ordinance."

Section 2: Purpose

The purpose of this Ordinance is to protect the public health, peace, safety, and welfare of property and persons in the Township from unreasonable or excessive noise.

Section 3: Prohibited Conduct

It shall be unlawful for any person to make or create, or assist in making or creating, any unreasonable or unnecessary noise that disturbs the peace.

It shall also be unlawful for any person to permit the making or creating of unreasonable or unnecessary noise that disturbs the peace on the person's property or property under that person's control. Noise audible from 50 feet away from a person's home shall automatically be deemed a disturbance of the peace.

Section 4: Violations and Penalty

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction, subject to enforcement procedures as set forth in the Municipal Civil Infraction Ordinance adopted by the Township, and subject to a fine of \$50.00 plus costs and other sanctions, for each infraction. Increased civil fines may be imposed for repeat violations; a repeat violation means a second or subsequent municipal civil infraction violation committed by a person within any 12 month period and for which a person admits responsibility or is determined to be responsible.

An increased civil fine for repeat violations shall be as follows:

- A. The fine for any offense which is a first repeat shall be \$250.00, plus costs and other sanctions.
- B. The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be \$500.00, plus costs and other sanctions.

The Township Supervisor, Township Zoning Administrator, members of the Ottawa County Sheriff's Department assigned to the Township, members of any law enforcement agency whose services are contracted for by the Township, and any other individuals who may from time to time be appointed by resolution of the Township Board, are hereby designated as the authorized Township Officials to issue municipal civil infraction citations as provided by the Municipal Civil Infraction Ordinance adopted by the Township.

Section 5: Severability

This Ordinance and its various parts, sentences, paragraphs, sections, subsections, phrases, and clauses are severable. If any part, sentence, paragraph, section, subsection, phrase, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected.

Section 6: Repeal

All ordinances which are in conflict in whole or in part with any of the provisions of this Ordinance are immediately repealed to the extent of such conflict.

Section 7: Effective Date

This Ordinance was approved and adopted by the Township Board on _____, 2016, after introduction and first reading on _____, 2016, and publication after the first reading as required by Michigan law. This Ordinance shall take effect on _____, 2016, the 31st day after publication of the Ordinance following its adoption.

Glenn Nykamp,
Township Supervisor

Kate Kraak,
Township Clerk

CERTIFICATE

I, Kate Kraak, the Clerk for the Charter Township of Zeeland, Ottawa County, Michigan, certify that the foregoing Zeeland Charter Township Anti-Noise Ordinance was adopted at a regular meeting of the Township Board held on _____, 2016. The following members of the Township Board were present at that meeting: _____

_____.

The following members of the Township Board were absent: _____

_____.

The Ordinance was adopted by the Township Board with members of the Board _____

_____ voting in favor, and members of the Board _____

_____ voting in opposition. The Ordinance or Notice of Adoption was published in the Holland Sentinel on _____, 2016.

Kate Kraak, Clerk
Zeeland Charter Township