

Noise and Public Nuisance

An ordinance to secure the public health, safety and general welfare of the residents and property owners of Middle Branch Township, Osceola County, Michigan, by the regulation of noise within said township; to prescribe the penalties for the violation thereof.

The Township of Middle Branch, Osceola County, Michigan, Ordains:

Section 1: Title

This ordinance shall be known and cited as the Middle Branch Township Anti-Noise and Public Nuisance Ordinance.

Section 2: Anti-Noise Regulations

A. No person, firm or corporation shall allow any dog to bark repeatedly disturbing the peace, or quiet of the residents and property owners of the Township.

B. Specific Violations. 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:

1. The keeping of any animal, bird or fowl, which emanates frequent or extended noise which shall unreasonably disturb the quiet, comfort or repose of any person in the vicinity; such as allowing or permitting any dog to bark repeatedly in an area where such barking can be clearly heard from nearby residential property.

Section 3: Penalties

Any person, firm or corporation who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and shall be subject to a fine of up to \$100.00 and/or imprisonment for up to 90 days in jail as to be determined by a court of competent jurisdiction. Each day that a violation continues to exist shall constitute a separate offense. Any criminal prosecutions hereunder shall not prevent civil proceedings for abatement and termination of the activity complained of.

Section 4: Severability

The provisions of this ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

Section 4: Effective Date

This Ordinance shall take effect on May 1, 2007. All ordinances or parts of ordinances in conflict herewith are repealed.

Middle Branch Township Board

Donald Williams, Supervisor: Peggy Hoard, Clerk: Patricia Michell, Treasurer: Beverly Orvis, Trustee: Sarah Blackledge, Trustee.

