

GRAND TRAVERSE COUNTY

DISTURBANCE OF THE PEACE ORDINANCE

PREAMBLE

It is hereby determined by the Board of Commissioners of the County of Grand Traverse that the making, creating, and maintaining or permitting of any loud, unnecessary, unnatural or noises of such character, intensity, duration, either steadily or intermittently, or by reason of the hour of the day or night, place or use which annoys, disturbs, impairs of is detrimental to the public health, comfort, convenience, safety, welfare, enjoyment and peace and quiet of the inhabitants of this County is hereby declared to be a nuisance within the limits of Grand Traverse County. It is hereby determined and declared to be necessary and in the public interest for the prohibitions, as set forth herein, with penalties, all of which are in pursuance of and for the purpose of serving and promoting public health, comfort, convenience, safety, welfare, and enjoyment for the peace and quiet of the inhabitants of Grand Traverse County.

I NAME

This ordinance shall be known and cited as the "Disturbance of the Peace Ordinance."

II PROHIBITED ACTS

It shall be unlawful for any person to make, create, maintain or permit any loud, unnecessary, unnatural or unusual noise of such character, intensity duration, either steadily or intermittently, or by reason of the hour of the day or night, place or use which annoys, disturbs, injures, endangers, or impairs the comfort, health, convenience, safety, welfare, enjoyment, and peace and quiet of other persons in the vicinity.

III BARKING DOGS

Any person who keeps, regardless of ownership, any dog which by barking, causes a disturbance as defined in Section II above shall be liable for prosecution and the penalties of Section VII.

IV EXEMPTION

Any activity that is a "farm operation" within the Michigan Right to Farm Act, 1980 P. A. No. 93, MCLA 286.471 et seq, shall be exempt from the application of this ordinance.

V PREEMPTION

This ordinance shall not apply to any activity which generates noise or sound if that activity is specifically regulated or controlled, in whole or in part, as to allowable noise or sound levels, or allowed during certain hours of operation or use, by State law or regulation, city, village or township ordinance. To the extent that there is partial regulation of noise or sound generation, then this ordinance may be applied to that activity but not in conflict with State law, regulation or ordinance of the local jurisdiction in which the activity occurs.

Repealed 11-2-2016 55

VI SAVING CLAUSE

The provisions of the ordinance are hereby declared to be severable and if any cost, sentence, word, section, or provision is declared void or unenforceable, for any reason, by a court of competent jurisdiction, the remaining portions of said ordinance shall remain in force.

VII PENALTIES

It is a misdemeanor for any person to violate any provision of the ordinance and upon conviction shall be subject to a fine not to exceed \$100 (One hundred dollars) or by imprisonment in the County jail for not more than 90 (ninety) days or both such fine and imprisonment plus costs of prosecution. Each day that a violation continues to exist shall constitute a separate violation of this ordinance.

VIII EFFECTIVE DATE

This ordinance shall not take effect until 30 days following submission to and approval by the Governor and publication thereof as required by law.

Arthur C. Elsenheimer (S)

Arthur C. Elsenheimer, Chairman  
Board of Commissioners,  
County of Grand Traverse

I, Virginia A. Watson, County Clerk of Grand Traverse County, hereby certify that this "Disturbance of the Peace Ordinance" was adopted at a regular session of the Grand Traverse County Board of Commissioners on March 9, 1982, convened in Traverse City. Roll Call  
Vote: Yes 13 Nay 2

Virginia A. Watson (S)  
Virginia A. Watson,  
County Clerk

Effective Date: September 14, 1982