

**SOO TOWNSHIP
AMPLIFIED SOUND ORDINANCE
Ordinance No. ___ of 2001**

**AN ORDINANCE TO PROHIBIT THE LOUD OPERATION
OF AMPLIFIED SOUND SYSTEMS AND TO PROVIDE
PENALTIES FOR VIOLATIONS**

SOO TOWNSHIP HEREBY ORDAINS:

Section 1. Definitions. As used in this Ordinance,

- (a). An "amplified sound system" means a device which produces or amplifies sound either electronically or mechanically and includes but is not limited to radios, phonographs, compact disc players, tape players, televisions, musical instruments, drums, and sound amplifiers.
- (b). A "highway or street" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (c). A "motor vehicle" means every vehicle which is designed to be self-propelled.
- (d). A "person" means an individual, firm, corporation, partnership, limited liability company, or other legal entity.
- (e). A "sidewalk" means that portion of a highway or street between the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- (f). A "vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, and specifically includes bicycles and tricycles.

Section 2. Prohibited Operation of Amplified Sound System.

- (a). No person operating or in control of a parked vehicle or motor vehicle and no person operating a vehicle or motor vehicle on a highway or other place open to the general public, including an area designated for the parking of vehicles or motor vehicles, shall operate or permit another person to operate an amplified sound system that is clearly audible from the vehicle or motor vehicle by an individual of ordinary hearing ability under either of the following circumstances:
 - (1). At a distance of fifty (50) feet from the vehicle or motor vehicle, between the hours of 7:00 a.m. and 10:00 p.m.
 - (2). At a distance of twenty-five (25) feet from the vehicle or motor vehicle, between the hours of 10:00 p.m. and 7:00 a.m. the following day.

- (b). No person between the hours of 10:00 p.m. and 7:00 a.m. the following day shall operate or permit another person to operate an amplified sound system from any real property within the Township that is clearly audible by an individual of ordinary hearing ability at a distance of twenty-five (25) feet from the boundaries of the property on which the amplified sound system is being operated.
- (c). No person shall operate or permit another person to operate an amplified sound system on a highway or sidewalk that is clearly audible by an individual of ordinary hearing ability under either of the following circumstances:
 - (1). At a distance of fifty (50) feet from the device producing the sound, between the hours of 7:00 a.m. and 10:00 p.m.
 - (2). At a distance of twenty-five (25) feet from the device producing the sound, between the hours of 10:00 p.m. and 7:00 a.m. the following day.

Section 3. Exempt Activities.

Section 2 shall not apply to the operation of amplified sound systems when used in connection with parades, musical productions or events authorized by the Township, school district, or civic or community organization; to the operation of amplified sound systems by the Township or any police or fire official when used to disseminate official information; and to the operation of amplified sound systems used to give official warnings such as sirens, whistles, bells, or horns as authorized by the state motor vehicle code or the uniform traffic code adopted by the Township.

Section 4. Municipal Civil Infractions.

- (a). Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 126 of 1994, amending Public Act 236 of 1961, being Sections 600.101 - 600.9939 of the Michigan Compiled Laws and shall be punished as follows:
 - (1). For a first offense, the person shall be fined not less than \$50.00, nor more than \$100.00, plus the costs of prosecution and other sanctions provided by law.
 - (2). For a second or subsequent offence occurring within two (2) years of the date the person was found responsible for the first or immediately preceding offense, the person shall be fined not less than \$100.00 nor more than \$200.00, plus the costs of prosecution and other sanctions provided by law.
- (b). Each day this Ordinance is violated shall be considered a separate violation.
- (c). The Township Supervisor or other official designated by the Township Board is hereby authorized to issue municipal civil infractions under this Ordinance directing offenders to appear in court.

Section 5. Nuisance Per Se

A violation of this Ordinance is hereby declared to be a nuisance per se and is declared to be offensive to the public health, safety and welfare.

Section 6. Separate Court Action

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

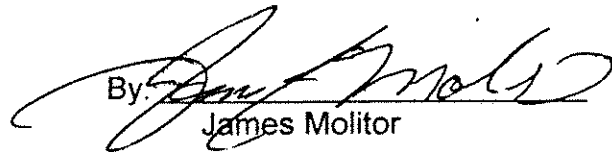
Section 7. Severability.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance shall be invalid, such invalidity shall not effect any remaining portion or application of this Ordinance which can be given effect without the invalid portion or application.

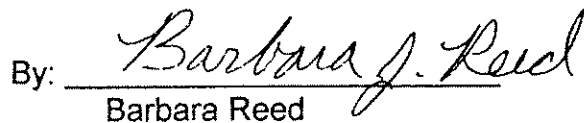
Section 8. Effective Date

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the township.

SOO TOWNSHIP

By: 
James Molitor

Its: Supervisor

By: 
Barbara Reed

Its: Clerk

ORDINANCE CERTIFICATION

At a regular meeting of the Soo Township Board, Chippewa County, Michigan, held in the Soo Township Hall, located at 639 Three and One-half Mile Road, Sault Ste. Marie, Michigan, on July 1~~7~~, 2001, at 7:30 P.M.

PRESENT: Molitor, Osborn, Perron, Reed

ABSENT: Thoresen

It was moved by Molitor and supported by Osborn that the following Ordinance be adopted:

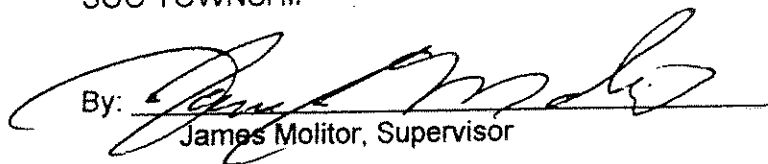
(See attached SOO TOWNSHIP ORDINANCE)

YES: Reed, Perron, Osborn, Molitor

NO: _____

ORDINANCE DECLARED ADOPTED.

SOO TOWNSHIP

By:  James Molitor, Supervisor

I, the undersigned, the Clerk of the Township of Soo, Chippewa County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Soo Township Board of said County at its regular meeting held on _____, 2001, relative to adoption of the ordinance therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be made available as required by said Act; this ordinance was published in the _____ on _____, 2001 and was filed with the County Clerk on _____, 2001.

Dated: _____ Barbara Reed, Clerk

Note: The Ordinance and this Ordinance Certification should be filed with the County Clerk within one (1) week of publication and the Ordinance should be placed in the Township Ordinance Book.