

ORDINANCE NO. 2-1500

AN ORDINANCE PROHIBITING ANY LOUD, UNNECESSARY OR  
UNUSUAL NOISE DISTURBING THE PUBLIC HEALTH, WELFARE,  
SAFETY, PEACE AND COMFORT

THE CITY OF ISHPEMING ORDAINS:

SECTION 1. UNLAWFUL NOISE PROHIBITED

(A) It shall be unlawful for any person, firm, business, or corporation, to make or cause any loud, unnecessary, or unusual noise, or any noise which annoys or disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others within the limits of the city.

(B) The following acts, among others, are declared to be loud, disturbing, injurious, and unnecessary and unlawful noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(1) Continuous horn, signaling devices, compression brakes, or any harsh and unreasonable loud sounds emanating from a motor vehicle;

(2) Using radios, T.V. sets, musical instruments, loud speakers, amplifiers, or other machines or devices for the producing or reproducing of sound in a manner as to disturb the peace, quiet, and comfort of any person in the vicinity with louder volume than necessary for the person or persons who are in the room, vehicle, or chamber in which the machine or device is operating. The operation of any of the above-named devices in such a manner that the noise is plainly audible at a distance of 50 feet from the source of the noise will be prima facie evidence of a violation of this subsection;

(3) Continuous yelling or shouting on the public street at any place or time, disturbing any person in the vicinity;

(4) The keeping of any animal causing long and continued noises disturbing the comfort, peace, or repose of any person in the vicinity; and/or

(5) The operation of any electric motors, compressors, or internal combustion engines on parked vehicles, or other construction equipment.

SECTION 2. EXCEPTIONS

None of the terms or provisions of SECTION 1 shall apply to or be enforced against:

(A) *Emergency vehicles.* Any police or fire vehicle, or ambulance while responding to, or engaged in, an emergency; and/or any Department of Public Works (DPW) trucks while engaged in snow removal or other necessary city function; and/or

(B) *Special events.* Any participant in a football game, parade, or other special, lawful public event.

### SECTION 3. PENALTY

Any person in violation of any section of Section 1 shall be guilty of a municipal civil infraction and shall be subject to payment of a civil fine as provided in the schedule below.

(1) *First violation.* Any person who admits responsibility for, or who is found responsible for, a violation of Section 1 shall be subject to a civil fine of \$50.

(2) *Second violation.* Any person who admits responsibility for, or who is found responsible for, a second violation of Section 1, in any 12-month period shall be subject to a civil fine of \$100.

(3) *Third and subsequent violations.* Any person who admits responsibility for, or who is found responsible for, a third or subsequent violation of Section 1, in any 12-month period shall be subject to a civil fine of \$500.

### SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective after publication in accordance with the Charter of the City of Ishpeming.

Adopted: March 7, 2018