Ravenna Township

General Ordinances

**(Including amendments adopted through September 9, 2010)**

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# Housing Law Ordinance (Ord. No. 03-02)

AN ORDINANCE ADOPTING THE HOUSING LAW OF MICHIGAN

THE TOWNSHIP OF RAVENNA ORDAINS:

Section 1.

Pursuant to the provisions of Act 167 of the Public Acts of Michigan of 1917, as amended, being MCL 125.401 et seq., as amended, and in particular Section 1 thereof, being MCL 125.401, the Township of Ravenna hereby adopts by reference the Housing Law of Michigan, including the enforcement provisions of said Act.

Section 2.

The provisions of the Housing Law of Michigan, as adopted by this Ordinance, are in addition to the ordinances and laws now and hereinafter enacted in the Township of Ravenna.

Section 3.

The Clerk is hereby directed to publish a copy of this Ordinance, or a summary thereof, in a newspaper circulated within the Township, as soon as possible within 30 days after adoption. Within one week after publication, the Clerk is further directed to record the Ordinance in the Book of Ordinances, along with the date of passage, and the names and members of the Township Board voting, and how each voted, and to file an attested copy of this Ordinance with the County Clerk. The Township Clerk shall certify publication and filing with the County Clerk.

Section 4.

This Ordinance shall take effect thirty (30) days after its publication.

# Truck Route Ordinance (Ord. No. 09-02)

AN ORDINANCE TO REGULATE TRUCK TRAFFIC ROUTE AND PROHIBIT TRUCK TRAFFIC

THE TOWNSHIP OF RAVENNA ORDAINS:

Section 1. **Title**.

This Ordinance shall be known and referred to as the “Ravenna Township Truck Route Ordinance.”

Section 2. **Purpose**.

The purpose of this Ordinance is to establish and impose restrictions upon the operation of truck traffic on a three mile portion of Blackmer Road between Ellis and Wilson Roads in Ravenna Township. The Township finds that it is necessary for the public health, safety, and welfare to prohibit certain truck traffic on this portion of road.

Section 3. **Restriction on Commercial Truck Traffic**.

It is unlawful for any person, firm, or corporation to cause to be operated a commercial truck, as hereinafter defined, on the three mile portion of Blackmer Road between Ellis and Wilson Roads in Ravenna Township as specifically designated by this Ordinance as it is a road upon which commercial truck traffic is prohibited.

Section 4. **Definitions**.

As used herein, the words "commercial truck" shall mean any motor vehicle with five (5) or more operating axles constructed or used for the transportation of goods, wares, merchandise, raw materials, or materials which have been processed although the manufacturing process has not been completed or there are other steps to be completed in the manufacturing process. The words "commercial truck" do not include the following:

1. Bus;
2. School Bus;
3. Fire trucks or other emergency vehicles or vehicles on emergency business involved in the saving of life or property;
4. Road repair, construction or maintenance vehicles while involved in the repair, construction or maintenance of roads within the township;
5. Garbage service vehicles while involved in the provision of services to residents of the township;
6. Motor Homes;
7. Farm tractors and equipment;
8. Utility service vehicles or vehicles used for construction in the Township while in performances of that work;
9. Private automobiles and pickup trucks.

Section 5. **Rule of Construction**.

Any word or term not defined herein shall be considered to be defined in accordance with its common or standard definition.

Section 6. **Exception, Home Deliveries**.

A commercial truck with five (5) operating axles may use or travel upon a street, road, public right-of-way, or highway even though it has been designated by the Township as one on which commercial traffic is prohibited if the truck is traveling to a residence for the purpose of delivering or picking up goods, wares, or merchandise, or for the purpose of providing services at the residence upon arrival. Provided, however, that in such event the travel along the prohibited route shall be limited to the minimum necessary to accomplish the pickup, delivery, or service call, and said vehicle shall be driven in such a manner as to leave the prohibited route as quickly as possible by the closest available truck route.

Section 7. **Signs, Posting**.

The Township shall procure and have posted appropriate signs along the designated truck routes as required by the laws of the State of Michigan.

Section 8. **Special Permits**.

The Township Supervisor shall have authority to grant a written permit allowing use of commercial vehicles on prohibited routes in special cases. Such permits, however, shall not be given for more than one (1) round trip, and in no case shall a permit be valid for longer than ten (10) days from the date of issue. Said permit shall describe the vehicle, the time and dates of travel, and the route to be taken by the vehicle. The Township Board may set a fee for such special permits by resolution. It is the intention of this provision to provide for bona fide use of commercial vehicles and trucks within the prohibited routes where the necessity and practicality of a situation dictates a proper exception to the application of the Ordinance.

Section 9. **Violations**.

Any person, firm, or corporation who violates the provisions of this Ordinance shall be responsible for a municipal civil infraction. The sanction for a violation of this Ordinance shall be a civil fine of not less than fifty dollars ($50.00), plus costs and attorneys fees. Increased civil fines may be imposed for repeated violations of this Ordinance by a person, firm, or corporation. A "repeat violation" of this Ordinance is a second or subsequent violation of this Ordinance committed by a person, firm, or corporation within six (6) months of a prior violation of this Ordinance, and for which the person, firm, or corporation admits responsibility or is determined to be responsible. The sanction for a violation of this Ordinance which is a first repeat violation shall be a civil fine of not less than two hundred fifty dollars ($250.00), plus costs and attorneys fees. The sanction for a violation of this Ordinance which is a second or subsequent repeat violation shall be a civil fine of not less than five hundred dollars ($500.00), plus costs and attorneys fees. The Township Supervisor, the Township Ordinance Enforcement Officer, any law enforcement officer of the Muskegon County Sheriff's Department or the Michigan State Police, and the Township Attorney are authorized to issue municipal civil infractions citations for violations of this Ordinance.

Section 10. **Severability**.

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

Section 11. **Administrative Liability**.

No officer, agent, or employee of the Township of Ravenna, or member of the Township Board of the Township of Ravenna shall render himself personally liable for any damage that may accrue to any person as a result of any act, omission, decision, or other consequence or occurrence arising out of the discharge of his duties and responsibilities pursuant to this Ordinance.

Section 12. **Repeal**.

All ordinances or parts thereof which are in conflict in whole or in part with any of the provisions of this Ordinance, as of the effective date of this Ordinance, are hereby repealed to the extent of such conflict, except that terms defined herein for the purpose of interpretation, administration, and enforcement of this Ordinance will in no way, manner, or form repeal, modify, or otherwise change the definition of any such terms as used in other Ordinances of the Township of Ravenna.

Section 13. **Effective Date**.

This Ordinance shall become effective 30 days after publication of a summary of the provisions in a local newspaper of general circulation within the Township.

# Anti-Noise and Public Nuisance Ordinance (Ord. No. 10-09)

AN ORDINANCE TO SECURE THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF RAVENNA TOWNSHIP, MUSKEGON COUNTY, MICHIGAN, BY THE REGULATION OF NOISE WITHIN SAID TOWNSHIP AND TO PRESCRIBE THE SANCTIONS FOR THE VIOLATION THEREOF

THE TOWNSHIP OF RAVENNA ORDAINS:

Section 1. **Ordinance Title**.

This Ordinance shall be known and may be cited as “The Ravenna Township Anti-Noise and Public Nuisance Ordinance.”

Section 2. **Definitions**.

The following terms used in this Ordinance are defined as follows:

### **Noise**. The making, creating or maintaining of unreasonable, unnecessary or unusual noise or noises which are prolonged, unreasonable or unusual as to time, place, use and effect, and which are detrimental to the public health, safety and general welfare of the people of or within the Township. Such noise shall constitute a nuisance.

### **Nuisance**. Whatever unreasonably annoys, injures, or endangers the safety, health, comfort, or repose of the public; offends public decency; or in any way renders the public insecure in life or property is hereby declared to be a public nuisance. No person shall commit, create or maintain any nuisance.

Section 3. **Acts and Conduct Prohibited**.

### **Exceptions**.

The prohibitions of this Section 3 listed below shall not apply to any of the following:

#### Any police vehicle, ambulance, fire engine or emergency vehicle while engaged in necessary emergency activities.

#### Excavation or repair of bridges, streets or highways or other property by or on behalf of the State of Michigan, Ravenna Township or the County of Muskegon, between sundown and 7:00 a.m., when the public welfare, safety and convenience render it impossible to perform such work during other hours.

#### Warning devices emitting sound for warning purposes as authorized by law.

#### Agricultural activities covered by the Right to Farm Act, being Act 93 of the Public Acts of 1981, as amended.

#### Noises occurring between 7:00 a.m. and sundown caused by construction, repairs or demolition as long as a valid building permit has been issued by the Township and is currently in effect; provided such noise is not unduly excessive.

#### Noises occurring between 7:00 a.m. and sundown caused by maintenance of grounds; provided such noise is not unduly excessive.

#### Noises emanating from the discharge of firearms are excluded, providing the discharge of firearms was authorized under Michigan law and all local ordinances.

#### The Ravenna Township Board may issue a permit, within thirty (30) days of the receipt of an application thereof, for a variance from this Ordinance for the purposes of a public or private meeting, concert, parade or other similar event. Application must be received by the Township Clerk at least forty-five (45) days prior to the event.

### No person, firm or corporation shall:

#### Use or permit the using of any radio or television receiving set, musical instrument, phonograph, loud speaker or other machine or device for the producing or reproduction of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants at any time with louder volume than is necessary for convenient hearing for the persons or person who are in the room, vehicle, or chamber in which such machine or device is operated and who are voluntary listeners thereto.

#### Emit unnecessarily loud vocal sounds, such as yelling, shouting, or singing on the public streets or other places between the hours of 10:00 p.m. and 7:00 a.m., or at any other time or place so as to annoy or disturb the quiet, comfort, or repose of any persons in the vicinity.

#### Keep or harbor 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 which such barking can be clearly heard from nearby residential property.

#### Operate any automobile, motorcycle, snowmobile, all terrain vehicle, off road vehicle, watercraft, remote controlled hobby airplane, or other vehicle so out of repair or so loaded or constructed as to cause loud and unnecessary grating, grinding, rattling or other unreasonable noise, including the noise resulting from exhaust which is clearly audible from nearby properties and unreasonably disturbing to the quiet, comfort or repose of other persons. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain same so that the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this section.

#### Operate any steam whistle attached to a boiler of any type except for the purpose of giving notice of the time to begin or stop work or as a warning of fire or other danger for other purposes.

#### Make, continue or cause to be made, any noise as a result of the operation of any noise-creating blower or power fan, or any internal combustion engine, the operation of which causes noise due to the suction or emission of air, or other gaseous material either into or from the atmosphere unless such blower, fan or engine is equipped with a muffler device sufficient to deaden such noise.

#### Discharge or permit to be discharged outside of any enclosed building, the exhaust of any steam engine, internal combustion engine, motor vehicle, or motor boat engine, except through a muffler or other similar device which will effectively prevent loud or explosive noises. For purposes of this subsection, an enclosed building shall be one enclosed by solid walls or materials (including windows) sufficient to muffle or otherwise effectively prevent loud or explosive noises. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain same so the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured, shall be in violation of this section.

#### Erect, excavate, demolish, alter or repair any building or premises in any part of the Township, including the streets and highways therein, in such a manner as to emanate noise or disturbance unreasonably annoying to other persons, other than between the hours of 7:00 a.m. and sundown on any day, except in cases of urgent necessity in the interest of public health and safety. In such case, a permit shall be obtained from the Township, which permit shall limit the periods that the activity may continue.

#### Emit or create any excessive noise on any street which unreasonably interferes with the operation of any school, church or hospital.

#### Create any loud or excessive noise unreasonably disturbing to other persons in the vicinity in connection with the operation, loading or unloading of any vehicle, trailer, railroad car, or other carrier or in connection with the repairing of any such vehicle in or near residential areas.

#### Operate any race track, proving ground, testing area, or obstacle course for motorcycles, motor vehicles, boats, racers, automobiles, or vehicles of any kind or nature in any area of the Village not specifically zoned for such an operation and/or where the noise emanating therefrom would be unreasonably disturbing and annoying to other persons in the vicinity.

#### Operate any machinery, equipment or mechanical device so as to emit unreasonably loud noise which is disturbing to the quiet, comfort or repose of any person.

#### Use any drum, loudspeaker or other instrument or device for the purpose of attracting attention to any performance, show, sale, display or other commercial purpose which, by the creation of such noise, shall be unreasonably disturbing to other persons in the vicinity.

#### Operate any loudspeaker or other sound amplifying device upon any vehicle on the streets of the Township with the purpose of advertising, where such vehicle, speaker or sound amplifying device emits loud and raucous noises unreasonably disturbing to nearby residential property.

Section 4. **Public Nuisance Regulations**.

No person, firm or corporation shall create, cause or maintain any public nuisance within the Township by the unreasonable emission of dust, smoke, fly ash or noxious odors which are offensive or disturbing to adjacent property owners and residents or persons in the area.

Section 5. **Farming Operations**.

No noise, emission or noxious odor resulting from normal and reasonable farming operations which otherwise comply with the Ravenna Township Zoning Ordinance shall be prohibited by any provision of this Ordinance.

Section 6. **Sanctions**.

Any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan statute which shall be punishable by a civil fine of not more than $500.00, along with costs which may include all expenses, direct and indirect, incurred by the Township in connection with the municipal civil infraction. A violator of this Ordinance shall also be subject to such additional sanctions and judicial orders as are authorized under Michigan law. Each day that a violation of this Ordinance continues to exist shall constitute a separate violation of this Ordinance. The sanctions herein provided for shall be in addition to any injunctive or other relief which might be available or appropriate under the circumstances.

Section 7. **Severability**.

The several provisions of this Ordinance are declared to be separate; if any court of law shall hold that any section or provision thereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this Ordinance.

Section 8. **Publication; Effective Date**.

This Ordinance shall take effect thirty (30) days following publication of the ordinance, or a summary thereof, as provided by law.