

AuSable Township Ordinance**18.2****For****Public Disturbance and Public Nuisance**

No person/persons shall cause any public disturbance. For the purposes of this subsection, the term "public disturbance" means any act or series of actions causing an interruption of the public peace and quiet; the interference with a person who is in the pursuit of a lawful right or occupation: the irritation or incitement of an assembly, in whole or part: the direct endangerment of the safety of persons or property: or the interference with law enforcement or other township officials during the performance of their duties.

No person/persons shall host, maintain, cause, or facilitate a public nuisance. For purposes of this subsection, the term "public nuisance" means a gathering of persons on public or private premises which, by the action or conduct of those persons in attendance, results in any one or more of the following conditions or events occurring on neighboring public or private property: public drinking or drunkenness: public urination or defecation: the unlawful sale, furnishing, or consumption of intoxicating beverages or controlled substances: the unlawful deposit of trash or litter: the unlawful storage, possession, use, or display of fireworks: the destruction of property: or unlawful vehicular traffic standing or parking which obstructs the free flow of traffic or interferes with the ability to render emergency services: loud noise which disturbs the comfort, quiet, or repose of the neighborhood, including public disturbances, brawls, fights, or quarrels: conduct or conditions which injure or endanger the safety, health, or welfare of the neighborhood: indecent or obscene conduct: and any immoral exhibition or indecent exposure by persons attending the gathering.

It shall be unlawful for any person to make, continue, or cause to be made or continue any excessive, unnecessary, or unusually loud noise, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace or safety of others within the Township. The following, among others, are 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. Each which either continues or is repeated more than one-half (1/2) hour beyond its inception shall be considered and may be prosecuted as a separate violation of this Ordinance.

Yelling, shouting, hooting, whistling, singing, or the making of any loud noises on public or private property between the hours of 11:00 pm and 7:00 am, or the making of any such noise at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any dwelling.

The playing of any radio, phonograph, television set, amplified or unamplified musical instruments, loudspeaker, tape recorder, or other electronic sound producing devices, in such a manner or with volume at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling: or of any persons in the vicinity, excluding persons in a single family dwelling in

which the sound is produced. The operation of any such device in such a manner as to be audible on a property or in a dwelling other than in which it is located shall be prima facie evidence of a violation.

A violation of this ordinance is a civil infraction, punishable by a fine of up to \$500.00, plus the cost of prosecution.

If any part, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion of this ordinance, and such holding shall not affect the validity of the remaining portions of this ordinance. This ordinance shall not be construed to suppress the right to lawful assembly, picketing, public speaking, or other lawful means of expressing public opinion.

EFFECTIVE DATE

This ordinance shall take effect on:

This ordinance shall take effect thirty (30) days after its publication (or summary thereof) in a local newspaper.

This ordinance was adopted on: August 14th, 2018

Motion by Kurt Norton, second by Sarah Watson to adopt revisions to section 4.22

Joe Meadows yes

Kathy Wray yes

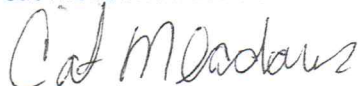
Cathy Meadows yes

Sarah Watson yes

Kurt Norton yes

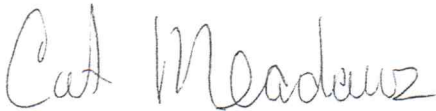
ORDINANCE DECLARED ADOPTED by Supervisor Joe Meadows

Cat Meadows AuSable Township Clerk



CERTIFICATION

I, Cathy Meadows, Clerk of AuSable Township, do hereby certify that the foregoing is true and accurate copy of Ordinance No. 18.2 adopted by AuSable Township on the August 14th 2018. A Summary of the Ordinance was duly published in the Houghton Lake Resorter newspaper, a newspaper that circulates with AuSable Township, on September 23rd, 2018. Within thirty (30) days after such publication, I reentered the Ordinance in a book or Ordinances kept by me for the purpose, including the date of passage of the ordinance, the names of the members of the Township board voting, and how each member voted. I filed an attested copy of the Ordinance with the Roscommon County Clerk on June 18, 2018.



Cathy Meadows, AuSable Township Clerk