

**TOWNSHIP OF SCIO
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NO. 2019-02

AN ORDINANCE AMENDING THE CODIFIED SCIO TOWNSHIP ZONING ORDINANCE BY INCORPORATING AMENDMENTS TO CHAPTER 16 SECTION 16-23 NOISE GENERAL PROHIBITION, 16-23.1 SPECIFIC ACTS PROHIBITED, AND 16-23.2. REGISTERED OWNER OF MOTOR VEHICLE RESPONSIBLE FOR NOISE VIOLATIONS, AND 16-23.3 VIOLATION AS MUNICIPAL CIVIL INFRACTION – PENALTY.

The Board of Trustees of the Township of Scio hereby ordains:

SECTION 1. PROPOSED ADDITIONS TO TOWNSHIP CODE.

Chapter 16, ARTICLE II. – Nuisance Abatement, Section 16-23. Noise general prohibition, Section 16-23.1. Specific acts prohibited, Section 16-23.2 Registered owner of motor vehicle responsible for noise violations, Section 16-23.3 Violation as Municipal Civil Infraction – Penalty, Township of Scio, Washtenaw County, Michigan.

Section 16-23. Noise general prohibition.

It shall be unlawful for any person to create, assist in creating, permit, continue, or permit the continuance of any unreasonably loud, disturbing, unusual or unnecessary noise that either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the Township.

Section 16-23.1. Specific acts prohibited.

The following acts are declared unreasonably loud, disturbing, or unnecessary noises and are unlawful and prohibited, but this enumeration shall not be deemed to be exclusive:

- A. The discharge into the open air of exhaust of any steam engine, compressed air machine, stationary internal combustion engine, motor vehicle, or any other machine, except through a muffler or other device that will effectively prevent loud or explosive or disturbing noises.
- B. The use of engine brakes (commonly called jakebrakes) by any vehicle operator.

Section 16-23.2 Registered owner of motor vehicle responsible for noise violations.

In a prosecution for a violation of this article, proof that the particular motor vehicle described in the citation, complaint, or warrant was used in the violation, together with proof that the defendant named in the citation, complaint or warrant was the registered owner of the motor vehicle at the time of the violation, constitutes in evidence a presumption that the registered owner of the motor vehicle was the person who operated or controlled the motor vehicle when the noise violation occurred. The person in whose name the motor vehicle is registered with the Secretary of State is presumed to be the registered owner of the motor vehicle.

Section 16-23.3 Violation as Municipal Civil Infraction - Penalty.

Any person who creates, causes, allows, suffers or permits the existence of a violation of this noise ordinance shall be responsible for a municipal civil infraction pursuant to section 1-8 of this Code.

SECTION 2. INCONSISTENCIES REPEALED.

All other ordinances or parts of ordinances or resolutions of the Board of Trustees in conflict herewith are hereby repealed.

SECTION 3. SAVING CLAUSE.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 4. SEVERABILITY.

Should any section, clause or paragraph of this Ordinance be declared by court of competent jurisdiction to be invalid, the same will not affect the validity of the ordinance as a whole or part hereof other than the part declared to be invalid.

SECTION 5. AVAILABILITY

The Code, including Chapter 16 and the official Township zoning map are available for inspection in the Township Hall, 827 N. Zeeb Rd., Ann Arbor, MI during regular business hours.

SECTION 6. EFFECTIVE DATE.

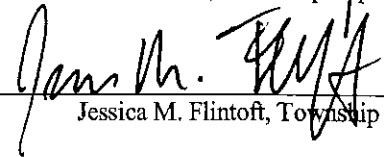
The provisions of this Ordinance are hereby ordered to take effect seven (7) days following its publication in a newspaper of general circulation within the Township of Scio. The effective date of this Ordinance will be the 5 day of September 2019.

This Ordinance is hereby declared to be adopted by the Board of Trustees of the Township of Scio in a meeting duly called and held on the 23 day of July 2019.

**TOWNSHIP OF SCIO
WASHTENAW COUNTY, MICHIGAN**



M. Jack Knowles, Township Supervisor



Jessica M. Flintoft, Township Clerk

ADOPTED: July 23, 2019
PUBLISHED: August 29, 2019
EFFECTIVE: September 5, 2019

CERTIFICATION

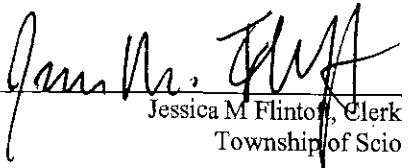
I, Jessica M Flintoft, Clerk of the Township of Scio, County of Washtenaw, Michigan, do hereby certify that the foregoing is a true and complete copy of Township Ordinance number 2019-02, an amendment to Code of Ordinances of the Township of Scio, and was adopted by the Scio Township Board of Trustees on the 23 day of July, 2019, and given publication in the Washtenaw Legal News, a newspaper of general circulation, on the 29 day of August 2019. The following members of the Scio Township Board of Trustees voted as follows in connection with this resolution to adopt the above amendatory ordinance.

AYES: Read, Palmer, Knowles, Flintoft, Green, Knol

NAYS: None

ABSENT: Martin

In witness hereof, I have hereunto affixed my official seal this 29 day of August 2019.



Jessica M Flintoft, Clerk
Township of Scio