VILLAGE COUNCIL
VILLAGE OF SUTTONS BAY
LEELANAU COUNTY, MICHIGAN

Council member Bahle, seconded by Council member Bumgardner, moved the adoption of the following ordinance:

ORDINANCE NO. 1 of 2016

AN ORDINANCE TO AMEND ORDINANCE NO. 5 OF 2004, ENTITLED "VILLAGE OF SUTTONS BAY NUISANCE ORDINANCE"

The Village of Suttons Bay ordains:

Section 1. Amendment of Section 2.(k). Section 2.(k) of Ordinance No. 5 of 2004 is amended to read in full as follows:

Section 2. Nuisances. The following are hereby declared to be nuisances:

(k) Except as provided in subsection 4. below, operating, or permitting another person to operate, an amplified sound system under any of the following circumstances:

1. In a parked vehicle or operating motor or other vehicle on a street, road, alley, highway or other place open to the general public so that it is clearly audible from the vehicle or motor vehicle to an individual of ordinary hearing ability under either of the following circumstances:

   A. 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.

   B. 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.

2. From any real property within the Village so that it is clearly audible to an individual of ordinary hearing ability under either of the following circumstances:

   A. At a distance of fifty (50) feet from the boundaries of the real property on which the amplified sound system is being operated between the hours of 7:00 a.m. and 10:00 p.m.

   B. At a distance of twenty-five (25) feet from the boundaries of the real property on which the amplified sound system is being operated between the hours of 10:00 p.m. and 7:00 a.m. the following day.

3. On a highway or sidewalk so that it is clearly audible to an individual of ordinary hearing ability under either of the following circumstances:

   (19084-004-00058912.2)
A. 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.

B. 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.

4. This subsection (k) shall not apply to the operation of amplified sound systems when used in connection with parades, musical productions or events authorized by the Village Council, the local school district, or other governmental organization with legal authority; to the operation of amplified sound systems by the Village or any police, fire or other public safety official when used in furtherance of official business; 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 of Michigan Vehicle Code or Uniform Traffic Code as adopted by the Village.

Section 2. Effective Date. This Ordinance shall become effective twenty days following its adoption or upon the publication of the Ordinance or a synopsis of the Ordinance, whichever occurs first.

Section 3. Publication. This Ordinance shall be published pursuant to state law.

YEAS: Brandt, Hollander, Bumgardner, Hylwa, Christensen, Johnson, Bahle

NAYS: None

ABSENT: None

Ordinance No. 1 of 2016 Adopted

Harry Brandt, President

Shar Fay, Clerk

I, Shar Fay, the Clerk of the Village of Suttons Bay, attest that the foregoing is a true and accurate copy of an ordinance adopted by the Village of Suttons Bay Village Council at a regular meeting held on July 18, 2016, noticed in accordance with state law.

Shar Fay, Clerk

Date of Council Approval: July 18, 2016
Date of Publication: July 28, 2016
Effective Date: July 28, 2016