
General Offenses Code

CHAPTER 672
Peace Disturbances

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CROSS REFERENCES

Disorderly conduct generally - see M.C.L.A. §§750.167 et seq.

Gambling - see M.C.L.A. §§750.301 et seq.

Prostitution - see M.C.L.A. §§750.448 et seq.

Barking dogs - see GEN. OFF. 606.02

672.01 **NOISE.**

(a) In General. No person shall unreasonably make or continue, or cause to be made or continued, any noise disturbance. Noncommercial public speaking and public assembly activities conducted on any public space or public right of way shall be exempt from operation under this section.

(b) Radios, Musical Instruments and Similar Devices. No person shall operate or play, or permit the operation or playing of, any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound in such a manner as to:

(1) Create a noise disturbance across a real property boundary or within a noise sensitive zone. If such a device is plainly audible on the property of another or within a building other than that within which the device is located, and if a complaint is made to the Chief of Police or his or her designee regarding annoyance or disturbance as a result of such device, this shall serve as prima-facie evidence of a violation.

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(2) Create a noise disturbance or result in an unreasonable sound level from such device, when operated in or on a motor vehicle on a public right of way, public space or space open to the general public, or in a boat on public waters.

(c) Loudspeakers. No person shall use or operate for any noncommercial purpose any loudspeaker, public address system or similar device between 10:00 p.m. and 7:00 a.m. of the following day so that the sound therefrom creates a noise disturbance across a residential real property boundary or within a noise sensitive zone. No person shall use or operate for any commercial purpose any loudspeaker, public address system or similar device so that the sound therefrom creates a noise disturbance across a real property boundary or within a noise sensitive zone, or between 10:00 p.m. and 7:00 a.m. of the following day on a public right of way or public space.

(d) Construction. No person shall erect (including excavate), demolish, alter or repair any building, excavate any street or highway or operate any machine or equipment on public or private property, except between the hours of 7:00 a.m. and 10:00 p.m., or in case of urgent necessity in the interest of public health and safety and when approval has been obtained from the City Clerk.

(e) Stationary Nonemergency Signaling Devices. No person shall sound or permit the sounding, from any place, of any electronically amplified signal from any stationary bell, chime, siren, whistle or similar device intended primarily for nonemergency purposes. Such devices, when used in conjunction with places of religious worship, shall be exempt from this subsection.

(f) Miscellaneous Noises. Each of the following acts is hereby prohibited, but this enumeration shall not be deemed to be exclusive, namely:

(1) Horns and signal devices in vehicles. Between the hours of 11:00 p.m. and 7:00 a.m. of the following day, the sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or to give warning of intent to get under motion, or, if in motion, only as a danger signal after brakes have been applied, or as brakes are being applied, and deceleration of the vehicle is intended; the creation by means of any such horn or signal device of any unreasonably loud or harsh sound, and the sounding of such a horn or device for an unnecessary and unreasonable period of time.

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- (2) **Racing of motors.** The racing of motors while the same are being tuned up, or the backfiring of engines in automobiles during tune-ups or warm-ups, creating any unreasonably loud or harsh sound between the hours of 11:00 p.m. and 7:00 a.m. of the following day.
- (3) **Shouting and whistling.** Unnecessary or unreasonably loud shouting and whistling at any time or place in the City.
- (4) **Hawking.** The hawking of goods, merchandise and newspapers in a loud and boisterous manner.
- (5) **Animal and bird noises.** The keeping of any animal or bird which, because of frequent or long continued noise, shall disturb the comfort or repose of any person.
- (6) **Whistles or sirens.** The blowing of any whistle or siren, except to give notice of the time to begin or stop work, or as a warning of fire or danger.
- (7) **Devices to attract attention.** The use of any drum, loudspeaker, amplifier or other instrument or device for the purpose of attracting attention, without first having obtained a permit therefor from the City Clerk.
- (8) **Sound trucks.** To operate, or cause to be operated, a sound truck with radio or amplifier, within the City, without first having obtained a permit therefor from the City Clerk.
- (9) **Compression Brakes.** It shall be unlawful for the driver of any vehicle to use or operate, or cause to be used, any engine braking device, compression brake or mechanical exhaust device to aid in the braking or deceleration of any vehicle, while operating said vehicle within the limits of the City of Negaunee, except in the case of an emergency.

(g) **Exceptions.** None of the prohibitions set forth in subsections (a) through (f) hereof shall apply to or be enforced against:

- (1) Any authorized emergency vehicle when responding to an emergency call;
- (2) The reasonable use of stationary amplifiers or loudspeakers in the course of public addresses which are noncommercial in character.

672.02 FALSE ALARMS.

- (a) No person shall start or spread any false alarm of fire, riot, explosion, civil disturbance or other breach of the peace.
- (b) Whoever violates this section shall be guilty of a misdemeanor.

672.03 DISTURBING LAWFUL ASSEMBLAGES.

- (a) No person shall disturb any lawful assemblage or gathering.
- (b) Whoever violates this section shall be guilty of a misdemeanor.

672.04 POLICE ORDER TO DEPART OR DISPERSE.

- (a) Whenever the presence of any person in any public place is causing any activity prohibited by this chapter or by any other provision of this General Offenses Code, any police officer may order that person to leave such public place.
- (b) No person shall refuse to leave a public place after being ordered to do so by a police officer or otherwise resist such an order.
- (c) Whoever violates this section shall be guilty of a misdemeanor.

672.05 RESPONSIBILITY FOR MINORS.

- (a) No person shall assist, aid, abet, allow, permit or encourage any minor to violate any of the provisions of this chapter or any other provision of this General Offenses Code.
- (b) No parent shall assist, aid, abet, allow, permit or encourage any minor over which he or she has care and custody to violate any of the provisions of this chapter or any other provision of this General Offenses code.
- (c) Whoever violates this section shall be guilty of a misdemeanor.

672.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)