

## CHAPTER 92: HEALTH AND SANITATION; NUISANCES

### Section

#### *Noise*

- 92.01 Construction noises
- 92.02 Engine exhaust
- 92.03 Yelling, singing and the like
- 92.04 Hawking in a loud and boisterous manner
- 92.05 Loudspeakers and amplifiers
- 92.06 Playing radios, television sets and the like
- 92.07 Loading, unloading vehicles; opening, destruction of bales, boxes and the like
- 92.08 Blowing sirens
- 92.09 Exceptions

#### *Brush, Grass, Noxious Weeds and Unlawful Growths*

- 92.20 Title
- 92.21 Definitions
- 92.22 Location of noxious weeds
- 92.23 Unlawful presence; public nuisance
- 92.24 Exceptions
- 92.25 Agent; appointment

#### *NOISE*

##### **§ 92.01 CONSTRUCTION NOISES.**

The erection, including excavating therefor, demolition, alteration or repair of any building, and the excavation of streets and highways at any time on Sundays and on other days, except between the hours of 7:00 a.m. and 9:00 p.m., is hereby prohibited.

(1989 Code, § 17.000) (Ord. passed 11-19-1988; Ord. 13-05, passed 10-1-2013) Penalty, see § 10.99

##### **§ 92.02 ENGINE EXHAUST.**

The discharge into the open air of the exhaust of any steam, engine, stationary internal combustion engine or motor vehicle, except through a muffler or other device, which effectively prevents loud or explosive noises therefrom is hereby prohibited.

(1989 Code, § 17.010) (Ord. passed 11-19-1988; Ord. 13-05, passed 10-1-2013) Penalty, see § 10.99

**§ 92.03 YELLING, SINGING AND THE LIKE.**

Yelling, shouting, hooting, whistling or singing or the making of any other loud noise on the public streets between the hours of 10:00 p.m. and 7:00 a.m., or the making of any such noise in the village at any time so as to annoy or disturb the quiet, comfort or repose of persons or of any person in the vicinity, is hereby prohibited.

(1989 Code, § 17.020) (Ord. passed 11-19-1988; Ord. 13-05, passed 10-1-2013) Penalty, see § 10.99

**§ 92.04 HAWKING IN A LOUD AND BOISTEROUS MANNER.**

The hawking of goods, merchandise or newspapers in a loud and boisterous manner is hereby prohibited.

(1989 Code, § 17.030) (Ord. passed 11-19-1988; Ord. 13-05, passed 10-1-2013) Penalty, see § 10.99

**§ 92.05 LOUDSPEAKERS AND AMPLIFIERS.**

Any use of loudspeakers or amplifiers must have prior approval from the Village President and the Public Safety Director. In the absence of either, the President Pro Tem can fill the position. Otherwise, the use of any loudspeaker, amplifier or other similar instrument or device, whether stationary or mounted on a vehicle, is hereby prohibited; provided, speakers in the course of a public address which is non-commercial in character may use such an instrument or device, subject to the following restrictions.

(A) The only sounds permitted are music or human speech.

(B) Sound-amplifying equipment mounted on vehicles shall not be operated unless the sound truck upon which such equipment is mounted is operated at a speed of at least ten mph, except when such truck is stopped or impeded by traffic.

(C) No sound-amplifying equipment shall be operated with an excess of 15 watts of power in the last stage of amplification

(D) Sound-amplifying equipment may not disturb the peace of the residents of the village.

(1989 Code, § 17.040) (Ord. passed 11-19-1988; Ord. 13-05, passed 10-1-2013) Penalty, see § 10.99

**§ 92.06 PLAYING RADIOS, TELEVISION SETS AND THE LIKE.**

The playing of any radio, television set, phonograph or musical instrument in such a manner or with such volume, particularly during the hours between 10:00 p.m. and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in the village, is hereby prohibited.

(1989 Code, § 17.050) (Ord. passed 11-19-1988; Ord. 13-05, passed 10-1-2013) Penalty, see § 10.99

**§ 92.07 LOADING, UNLOADING VEHICLES; OPENING, DESTRUCTION OF BALES, BOXES AND THE LIKE.**

The creation of any loud and excess noises in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers are hereby prohibited.

(1989 Code, § 17.060) (Ord. passed 11-19-1988; Ord. 13-05, passed 10-1-2013) Penalty, see § 10.99

**§ 92.08 BLOWING SIRENS.**

The blowing of any sirens, except to give notice of the time to begin or stop work or as a warning of fire or danger, is hereby prohibited.

(1989 Code, § 17.070) (Ord. passed 11-19-1988; Ord. 13-05, passed 10-1-2013) Penalty, see § 10.99

**§ 92.09 EXCEPTIONS.**

None of the terms or prohibitions of this subchapter shall apply to or be enforced against:

(A) Any police or fire vehicle or any ambulance, while engaged upon emergency business; and/or

(B) Excavations or repairs of bridges, streets or highways by or on behalf of the village or the state, during the night, when the public safety, welfare and convenience renders it impossible to perform such work during the day.

(1989 Code, § 17.080) (Ord. passed 11-19-1988; Ord. 13-05, passed 10-1-2013)

## ***BRUSH, GRASS, NOXIOUS WEEDS AND UNLAWFUL GROWTHS***

### **§ 92.20 TITLE.**

This subchapter shall be known and may be cited as “Noxious Weeds Subchapter of the Code of Ordinances of the Village of Port Sanilac”.  
(1989 Code, § 30.000) (Ord. 11-04, passed 6-7-2011)

### **§ 92.21 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***NOXIOUS WEEDS.*** Includes brush and/or grass over eight inches in height, ythrum salicarial, poison ivy (rhus toxicodentron), poison sumac (toxicodentron vermix) or other plants which are recognized as deleterious to health, safety or public welfare and/or constituting a nuisance.

***PERSON.*** Includes one or more person of either sex, natural persons, corporations, partnerships, associations, joint stock companies, societies and all other entities of any kind capable of being sued.

***RIGHT-OF-WAY.*** The width of property, including roadway, ditches and adjacent areas that are deeded, dedicated or otherwise granted to the municipality, County Road Commission or State Department of Transportation for use by the general public.  
(1989 Code, § 30.010) (Ord. 11-04, passed 6-7-2011)

### **§ 92.22 LOCATION OF NOXIOUS WEEDS.**

This subchapter shall apply to and cover noxious weeds found growing within a distance of 135 feet from the right-of-way line on all residential, commercial and industrial zoned properties and residential lands. (1989 Code, § 30.020) (Ord. 09-2, passed 6-16-2009) (Ord. 11-04, passed 6-7-2011)

### **§ 92.23 UNLAWFUL PRESENCE; PUBLIC NUISANCE.**

It shall be unlawful for the owner, agent or occupant of any developed and/or undeveloped lot in any subdivision of the village, where buildings have been erected in said subdivision, to cause or permit to grow any noxious weeds on said lot. The presence of such weeds upon such lot is hereby deemed to be detrimental to the public health, safety and welfare and shall constitute a public nuisance.

(1989 Code, § 30.040) (Ord. 09-2, passed 6-16-2009; Ord. 11-04, passed 6-7-2011) Penalty, see § 10.99

**§ 92.24 EXCEPTIONS.**

Wooded lots are exempt, except for cutting right-of-way.  
(1989 Code, § 30.060) (Ord. 11-04, passed 6-7-2011)

**§ 92.25 AGENT; APPOINTMENT.**

The Village Zoning Administrator is hereby appointed as agent responsible for the enforcement of the provisions of this subchapter.  
(1989 Code, § 30.070) (Ord. 11-04, passed 6-7-2011)