

**WHITEWATER TOWNSHIP ORDINANCE CERTIFICATE**

State of Michigan )  
Township of Whitewater ) §  
County of Grand Traverse )

I, the undersigned, being the duly elected and qualified clerk of the Township of Whitewater, do hereby certify that the attached Ordinance No.39 of the Whitewater Township Ordinances is a true and complete copy as adopted by the Whitewater Township Board at a regular meeting of the said Township Board held on November 22, 2005.

I do further certify that a true and complete copy of Ordinance No.39 was published on November 28, 2005 in the Traverse City Record Eagle, a newspaper of general circulation in Whitewater Township, and that Ordinance No.39 becomes effective thirty (30) days after the date of publication.

I do further certify that the members of the Township Board voted upon Ordinance No. 39 by the following vote:

For the Amendment: Hubbell, Lake, Amos, Couturier, Hockin.

Against the Amendment: None.

Absent: None.

I further certify that Ordinance No.39 was duly filed in the Whitewater Township Book of Ordinances within one week after publication thereof.

In witness whereof, I have hereunto set my hand this December 5, 2005.

*Carol Hockin*

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Carol Hockin  
Whitewater Township Clerk

2055  
Whitewater Sup.

# AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN  
County of Grand Traverse

**LEGAL NOTICE**  
**NOTICE OF ADOPTION**  
**WHITEWATER TOWNSHIP**  
**NOISE ORDINANCE #39**

Public notice is hereby given that Ordinance #39, Noise Ordinance, was adopted by the Whitewater Township Board at a regular meeting held on November 22, 2005.

The text of the ordinance is as follows:  
 THE TOWNSHIP BOARD OF WHITEWATER, GRAND TRAVERSE COUNTY, MICHIGAN ORDAINS:

**Section 1**  
 No person within the township shall cause a noise disturbance, which is defined as sound created by human activity with or without the use of any device, which by reason of its volume, intensity, location, or time of day impairs the health, welfare, or peace of another person of normal human sensibilities.

**Section 2 Prohibited Acts**  
 The following acts and activities are declared to be noise disturbances and are prohibited. This enumeration shall not be deemed exclusive.

A. The playing of any radio, television, phonograph, other sound reproduction device, or musical instrument in such a manner or at such a volume as to be sufficiently audible to annoy or disturb the quiet, comfort, or repose of persons in the vicinity.

B. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person in the vicinity.

C. The use of any motor vehicle, including motorcycles, in such a manner as to create a disturbing noise, including, but not limited to, the screeching of tires and the discharge into the open air of exhaust from the engine without a sufficient muffler.

D. Shouting or other raucous or boisterous behavior for an unreasonable length of time.

**Section 3**  
 The Grand Traverse County Sheriff and his deputies are authorized as local enforcement officers of this ordinance.

**Section 4**  
 A. A violation of this ordinance is a municipal civil infraction, subject to a maximum fine of \$500.00 plus court costs.  
 B. Any person who refuses to abate a noise disturbance upon the demand of an authorized local enforcement officer, interferes with the officer's enforcement of the ordinance, or retaliates against another who had made complaint of a noise disturbance is guilty of a misdemeanor punishable by maximum 90 days in jail and a fine of \$500.00 plus court costs.

**Section 5**  
 Exempted from this ordinance is any activity defined as a "farm operation" by the Michigan Right to Farm Act, 1980 P.A. 93, MCL 286.471 et seq.

**Section 6**  
 Nothing in this ordinance impairs or precludes a separate cause of action provided by statute or common law for conduct prohibited herein.

**Section 7**  
 The provisions of this ordinance are severable and if any part is declared void or unenforceable by a court of competent jurisdiction, the remaining parts shall remain in force.

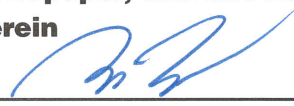
**Section 8**  
 This ordinance shall take effect thirty (30) days after publication.

Carol Hockin  
 Whitewater Township Clerk  
 PO Box 159  
 Williamsburg, MI 49690  
 (231) 267-5141  
 November 28, 2005-1T

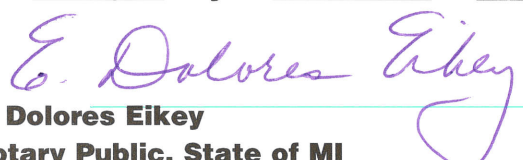
**Michael C. Nau being duly sworn deposes and says the annexed printed copy of notice was taken from the Traverse City RECORD-EAGLE, a newspaper printed and circulated in said State and County, and that said notice was published in said newspaper on the following dates:**

Nov 28, 2005  
\_\_\_\_\_  
\_\_\_\_\_

**that he or she is the agent of the printers of said newspaper, and knows well the facts stated herein**

  
\_\_\_\_\_

**Subscribed and sworn to before**  
**this 29th day of Nov 2005**

  
**E. Dolores Eikey**  
**Notary Public, State of MI**  
**County of Grand Traverse**  
**My Commission Expires September 14, 2011**  
**Acting in County of Grand Traverse**

**WHITEWATER TOWNSHIP  
NOISE ORDINANCE**

**ORDINANCE #39**

Adopted: November 22, 2005

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MICHIGAN ORDAINS:**

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**Effective: December 28, 2005**