



Legislation Details (With Text)

File #: 18-0735 **Version:** 1 **Name:** 5/7/18 Ordinance Amendment Chapter 119 Noise Control
Type: Ordinance **Status:** Passed
File created: 5/7/2018 **In control:** City Council
On agenda: 5/21/2018 **Final action:** 5/21/2018
Enactment date: 5/7/2018 **Enactment #:** ORD-18-14

Title: An Ordinance to Amend Section 9:366 of Chapter 119 (Noise Control) (Ordinance No. ORD-18-14)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 18-14 Briefed and Approved.pdf, 2. 18-14 Noise Control Ordinance Briefed.pdf, 3. Ordinance Amendment Chapter 119 Noise Control.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|---------------------------|--------|
| 5/21/2018 | 1 | City Council | Held and Closed | |
| 5/21/2018 | 1 | City Council | Adopted on Second Reading | Pass |
| 5/7/2018 | 1 | City Council | Approved on First Reading | Pass |

An Ordinance to Amend Section 9:366 of Chapter 119 (Noise Control) (Ordinance No. ORD-18-14)
The attached ordinance amendment will exempt from the prohibitions of the noise ordinance noise created by persons removing snow.

The ordinance amendment will also exempt from the ordinance’s prohibitions noise resulting from solid waste collection between 4:00 a.m. and 6:00 a.m. and between 10:00 p.m. and 12:00 a.m. in downtown alleys specifically designated by the City Administrator. The current exemption applies only between 6:00 a.m. to 10:00 p.m.

Prepared by: Kristen D. Larcom, Senior Assistant City Attorney

Reviewed by: Howard S. Lazarus, City Administrator

Approved by: Howard S. Lazarus, City Administrator

ORDINANCE NO. ORD-18-14

First Reading: May 7, 2018 Approved: May 21, 2018

Public Hearing: May 21, 2018 Published: May 24, 2018

Effective: June 4, 2018

NOISE CONTROL

AN ORDINANCE TO AMEND SECTION 9:366 OF CHAPTER 119 (NOISE CONTROL) OF TITLE IX OF THE CODE OF THE CITY OF ANN ARBOR.

The City of Ann Arbor Ordains:

Section 1. That Section 9:366 of Chapter 119 of Title IX of the Code of the City of Ann Arbor be

amended to read as follows:

9:366. - General exemptions.

(1) The following activities are exempted from the sound level limitations of section 9:364:

- (a) Emergency work necessary to restore property to a safe condition following a fire, accident or natural disaster. To restore public utilities, or to protect persons or property from an imminent danger.
- (b) Sound made to alert persons to the existence of an emergency, danger, or attempted crime.
- (c) Activities or operations of governmental units or agencies.
- (d) Parades, concerts, festivals, fairs or similar activities subject to any sound limits in the approval by the city.

(e) Athletic, musical, or cultural activities or events (including practices and rehearsals) conducted by or under the auspices of public or private schools, as defined in section 5:8(27) and (31) of Chapter 55, and public or private colleges or universities.

(f) The operation of snow removal equipment.

(2) The following activities are exempted from the requirements of section 9:363:

(a) Regular activities or operations of governmental units or agencies provided the activity is approved in advance and in writing by both the department head or agency director and the Administrator.

(b) Emergency work necessary to restore property to a safe condition following a fire, accident or natural disaster or to restore public utilities, or to protect persons or property from an imminent danger.

(c) Devices or activity creating sound made to alert persons to the existence of an emergency, danger, or attempted crime.

(d) Equipment and activities creating sound from the collection of solid waste, as defined in Chapter 26, within the Downtown District, as defined in Chapter 7, in the following locations:

- (i) in any location after 6:00 a.m. and before 10:00 p.m., and,
- (ii) in alleys from 4:00 a.m. to 6:00 a.m. and from 10:00 p.m. to 12:00 a.m., provided the equipment and activity in the alley are approved in advance and in writing by both the department head or agency director and the Administrator.

(e) The operation of snow removal equipment.

Section 2: This Ordinance shall take effect ten days after passage and publication.

CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan at its regular session of May 21, 2018.

(Date)

Jacqueline Beaudry, Ann Arbor City Clerk

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication on the City Clerk's Webpage on May 24, 2018.

Jacqueline Beaudry, Ann Arbor City Clerk