

PORTLAND TOWNSHIP BOARD OF TRUSTEES

RESOLUTION NO. 9-11-13

**ADOPTING ORDINANCE NO. 100-9-13 , AN ORDINANCE TO AMEND PART 7,
ARTICLE 3 OF THE PORTLAND TOWNSHIP CODE OF ORDINANCES**

At a regular meeting of the Board of Portland Township, Ionia County, Michigan, held at the Township Hall in said Township on the 11th day of September, 2013, at 8:00 p.m.

PRESENT: Jerry Tiemann, Julius Platte, Charlene Keilen, Sue Vanlente

ABSENT: Leanne Simon

The following Resolution was offered by Sue Vanlente and seconded by Jerry Tiemann.

WHEREAS, Public Act 246 of 1945, MCL 41.181 *et seq.*, as amended, authorizes a township board to adopt and amend ordinances that regulate the public health, safety and general welfare of persons and property and to codify such ordinances; and

WHEREAS, the Township has determined that it is in the best interest of the public health, safety and general welfare of persons and property to amend the Portland Township Code of Ordinances to further regulate noise from the keeping or harboring of animals and the operation of recreational vehicles; and

WHEREAS, the Township Board has determined that adopting the Ordinance to Amend Part 7, Article 3 of the Portland Township Code of Ordinances, attached hereto as Exhibit A, is in the best interest of the public health, safety and welfare of the Township residents.

THEREFORE, be it resolved by the Board of Portland Township, Ionia County, Michigan, as follows:

1. Ordinance No. 100-9-13, An Ordinance to Amend Part 7, Article 3 of the Portland Township Code of Ordinances, attached as Exhibit A, is hereby adopted.
2. The Township Clerk is directed to prepare a supplement to the Portland Township Code of Ordinances that includes the ordinance, attached as Exhibit A.
3. The Township Clerk, in accordance with MCL 41.184 shall publish either a true copy or a summary of the ordinance once in a newspaper of general circulation in the Township within 30 days after adoption.
4. Any and all resolutions that are in conflict with this Resolution are hereby repealed.

ADOPTED:

YEAS: 4

NAYS: 0

STATE OF MICHIGAN)
)
COUNTY OF IONIA)

I, the undersigned, the duly qualified and acting Township Clerk of the Portland Township, Ionia County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of said Township at a regular meeting held on the 11th day of September, 2013.

Charlene Keilen, Township Clerk

PORTLAND TOWNSHIP

ORDINANCE NO. 100-9-13

**AN ORDINANCE TO AMEND PART 7, ARTICLE 3 OF THE
PORTLAND TOWNSHIP CODE OF ORDINANCES**

PORTLAND TOWNSHIP ORDAINS:

Section 1: Amendment of Section 7.3.02 and 7.3.04.

A. Amend Section 7.3.02 to add new paragraphs (5) and (6) as follows:

- (5) Animals. A person shall not keep or harbor an animal, bird or fowl which, by barking, howling, meowing, squawking, or producing any other sound made frequently, repeatedly or for a continued duration, annoys, endangers, injures, or unreasonably disturbs the quiet, comfort or repose of a person of normal sensitivities who is located off of the premises occupied by the animal.

- (6) Recreational Vehicles. The operation of any race track, proving ground, testing area or obstacle course for motor vehicles, motorcycles, boats, racers, automobiles or vehicles of any kind or nature in any area of the Township where the noise emanating therefrom would be unreasonably disturbing and upsetting to other persons in the vicinity unless otherwise permitted by the zoning ordinance and approved by the appropriate Township Board or Planning Commission.

B. Amend Section 7.3.04 to read as follows:

Section 7.3.04: Exceptions

The provisions of this section shall not apply to the emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work. This section shall not apply to agricultural or related seasonal type or work that is of a timely nature, such as crop planting, tending crops and harvesting crops or timbering.

Section 2: Severability. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3: Repealer. Any ordinances, resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4: Remaining Provisions of Ordinance Unaffected. Except as expressly amended by this Ordinance, all other sections and subsections of the Zoning Ordinance of Portland Township shall remain in full force and effect.

Section 5: Effective Date. This Ordinance shall be effective 30 days after publication.