

**STATE OF MICHIGAN
COUNTY OF HURON
VILLAGE OF PORT AUSTIN**

ORDINANCE NO. 104 - 04

**AN ORDINANCE TO AMEND VILLAGE OF PORT AUSTIN ORDINANCE NO.
84 PERTAINING TO NOISE CONTROL.**

THE VILLAGE OF PORT AUSTIN ORDAINS:

AMENDMENT TO ORDINANCE NO. 84:

Section 2 is amended to provide as follows:

The using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such a manner as to be audible beyond the property line of the premises upon which such radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound is being used is hereby expressly prohibited. It is also hereby expressly prohibited to cause or permit sounds associated with construction in or near residential areas before 7 o'clock a.m. or after 7 o'clock p.m.

Savings Clause. If any subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Repealer Clause. All ordinances and or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed

Motion by: Preston

Seconded by: Radlinski

Yeas: Hogan, Loewe, Preston, Kasper, Radlinski, Ruth
Nays: None

Absent: Bruce

Abstain: None

Ordinance Adopted on the 11th day of October, 2004.

Clerk's Certification

Judy Binkley, Clerk of the Village of Port Austin, certifies that:

- 1.) A regular meeting on the ordinance was conducted in the Village Hall on the 11th day of October, 2004 at 7:30 p.m.
- 2.) The ordinance was adopted on the 11th day of October, 2004.
- 3.) The ordinance or a synopsis thereof was published on the 26th day of October, 2004.
- 4.) The ordinance is effective 20 days thereafter, on the 15th day of November, 2004.