

**Chapter 662**  
**Peace Disturbances**

662.01	Offenses relating to public peace and morals	662.09	Penalty
662.02	Noise creating activities		

CROSS REFERENCES
Disorderly conduct generally - see M.C.L.A. Secs. 750.167 et seq.
Gambling - see M.C.L.A. Secs. 750.301 et seq.
Prostitution - see M.C.L.A. Secs. 750.448 et seq.
Noise from mufflers - see TRAF. 410.04(UTC 5.90)
Barking or howling dogs - see GEN. OFF. 606.05
Nuisances - see GEN. OFF. Ch. 654
Noise in parks - see S.U. & P.S. 1062.01

**662.01 OFFENSES RELATING TO PUBLIC PEACE AND MORALS**

- A. Public Place Defined. As used in this section, "public place" means any place of business or assembly open to or frequented by the public, and any other place which is open to public view or to which the public has access.
- B. Prohibited Acts. No person shall:
1. Commit an assault or an assault and battery on any person;
  2. Be drunk in any public place or under the influence of any narcotic drugs in any public place;
  3. Engage in any indecent, insulting, immoral or obscene conduct in any public place;
  4. Engage in peeping in the windows of any inhabited place;
  5. Beg in any public place;
  6. Swim or bathe in any public place without wearing proper apparel;
  7. Utter vile, profane or obscene language in any public place;
  8. Make any immoral exhibition or indecent exposure of his or her person;
  9. Willfully annoy or molest any person or make or extend offensive advances or invitations by word or act to any person;
  10. Improperly, lewdly or wrongfully accost, ogle, insult, annoy, follow, pursue, lay hands on or, by any gesture, movement of body or otherwise, wrongfully molest, any person in any public place or public vehicle;
  11. Engage in any disturbance, fight or quarrel in a public place;
  12. Collect or stand in crowds, or arrange, encourage or abet the collection of persons in crowds for illegal or mischievous purposes in any public place;
  13. Jostle or roughly crowd persons in any street, alley, park, public building or any place open to or frequented by the public;
  14. Loiter on any street or sidewalk or in any park or public building or conduct himself or herself in any public place so as to obstruct the free and uninterrupted passage of the public;

15. Play any game in any public street or sidewalk or otherwise obstruct traffic on any street or sidewalk by collecting in groups thereon, for any purpose;
16. Engage in prostitution, gambling, the illegal sale of intoxicating liquor or any other illegal or immoral business or occupation. A recent reputation for engaging in prostitution, gambling, the illegal sale of intoxicating liquor or any other illegal or immoral occupation or business shall be prima-facie evidence of being engaged or occupied therein.
17. Solicit or accost any person for the purpose of inducing the commission of any illegal or immoral act;
18. Disturb the public peace and quiet by loud, boisterous or vulgar conduct;
19. Permit or suffer any place occupied or controlled by him or her to be a resort of noisy, boisterous or disorderly persons;
20. Obstruct, resist, hinder or oppose any member of the police force or any peace officer in the discharge of his or her duties;
21. Wander about the street, either by day or night, or loiter in any public building, without any lawful means of support or without being able to give a satisfactory account of himself or herself;
22. Prowl about any alley or the private premises of any person in the nighttime, without authority or the permission of the owner of such premises;
23. Destroy, injure or in any manner deface any drinking fountain located in the City, throw or deposit any substance therein, in any manner pollute the water in the basin, fount or bubbler of any fountain, or detach the cups or other parts of such drinking fountain.
24. Wrongfully throw or propel any snowball, missile or object toward any person or vehicle, or on the private property of another person;
25. Trespass or unlawfully remain upon premises of another to the annoyance or disturbance of the lawful occupants;
26. Accost a person or endeavor to entice him or her into a vehicle;
27. Willfully make to the Police Department any false, misleading or unfounded report for the purpose of interfering with the Department's operation or with the intention of misleading any police officer or other officers of this City;
28. Willfully make to the Fire Department any false, misleading or unfounded report for the purpose of interfering with the Fire Department's operation or with the intention of misleading any fire-fighter of this City.

(Ord. Unno. Passed 12-23-63.) (Ord. 14-03 Deleted Item 4 *"Fire, discharge, sell, display or possess any fireworks except of the type and under conditions permitted by Chapter 30 of the Penal Code of the State of Michigan, as amended by Act 242 of the Public Acts of 1949, as amended, and those permitted by the Chief of Police;"* 6-17-14)

- C. Violations as Misdemeanors. Whoever violates any provision of this section is guilty of a misdemeanor and shall be subject to the penalty provided in Section 662.99.

## **662.02 NOISE-CREATING ACTIVITIES**

- A. No person shall engage in the following noise-creating activities:

1. The sounding of any horn or signal device on any automobile, motorcycle, train or other vehicle while not in motion, except as a danger signal or to give warning of intent to get in motion, or, if in motion, only as a danger signal; the creation by means of such signal device of any unreasonably loud or harsh sound; and the sounding of any signal device for any unreasonable or unnecessary period of time.
  2. The driving of any automobile, motorcycle or motorbike with the muffler cut out or the racing of the motor thereof so as to cause it to backfire.
  3. The playing of any radio, phonograph, television set or musical instrument in such a manner or at such volume between the hours of 11:00 p.m. and 7:00 a.m. of the following day, or at any other time, so as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel, hospital, other type of residence or office, or of any person in the vicinity thereof; and, except as provided in subsection (b) hereof, the playing at any time of any radio, phonograph or television on any premises outside of a building or the playing of any radio or phonograph installed in a building or automobile, or a public address system or other similar device, so that it annoys people in the street.
  4. Yelling, shouting, hooting, whistling, singing or the making of any other loud vocal noises in the public streets between the hours of 11:00 p.m. and 7:00 a.m. of the following day, or the making of any such noise at any time so as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel, hospital or other type of residence, or of any persons in the vicinity thereof.
  5. The hawking of goods, merchandise or newspapers in a loud or boisterous manner.
  6. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort or repose of any person.
  7. The creating of loud and excessive noise by the blowing of any whistles or sirens, except to give notice of the time to begin or stop work, or as a warning of fire or other danger.
  8. The discharging into the open air of the exhaust of any steam engine, stationary internal combustion engine or motor vehicle, except through an efficient muffler or other device which effectively prevents loud or explosive noises there from.
  9. The erection (including excavation therefore), demolition, alteration or repair of any building and the excavation of streets and highways on Sundays and, except between the hours of 7:00 a.m. and 10:00 p.m., on other days. Exceptions to this provision may be made by the City Council in the case of residential building or alterations to a residence by the owner.
- B. Exceptions. None of the terms or prohibitions of subsection (a) hereof shall apply to or be enforced against:
1. Any police or fire vehicle or any ambulance, while engaged upon necessary emergency business.
  2. Necessary excavations in or repairs of bridges, streets, highways or any public utility or installation by or on behalf of the City, any public utility or any agency of the State during the night or on Sunday, when the public safety, welfare and convenience necessitate the performance of the work at such time.

3. The reasonable use of stationary amplifiers or loud speakers for public addresses which are noncommercial in character.
4. The use of sound amplifiers or other such devices by churches or other organizations, as approved by the City Council, to broadcast Christmas or Easter music for a period not to exceed fifteen days prior to Christmas Day and seven days prior to Easter Sunday, and the ringing of church bells and chimes and the giving of chime concerts between the hours of 7:00 a.m. and 10:00 p.m.
5. The use of public address systems and other sound amplifiers outside of buildings or upon sound trucks or cars between the hours of 7:00 a.m. and 10:00 p.m. for religious, educational and recreational purposes, provided, however, that no such sound amplifiers shall be used unless permission to do so has been approved by the City Council and a permit has been issued by the City Manager upon the following conditions:
  - (a) No such permit shall be issued for sound truck operations on Sunday or Christmas Day;
  - (b) Such sound trucks shall not operate within 300 feet of any hospital or convalescent home or any school during school hours;
  - (c) The sound from such equipment shall be so regulated as to be audible to people in the street without creating a nuisance.

(Ord. Unno. Passed 12-17-63.)

**662.99 PENALTY**

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)