

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE, TITLE 5,
CHAPTER 5, SECTION 12 RELATED TO UNNECESSARY NOISE**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS
FOLLOWS:

Section One. Amendment. Section 5-5-12 of the Inver Grove Heights City Code is hereby amended as follows. The deleted text is shown with ~~strikethrough~~ and the new text is shown underlined:

5-5-12: UNNECESSARY NOISE:

A. General Rule: No person shall make, continue, permit or cause to be made or continued any loud, unnecessary, or unusual noise or any noise within the City that would be likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of a reasonable person of ordinary sensibilities.

B. Unnecessary Noise Defined: An "unnecessary noise" is a noise that:

1. Creates an amplified sound that is audible above the level of conversational speech at a distance of fifty feet (50') or more from the point of origin of the amplified sound. This section would apply to but is not limited to, large assemblies, live music, music from electronic devices, music from motor vehicles, radio, ~~tape player, disc players~~ speakers, loudspeakers, horns, and similar devices.

2. Is construction-related activity involving:

a. ~~Unless exempted in subsection C of this section, involves the~~ The operation of domestic power equipment, commercial tools, power tools, motorized equipment, landscaping equipment, or demolition equipment; or;

b. The construction, remodeling, repair or maintenance of structures, except for work done entirely inside a structure that is not audible on adjacent properties; and demolition equip; or ment

c. The delivery or unloading of equipment and machinery or building, construction, or landscaping materials weighing more than 50 lbs.

The activities described in this section (B)(2) shall not constitute unnecessary noise when conducted between the hours of ten-seven o'clock (10:00) A.P.M. and seven

~~o'clock (7:00) P.A.M., Monday through Sunday, during weekdays and nine o'clock (9:00) P.M. and seven o'clock (7:00) A.M. on the weekends and holidays. Monday through Sunday.~~

3. Is otherwise described in section 5-9-2 of this title.

C. Exemptions: The following noise events are exempt from the provisions under this section:

1. Fire, police, civil defense, or other emergency signaling devices or vehicles.

2. Garbage, refuse hauling and recycling trucks operating as permitted under Section 8-6-3 of this code.

3. Noise created exclusively in the performance of emergency work to preserve the public health, safety or welfare, or in the performance of emergency work necessary to restore a public service, make emergency repairs, or eliminate a public hazard.

4. City snow plowing vehicles.

5. Domestic snow removal or lawn cutting equipment when being used as intended.

6. Civic-sponsored parades or festivals lasting no longer than three (3) days and official school district-sponsored athletic events.

7. Anti-theft devices, security alarms, and similar systems, when functioning properly.

8. Church bells, chimes, or other bells, when used for their intended purposes.

9. Public works construction and maintenance activities by Federal, State, County or City authorities or their contractors; and the construction of public streets, sidewalks, utilities, or other public infrastructure by private contractors is allowed from 7 a.m. until 9 p.m., Monday through Friday, and at such other times as ~~when~~ approved by the Director of Public Works or their designee.

10. Construction or repair work conducted in response to a significant storm or other natural disaster, when approved in advance by the Chief Building Official.

~~11~~10. All activities and land uses with specific hours of operation that are regulated and approved by the City through a licensing, permitting or zoning process, as long as the activity or use is operating within the designated parameters.

D. Responsible Party: In addition to any person causing unnecessary noise, ~~Any~~ owner, tenant, resident, occupant or manager of a building, property location, site or vehicle, who has the legal authority to control the activities and who knows or has reason to know of the disturbance or unnecessary noise and fails to immediately take

reasonable steps to abate the disturbance or unnecessary noise is guilty of violating this section. (Ord. 1364, 2-25-2019)

Section Two. Effective Date. This Ordinance shall be in full force and effect upon its passage and publication as provided by law.

Passed in regular session of the City Council of the City of Inver Grove Heights on the ____ day of _____, 2022.

CITY OF INVER GROVE HEIGHTS

By: _____

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk