

CITY OF DANUBE  
ORDINANCE #102  
AN ORDINANCE PROHIBITING EXCESSIVE NOISE

The Council of the City of Danube does hereby ordain:

Subd. 1 GENERAL PROHIBITION - No person shall make, or cause to be made, any distinct and loud audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any person, or precludes their enjoyment or diminishes their property values. This general prohibition is not limited by the specific restrictions of the following subdivisions.

Subd. 2 Horns, audible signaling devices, etc. - No person shall sound any audible signaling device except as a warning of danger as required by MN Stat. 169.68.

Subd. 3 Every motor vehicle shall at all times be equipped with a muffler in good working order which blends the exhaust noise into the overall vehicle noise and is in constant operation to prevent excessive or unusual noise, and no person shall use a dynamic engine or transmission brake, muffler cutout, bypass, or similar device upon a motor vehicle on a street or highway. The exhaust system shall not emit or produce a sharp popping or crackling sound.

Subd. 4. Radios, tape and disc players, etc. - No person shall use, operate, or play any radio, tape or disc player, musical instrument, phonograph, loudspeaker, sound amplifier or other device in such a manner as to disturb the peace, quiet, and repose of a person or persons of ordinary sensibilities, except as allowed by city license or permit for civic and/of charitable activities and events. When sound violating this section is produced or reproduced by a machine or device that is located in or on a vehicle, the vehicle's owner(s) is guilty of the violation, provided however, that if the vehicle's owner is not present at the time of the violation, the person in charge or control of the vehicle at the time of the violation is guilty of the violation.

Subd. 5 Buildings - No person shall engage in construction, excavation, demolition, alteration, or repair of any building between the hours of 9:00 p.m. and 6:00 a.m. any day of the week. City officials may, in case of an emergency, grant permission to repair at any time when they find repair work will not affect the health and safety of the persons in the vicinity.

Subd. 6 Noisy parties and gatherings

A. Prohibition-No person shall congregate at, or participate in, any party or gathering from which emanates of a sufficient volume so as to disturb the peace, quiet, or repose of another person.

B. Evidence - Noise of such volume as to be clearly heard at a distance within one city block from the building or area in which the party or gathering is occurring, or in the case of an apartment building, in the adjacent hallway or apartment. A violation also occurs if any complaint from a person is verified by an officer.

C. Duty to disperse - When an officer determines that a party or gathering is in violation of this section, the officer may order all persons present at the premises where the violation is occurring, other than the owner or tenants of the premises, to disperse immediately. No person shall knowingly remain at such a party or gathering.

D. Exemption - The following are exempt from violation of this section:

1) Activities which are duly authorized, sponsored, or licensed by the City, so long as the activity is not in violation as determined by the on-duty officer.

2) Person(s) who have gone to a party for the sole purpose of abating the violation.

3) Church or school bells, chimes, or carillons.

4) Anti-theft devices, except when intentionally set off by the owner of the device for a long period of time.

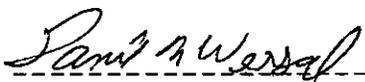
5) Machines or devices for the production of sound on or in authorized emergency vehicles.

Subd. 7 Animals - No person shall keep, or allow to be kept, any animal which is causing long continued noise which disturbs the comfort or repose of any persons in the vicinity.

Subd. 8 Penalty - A violation of this Ordinance is a misdemeanor.

Subd. 9 This Ordinance repeals any and all ordinances or portions of ordinances inconsistent herewith.

Subd. 10 Effective date of Ordinance - passed and adopted by the Danube City Council on November 22, 2000.



Daniel Wersal  
Mayor



Attest: Veva Mittelstadt  
City Clerk