

FRIDLEY CITY CODE
CHAPTER 124. NOISE
(Ref. 733, 834, 1075)

124.01. PURPOSE

The Council of the City of Fridley deems that certain levels and amounts of noise are detrimental to the health, safety and general welfare of the public.

124.02. DEFINITIONS

1. Air Circulation Device.

A mechanism designed and used for the controlled flow of air used in ventilating, cooling, or conditioning including, but not limited to, central and window air conditioning units.

2. City.

A noise control officer, peace officer, or any other duly appointed representative of the City as designated by the City Manager.

3. Decibel.

A unit of sound pressure level, abbreviated dBA.

4. dBA.

A unit of sound level. dBA is the weighted sound pressure level by the use of the A metering characteristic and weighting as specified in ANSI Specification for Sound Level Meters, SL4-1971, which is hereby incorporated by reference. For the purpose of those regulations, dBA is used as a measure of human response to sound.

5. Exhaust System.

A combination of components that provides for enclosed flow of exhaust gas from engine parts to the atmosphere.

6. L_{10} .

The sound level, expressed in decibels (dBA), which is exceeded ten percent (10%) of the time for a one (1) hour period, as measured by a sound level meter having characteristics as specified in the latest standards, 1.4. of the American National Standards Institute, and using test procedures approved by the City.

7. L_{50}

The sound level similarly expressed and measured that is exceeded fifty percent (50%) of the time for a one (1) hour period.

8. Noise.

Any excessive and unnecessary sound not occurring in a natural environment including, but not limited to, sounds emanating from aircraft and highways, and industrial, commercial and residential sources.

9. Person.

An individual, firm, partnership, corporation, trustee, association, the state and its agencies and subdivisions, or any body of persons whether incorporated or not. With respect to acts prohibited or required herein, "person" shall include employees and licensees.

10. Sound.

An oscillation in pressure, stress, particle displacement, particle velocity, etc., in an elastic or partially elastic medium, or the superposition of such propagated alterations.

11. Sound Pressure Level (SPL).

20 times the logarithm to the base 10 of the ratio of the pressure of a sound, p, to the reference pressure, pr. For the purposes of these regulations, the reference pressure shall be 20 microwtons per square meter (20 u N/m²). In equation form, Sound Pressure Level in units of decibels is expressed as $SPL (dB) = 20 \log 10p/Pr$.

12. Sound Receiving Unit.

A person, activity, animal life, or property that is affected by noise.

124.03. RECEIVING LAND USE STANDARDS

1. The sound level requirements of this Section shall apply at the property or zoning lines of the sound receiving unit. Measurements may be made at any location on the property for evaluation purposes and to aid in the enforcement of other sections of this Chapter.

2. The sound levels as stated below shall be the highest sound levels permitted in each of the zoning districts as defined in Chapter 205 of the Fridley Code.

Zoning Districts	Day (7 a.m. - 9 p.m.)		Night (9 p.m. - 7 a.m.)	
	L50	L10	L50	L10
Residential, Public and Commercial	60	65	50	55
Planned Unit Development	65	70	65	70
Industrial	75	80	75	80

3. Sound levels resulting from cumulative travel of motor vehicles on State and County highways and railroads are exempt from these Receiving Land Use Standards but not other sections of this Chapter relating to motor vehicles and railroads. This does not exempt individual motor vehicles from any and all federal, state, or local regulations. It is the intent of the City to reduce highway noise in the various land areas surrounding highways to or below the requirements of this Section when and wherever possible.

124.04. MOTOR VEHICLES NOISE LIMITS

No person shall operate a motor vehicle in the City in violation of the motor vehicle noise limits of the Minnesota Pollution Control Agency. (Minnesota Statutes Section 169.693).

124.05. CENTRAL AIR CONDITIONING EQUIPMENT

No person shall permanently install or place any central air conditioning device, except a window air conditioning unit, in any front or side yard without a permit from the City. Window air conditioning units are exempt from the provisions of this Section, except that the noise produced by such window units, as well as by all existing air circulation devices, shall not be in violation of Section 124.03 of this Chapter.

124.06. OPERATIONAL LIMITS

1. Recreation Vehicles

Recreation vehicles shall be subject to Minnesota Statutes Section 84.90 and Chapter 703, of the City Code.

2. Outdoor Power Implements.

No person shall operate any outdoor power implement including, but not limited to, gasoline or electric lawn mowers, hedge clippers, chain saws, mulchers, garden tillers, edgers, or such other implements designed primarily for outdoor use, at any time other than between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 9:00 a.m. and 9:00 p.m. on weekends and national legal holidays. Snow removal equipment is exempted from this provision.

3. Construction Activities.

Construction work hours shall be subject to Chapter 206 of the City code.

4. Refuse Hauling

Refuse hauling hours shall be subject to Section 113.10 of the City Code.

124.07. PUBLIC NUISANCE NOISES PROHIBITED

It shall be unlawful for any person to make or cause to be made any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the health, safety, and general welfare of any persons or precludes their enjoyment of property or affects their property's value. The following acts, among others, are declared to be nuisance noises in violation of this Chapter, but said enumeration shall not be deemed to be exclusive.

1. Horns and Audible Signaling Devices.

No person shall sound any signaling device on any vehicle except as a warning of danger (Minnesota Statutes Section 169.68).

2. Radios, or other Sound Amplification Devices.

A. No person shall use, operate, or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for the production or reproduction of sound in a distinctly and loudly audible manner as to disturb the peace, quiet and comfort of any persons nearby.

B. No person may operate or park, stop or leave standing a motor vehicle while using a radio or other electronic sound amplification device emitting sound from or around the vehicle that is audible from a distance of 75 or more feet, unless the electronic sound amplification device is being used to request assistance or warn against an unsafe condition.

This subsection does not apply to any of the following:

- (1) Operators of emergency vehicles when responding to an emergency.
- (2) Operators of public utility vehicles.
- (3) Operators of vehicles lawfully being used for advertising purposes.
- (4) Operators of vehicles that are being used in a licensed or permitted event or celebration, procession or assemblage.
- (5) The activation of a theft alarm signal device. (Ref. Ord. 1075)

3. Participation in Noisy Parties or Gatherings.

No person shall participate in any party or other gathering of people giving rise to noise, disturbing the peace, quiet, or repose of other persons. When a peace officer determines that a gathering is creating such a noise disturbance, the officer may order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. No person shall refuse to leave after being ordered by a peace officer to do so. Every owner or tenant of such premises who has knowledge of the disturbance shall make every reasonable effort to see that the disturbance is stopped.

4. Loud Speakers, Amplifiers for Advertising.

Except as permitted by Section 124.07.5, No person shall operate or permit the use or operation of any loudspeaker, sound amplifier, or other device for the production or reproduction of sound, on a street or other public place for the purpose of commercial advertising or attracting the attention of the public to any commercial establishment or vehicle.

5. Exception for Food/Beverage Vehicles.

Notwithstanding any other provision to the contrary, food/beverage vehicles may sound a manually operated bell between the hours of 10:00 a.m. and 4:30 p.m., and 6:00 p.m. to 8:00 p.m. in any area zoned commercial or industrial, and only between the hours of 1:00 p.m. and 4:30 p.m. and 6:30 p.m. to 8:00 p.m. in any area zoned residential or other than commercial or industrial, which produces a noise level measured at a distance of 50 feet from the source no greater than 65 decibels. (Ref. 834)

6. Animals.

Animals shall be subject to Chapter 101 of the City Code.

7. Exhausts.

No person shall discharge the exhaust or permit the discharge of the exhaust of any steam engine, stationary internal combustion engine or motor boat, motor vehicle, or snowmobile except through a muffler or other device which will effectively prevent loud or explosive noises therefrom and complies with all applicable state laws and regulations (Minnesota Statutes Section 169.69).

8. Defective Vehicle or Load.

No person shall use any vehicle so out of repair or so loaded as to create loud and unnecessary grating, grinding, rattling or other noise.

9. Loading, Unloading, Unpacking.

No person shall create loud and excessive noise in connection with loading, unloading, or unpacking of any vehicle.

124.08. EXCEPTION FOR EMERGENCY WORK

Noise created exclusively in the performance of emergency work to preserve the public health, safety or general welfare, or in the performance of emergency work necessary to restore a public service or eliminate a public hazard, shall be exempt from the provisions of this Chapter. Any persons responsible for such emergency work shall take all reasonable actions to minimize the amount of noise.

124.09. ENFORCEMENT

1. Administration.

The noise control program established by this Chapter shall be administered by the City.

2. Testing Procedures.

The City shall adopt guidelines establishing the test procedures and instrumentation to be used in enforcing the provisions of Section 124.03, which imposes noise standards. A copy of such guidelines shall be kept on file in City Hall and shall be available to the public for reference during office hours.

3. Studies.

The City shall conduct such research, monitoring, and other studies related to sound as are necessary or useful in enforcing this Chapter and reducing noise in the City. The City shall make such investigations and inspections in accordance with law as required in applying the requirements of this Chapter.

4. Noise Impact Statements.

The City may require any person applying to the City for a change in zoning classification or a permit or license for any structure, operation, process, installation or alteration or project that may be considered as a potential noise source to submit a noise impact statement on a form prescribed by the City.

5. Civil Action.

The provisions of this Chapter may be enforced through injunction, mandamus, or other appropriate civil remedy

6. Other Powers and Duties.

The City shall exercise such other powers and perform such other duties as are reasonable and necessary to enforce this Chapter.

124.10. VARIANCES

The City Council shall have authority, consistent with this Section to grant variances from the requirements of all sections of this Chapter.

124.11. PENALTIES

The violation of any provision of this Chapter, except Section 124.04, shall be subject to Chapter 901 of the City Code.