

TITLE IX: GENERAL REGULATIONS

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CHAPTER 90: ANIMALS

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KEEPING, LICENSING, IMPOUNDMENT & REDEMPTION OF DOMESTIC ANIMALS

§ 90.01 DEFINITIONS.

For the purpose of this subchapter, certain terms and words are defined as follows:

A. ANIMAL. Shall mean any domestic pet which includes, but is not limited to, dogs, cats, horses, goats, rabbits and fowl.

B. OWNER. Shall mean any person, firm or corporation who shall own, harbor or have custody of an animal.

C. PRIVATE KENNELS. Private kennels shall mean a place where no more than three (3) dogs over the age of six (6) months are kept on an owners property.

D. COMMERCIAL KENNELS. Commercial kennels shall mean a place where more than three (3) dogs over the age of six (6) months are kept on an owner's property and such commercial kennels shall be specifically prohibited within the City of Lakeland Shores.

E. DANGEROUS DOG. The term "dangerous dog" shall mean any dog that has:

- (1) Without provocation, inflicted substantial bodily harm (as defined under M.S.A. 609.02, subd. 7(a) on a human being on public or private property;
- (2) Killed a domestic animal without provocation while off the owner's property; or
- (3) Been found to be potentially dangerous, and after the owner has been notified that the dog is potentially dangerous, the dog aggressively bites, attacks or endangers the safety of humans or domestic animals.

F. POTENTIALLY DANGEROUS DOG. The term "potentially dangerous dog" shall mean any dog that:

- (1) When unprovoked, inflicts bites on a human or domestic animal on public or private property;
- (2) When unprovoked, chases or approaches a person upon the streets, sidewalks or any public property in an apparent attitude of attack; or
- (3) Has a known propensity, tendency or disposition to attack unprovoked causing injury or otherwise threatening the safety of humans or domestic animals.
- (4) At Large. A dog is at large when it is off the property of its owner and is not under restraint.
- (5) Restraint. A dog is under restraint within the meaning of this subchapter e if it is controlled by a leash, or is within a vehicle being driven or parked on the streets or within the property limits of its owner.

§ 90.02. LICENSING OF DOGS.

No owner shall keep any dog over the age of six (6) months of age in the City unless such dog has been vaccinated for rabies and has a proper dog license. The City Clerk or Clerk's designee shall issue a durable tag for each dog license and this tag shall be fastened to the dog's collar and remain on the dog at all times the dog is under no restraint. The Clerk shall maintain a record of all dog licenses issued, along with copies of the dog vaccination certificates. The dog license period shall begin July 1 of every even-numbered year and the fee for each dog license shall be in the amount of \$10.00 per two-year period, or in such other amount as the City Council may set by resolution from time to time. Any resident of the City who becomes an owner of a dog after the licensing period has begun shall have forty-five (45) days to secure a dog license.

§ 90.03. PROHIBITED ANIMAL NUISANCES.

It shall be a violation of this Chapter for any owner of any animal to allow such animal to commit any of the following acts:

- (1) To make excessive, continuous or untimely noises such as barking, howling, etc., that causes annoyance to other persons.
- (2) To molest or bite any person.
- (3) To attack or bite any other domestic animal.
- (4) To trespass upon private or other property in such a manner as to damage that property or to cause annoyance to property owners or to anyone lawfully using public property. The animal owner shall be responsible for removing animal waste from the property of others.
- (5) To create a health hazard to others.
- (6) To run at large.

§ 90.04. ANIMAL SANITATION AND HEALTH.

The owner shall be responsible for the proper sanitation and health of their animal. Any accumulation of animal waste on an owner's property shall be removed at least weekly so as to keep the surrounding area free from obnoxious odors and disease. Any animal that is confined must have daily access to food and water and to adequate protection from inclement weather.

§ 90.05 ABANDONMENT OF ANIMALS.

It shall be unlawful for any person to abandon any animal or animal carcass within the City.

§ 90.06 ANIMAL CONTROL OFFICER.

The City Council shall by resolution designate an Animal Control Officer, whose compensation it shall fix from time to time.

§ 90.07. CONFINEMENT OF CERTAIN ANIMALS.

A. Whenever the owner of an animal within the corporate limits of the City shall learn that such animal has bitten any human being, the owner shall immediately impound such animal in a place of confinement where it cannot escape or have access to

any human being or other animal and shall immediately notify the designated Animal Control Officer. Whenever the Animal Control Officer shall learn that any human being has been bitten by any animal within the City, he shall ascertain the identity of such animal and its owner and shall

B. Immediately direct such person to impound the animal forthwith as provided in this subchapter.

C. Any animal so impounded shall be kept continuously confined for a period often (10) days from the day the animal has bitten a human being.

§ 90.08 IMPOUNDMENT AND REDEMPTION OF ANIMALS.

The Animal Control Officer shall impound any animal in violation of this subchapter in an animal shelter or pound. Animals must be redeemed by the owner within five (5) days of impoundment; otherwise the animal may be sold by the pound keeper to any person or be disposed of in a humane manner. Any damages caused by the animal shall be the obligation of the animal's owner. Any owner reclaiming an impounded animal shall pay the usual boarding fees of the pound or shelter and shall pay the City an impoundment fee in the amount of \$100, which may be varied by resolution of the City Council from time to time and which shall be collected by the pound or animal shelter and paid over to the City. Unlicensed dogs must be licensed at the time of redemption.

A. Dangerous Dogs. Keeping of dangerous dogs is prohibited. It shall be illegal for any person to own, keep, possess or harbor any dog that has been declared a dangerous dog. This prohibition shall apply whether said declaration has occurred in the City or in some other jurisdiction. This prohibition shall also apply whether said declaration was made pursuant to Minn. Stat. § 347.50 or pursuant to another statute or ordinance which is substantially similar to Minn. Stat. § 347.50.

B. Quarantine. If a dog has bitten a person, then the dog shall be quarantined according to the provisions of Section 90.09.

§ 90.09. QUARANTINE. Following said quarantine period, the following shall apply.

The Animal Control Officer or a law enforcement officer shall immediately seize and impound any dangerous dog that is found within the City. The dog will be kept no fewer than ten (10) calendar days. The owner has until the end of this time period to provide written verification that the dog will be legally removed from the City or that the dog will be euthanized. Prior to release of the dog, the owner must pay all associated impounding fees and boarding costs as provided by Section 90.07 of this regulation. Upon its release, the dog shall be immediately transported to a location outside the City, or to a proper facility to be euthanized.

A. Any such dog that is not properly claimed within ten (10) calendar days

shall be humanely authorized. The owner of any dog euthanized or impounded shall be responsible for payment of impoundment, boarding and euthanization costs.

B. Police Dogs Excluded. This section shall not apply to police dogs under the control of a licensed law enforcement officer during the performance of official police activities.

C. Procedure; Hearing.

- (1) Upon receipt of a written complain that a dog is potentially dangerous, containing specific allegations which, if true, would sustain a conclusion that the dog was dangerous, the City Council may, after inquiry as to the verifiability of said allegations, declare a dog potentially dangerous and so notify the owner in writing.
- (2) Upon receipt of a complaint containing specific allegations which, if true, would sustain a conclusion that the dog was dangerous, the City Council may, after a hearing with written notice to the complainant and owner, declare a dog to be a dangerous dog which is subject to the provisions of this Section. At the hearing, the Council shall consider evidence on the matters giving rise to the dangerous dog complaint, as well as evidence giving rise to any previous declaration that the dog is potentially dangerous.
- (3) No dog shall be declared dangerous or potentially dangerous if the threat, injury or damage was sustained by a person who was:
 - (a) committing, at the time, a willful trespass or other tort upon the premises occupied by the owner of the dog;
 - (b) provoking, tormenting, abusing or assaulting the dog, or who can be shown to have repeatedly, in the past, provoked, tormented, abused or assaulted the dog; or
 - (c) who was committing or attempting to commit a crime.

§ 90.10. INTERFERENCE WITH ENFORCEMENT.

It shall be unlawful for any unauthorized person to take or attempt to take from the Animal Control Officer in compliance with this regulation or in any manner to interfere with or hinder such officer in the discharge of the duties imposed by this regulation.

§ 90.11. VIOLATION A MISDEMEANOR.

Any person who shall do or commit any act that is forbidden by the provisions of this subchapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided by State law for misdemeanor offenses.

CHAPTER 91: ALARM SYSTEMS

Section

- 91.01 Purpose
- 91.02 Definitions
- 91.03 False alarm reports
- 91.04 User fees
- 91.05 Notice
- 91.06 Appeal
- 91.07 Collection of delinquent fees
- 91.08 Excessive alarm report
- 91.09 Confidentiality
- 91.10 Prohibited alarm systems
- 91.11 Effective date

§ 91.01 PURPOSE.

The purpose of this chapter is to ensure the availability of the City's public safety services for appropriate public safety needs and to encourage alarm users to adequately maintain and utilize alarm systems.

§ 91.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. ALARM SYSTEM. An alarm installation designed to be used for the prevention or detection of burglary, robbery, or fire and located in or on a building, structure, or facility.

B. ALARM USER. The legal entity in control of any building, structure, or facility wherein or whereon an alarm system is located.

C. FALSE ALARM. An alarm signal eliciting a response by personnel of the City's law enforcement agency when a situation requiring a response does not, in fact, exist, and which is caused by the activation of an alarm system through mechanical failure, movement, alarm malfunction, improper installation, or the inadvertence of the alarm user or its employees, family, or agents. A FALSE ALARM does not include an alarm caused by climatic conditions such as tornadoes, thunderstorms, utility line mishaps, violent conditions of nature, or any other conditions which are clearly beyond the control of the alarm manufacturer, installer, or user.

D. LAW ENFORCEMENT AGENCY. An agency or a person designated by the City Council.

§ 91.03 FALSE ALARM REPORTS.

The City Council shall cause the law enforcement agency to report all false alarms occurring within the City. The report shall include the identification of the alarm user and the date, time, and location of the false alarm and also shall include the probable cause of the false alarm.

§ 91.04 USER FEES.

A. GENERALLY. An alarm user whose alarm system has resulted in the reporting of 3 or more false alarms shall be charged the following user fees.

B. USER FEES.

- (1) If a third false alarm has been reported within 365 consecutive days from the first false alarm, the user fee shall be in an amount set by City Council from time to time.
- (2) If 4 through 6 false alarms have been reported within 365 consecutive days, the user fee shall be in an amount set by City Council from time to time for each such false alarm.
- (3) If more than 6 false alarms have been reported within 365 consecutive days, the user fee shall be in an amount set by City Council from time to time for each such false alarm within 365 consecutive days.

§ 91.05 NOTICE.

A. Upon notice of the first false alarm report for a particular alarm system, the City shall notify the alarm user by mail that a false alarm has been reported.

B. The notice shall include a copy of the City's false alarm regulations.

C. Upon notice of the second false alarm report for the alarm system, the City shall mail a copy of the notice to the alarm user.

D. Upon receipt of the third and subsequent false alarm reports for a particular alarm system, the City shall notify the alarm user by mail that, within 10 days of the date of the City's notice, the appropriate user fee must be paid to the City or the alarm user must file a written notice of appeal with the City.

§ 91.06 APPEAL.

A. User fees or false alarm determinations which have been appealed shall be reviewed by the Police Commissioner, and a determination upon the appeal shall be made

within a reasonable time following the notice of appeal.

B. If the alarm user is not satisfied with the results of the appeal, the alarm user must file a written notice of appeal with the City Council within 10 days following the date of the notice of determination by the Police Commissioner.

C. If the alarm user is not present when the Council reviews the appeal, the City shall notify the alarm user, by mail, of the result of the Council's review.

D. User fees, as determined by the City, shall be paid within 10 days of the date of the City's notice of the Council's determination.

§ 91.07 COLLECTION OF DELINQUENT FEES.

If payment of the user fee is not made within the time required by §§ 91.05 or 91.06, the alarm user shall be subjected to a late payment fee in an amount set by City Council from time to time. In addition, if the City is forced to institute collection procedures to collect user fees, the alarm user shall be responsible for all costs of collection, plus actual attorney's fees incurred.

§ 91.08 EXCESSIVE ALARM REPORT.

A. When the operation of an alarm system has resulted in 5 or more false alarms within 365 days, the City shall request the alarm user to provide the City with a written report indicating the actions taken or to be taken by the alarm user to discover and eliminate the cause of the false alarms.

B. Failure to submit the written report within the time limits provided by the City shall be considered a violation of this chapter.

§ 91.09 CONFIDENTIALITY.

All information submitted in compliance with this chapter shall be held in confidence and shall be deemed a confidential report exempt from discovery to the extent permitted by law. Subject to the requirements of confidentiality, the City shall develop and maintain statistics for the purpose of ongoing alarm system evaluation.

§ 91.10 PROHIBITED ALARM SYSTEMS.

Every audible alarm system located in or on a building, structure, or facility within the City must be of the type that will automatically reset itself within no more than 15 minutes after having been activated. A violation of this section shall be punishable by a fine of in an amount set by City Council from time to time.

§ 91.11 EFFECTIVE DATE.

This chapter shall take effect and be in force on and after 8-1-1990.

CHAPTER 92: STREETS, SIDEWALKS & TRAILS

Section

Residence And Building Numbering

92.01 Residence and Building Numbering
92.02 Effective date
92.03 Penalties

Bicycle and Hiking Trails

92.04 Unlawful Use
92.05 Permitted Use
92.06 Highway Traffic Regulation Act Adopted
92.07 Penalties

RESIDENCE AND BUILDING NUMBERING

§ 92.01 RESIDENCE AND BUILDING NUMBERING.

A. It shall be the duty of the owner, lessor, and/or occupant of every house, apartment, duplex, industrial, commercial or other building to have house and/or building numbers clearly displayed thereon, either by affixing to said building or sign post, such numbers in metal, glass, plastic, or other durable material. The numbers shall not be less than 3 inches in height, in a contrasting color to the base (i.e., white numbers on red base). Said numbers shall be so placed as to be easily and clearly seen from the street when approached from either direction.

B. The Building Inspector for the City of Lakeland Shores shall be responsible for maintaining order in the numbering system, and shall assign numbers for all properties with the City upon request.

§ 92.02 EFFECTIVE DATE

The numbers shall be so placed and all buildings affected hereby shall comply from and after November 1, 1987. All accessory structures are not affected by this Chapter.

§ 92.03 PENALTIES.

Any person who shall do or commit any act that violates the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided by State law for misdemeanor offenses.

BICYCLE AND HIKING TRAILS

§ 92.04 UNLAWFUL USE

It shall be unlawful to operate any motorized vehicle upon any public bicycle trail or public hiking trail within the limits of the City of Lakeland Shores.

§ 92.05 PERMITTED USE

The use of snowmobiles will be permitted on the St. Croix Trail public bicycle and hiking trail between the 1st day of November of each year and the 1st day of April of the next year inclusive, provided that the trail is snow covered. The period of time during which snowmobiles may be used on said trails may be increased or decreased by action of the City Council published in the official newspaper of the City designating the inclusive dates when the use of snowmobiles shall be permitted on said trails.

§ 92.06 HIGHWAY TRAFFIC REGULATIONS ACT ADOPTED

All provisions of the Highway Traffic Regulations Act, Chapter 169 of Minnesota Statutes, and all ordinances of the City of Lakeland Shores regulating traffic shall apply to the operation of bicycles on said trails.

§ 92.07 PENALTIES.

Any person who shall do or commit any act that violates the provisions of this regulation shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided by State law for misdemeanor offenses.

CHAPTER 93. FIRE SUPPRESSION SYSTEM

Section

Automatic Fire Suppression as Adopted

§ 93.01 Automatic Fire Suppression System Adopted

AUTOMATIC FIRE SUPPRESSION AS ADOPTED

§93.01 AUTOMATIC FIRE SUPPRESSION AS ADOPTED

Automatic Fire Suppression Systems, as the same has been adopted by the State Department of Administration and filed with the Secretary of State and the Commissioner of Administration on April 25, 1983, is hereby adopted and shall be in full force and effect in the City of Lakeland Shores. At least 3 copies of Optional Appendix E, Automatic Fire Suppression Systems, shall be filed in the office of the City Clerk of the City of Lakeland Shores and shall be open to public inspection during regular business hours.

CHAPTER 94: HEALTH AND SAFETY; NUISANCES

Section

Limiting Storage of Vehicles/Declaring Vehicles to be Public Nuisance

- § 94.01 Definitions
- § 94.02 Certain Vehicles Declared Public Nuisance, Removal and Impounding
- § 94.03 Parking, Storage, Repair, Maintenance on Junk Cars
- § 94.04 Abandonment
- § 94.05 Partially Dismantled, Wrecked, Junked, Discarded or Nonoperating
- § 94.06 Towing Contractor
- § 94.07 Impounding, Towing and Release
- § 94.08 Notice to Owner
- § 94.09 Storage of Impounded Vehicles
- § 94.10 Report of Police Officer
- § 94.11 Sale of Vehicle
- § 94.12 Sale of Vehicle/Owner Not Identified
- § 94.13 Penalty

Noise

- § 94.14 Purpose and Intent
- § 94.15 General Prohibition
- § 94.16 Specifically Prohibited
- § 94.17 Loud Speakers/Amplifiers for Advertising
- § 94.18 Exhausts
- § 94.19 Hours
- § 94.20 Noisy Parties and Gatherings
- § 94.21 Penalty

LIMITING STORAGE OF VEHICLES/DECLARING VEHICLES TO BE A PUBLIC NUISANCE

§ 94.01 DEFINITIONS.

The following words and terms for the purpose of this subchapter are defined as follows:

A. JUNK CAR means any motor vehicle which is not in operable condition, partially dismantled, used for repair of parts or as a source of repair or replacement parts for other vehicles, kept for scrapping, dismantling or salvage of any kind, or which is not properly licensed for operation within the State of Minnesota.

B. PERSON means a natural person, firm, association, partnership or corporation, including any agent of any of the aforesaid.

C. PUBLIC PLACE means any street, avenue, alley, road, highway, boulevard, parking lot or facility, park, or other public property or premises.

D. UNCLAIMED VEHICLES. Shall mean any impounded vehicle not claimed by, or for any reason not released to, the owner thereof within twenty-four (24) hours after notice is either received by the owner or notice mailed to him as provided herein.

§ 94.02 CERTAIN VEHICLES DECLARED A PUBLIC NUISANCE, REMOVAL AND IMPOUNDING THEREOF.

Any vehicle, whether occupied or not, that is found stopped, standing or parked in violation of the traffic regulations and provisions of the City of Lakeland Shores, or that is reported stolen or that is found impeding fire fighting, snow removal or the orderly flow of traffic, or any stock or junk car on any public place, or on any private land or premises, unless it shall be in an enclosed building, such vehicle is hereby deemed and declared to be a public nuisance, and such nuisance may be abated in the manner hereinafter set forth. Any police officer, fire fighter, or other duly authorized personnel, such as City employees in charge of roads and snow removal, may immediately order such nuisance vehicle to be removed and impounded in the manner hereinafter provided, and it shall be surrendered to the duly identified owner thereof by the towing company only upon payment of the fees hereinafter provided which are declared to be the vehicle impound fees covering such vehicle.

§ 94.03 PARKING, STORAGE, REPAIR OR MAINTENANCE ON JUNK CARS.

No person shall park, keep, place, store, or permit the parking or storage of, or repair or replace parts, or do maintenance work on any public place, or on any private lands or premises, unless such vehicle shall be within a building on such private premises.

§ 94.04 ABANDONMENT.

No person shall abandon any junk car, junk motor vehicle or any part thereof or therefrom, upon any public place in the City of Lakeland Shores.

§94.05 PARTIALLY DISMANTLED, WRECKED, JUNKED, DISCARDED OR NON-OPERATING VEHICLES ON PRIVATE PROPERTY.

It shall be unlawful for any person in charge or in control of any property within the City of Lakeland Shores to allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle, including any part thereof or therefrom, to remain on any private property unless within an enclosed building for any period longer than seventy-two (72) hours.

§ 94.06. TOWING CONTRACTOR.

The City of Lakeland Shores may contract with one or more persons, firms or corporations to provide to such City the towing services required to enforce this and other City Ordinances and State Laws.

§ 94.07. IMPOUNDING, TOWING AND RELEASE.

The towing company shall take immediate possession of any vehicle duly ordered, impounded and ticketed for any traffic or parking violation, and shall tow such vehicle to the car pound. No such vehicle shall thereafter be released without authorization of the City of Lakeland Shores. The towing company shall, immediately after impounding any vehicle, notify the Police Department of all such impounded vehicles, including description, license number and other pertinent information.

§ 94.08. NOTICE TO OWNER.

The Police Department shall give notice of the impounding of any such vehicle to the owner thereof as such owner is shown by the records of the State Registrar of Motor Vehicles. Such notice shall be by registered or certified mail and shall be addressed to the address as indicated on said records. Such notice shall include a description of such motor vehicle, notice of such possession, location of the motor vehicle impounded, and a statement of the intent of the City to dispose of such motor vehicle after thirty (30) days unless such motor vehicle is released.

§ 94.09. STORAGE OF IMPOUNDED VEHICLES.

The towing company, during the time the vehicle is impounded, shall not permit the vehicle to be removed or released to the owner until the impounding and storage fees hereinabove provided have been paid. At the time of the return of the vehicle, the towing company shall release the same by a release in writing which shall state the date of such release together with the charges enumerated thereon and the purpose for which such charges were made.

§ 94.10. REPORT OF POLICE OFFICER.

Any police officer or other authorized person directing the impounding of any unoccupied or damaged vehicle shall prepare a written report of such vehicle, which report shall, among other things, include the following: make of the car, license number, separate articles of personal property, general description of the car with regard to condition, damaged parts and other such information as may be necessary to describe adequately the vehicle and property delivered to the towing company. The towing company shall receipt for and check such report and its signature thereon shall be considered a receipt for the vehicle and the property described therein.

§ 94.11. SALE OF VEHICLES.

Any motor vehicle which is impounded pursuant to this or any other ordinance or statute, and which is not released within thirty (30) days of mailed notice to the owner, may be sold by such City to the highest bidder at public auction or sale, following reasonable published notice thereof. The proceeds of any such sale shall first be applied toward the cost of handling, storing and sale of such vehicle. The net proceeds shall be placed in the General Fund. If, within six (6) months of such sale, the former owner applies to the City Clerk for payment of

such net proceeds and, if satisfactory proof of ownership is presented, the net proceeds shall be paid to such former owner.

§ 94.12. SALE OF VEHICLE WHERE OWNER OF VEHICLE CANNOT BE IDENTIFIED.

If any such vehicle is found and removed under circumstances which do not give the Police Department or the towing company knowledge or means of inquiry as to the true owner thereof, such facts shall be immediately reported to the City Clerk. Any such vehicle, or any other vehicle or property unclaimed or abandoned by any owner for a period of thirty (30) days from and after such impounding, shall be sold by the City of Lakeland Shores at a public sale.

§ 94.13. PENALTY.

Any person who shall do or commit any act that violates the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided by State law for misdemeanor offenses.

NOISE

§ 94.14 PURPOSE AND INTENT

The purpose of this subchapter is to protect and promote the public health, safety and general welfare by restricting activities which emit noise that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of any person or persons, or precludes their enjoyment of property, or adversely affects their property's value. A person is guilty of violating this section if that person's actions:

- (1) cause a reasonable person or reasonable persons to be annoyed, disturbed, or injured; or
- (2) endanger a reasonable person's or reasonable persons' comfort, repose, health, peace, safety or welfare; or
- (3) preclude a reasonable person or reasonable persons from the enjoyment of their property; or
- (4) adversely affect a reasonable person's or reasonable persons' property value.

§ 94.15 GENERAL PROHIBITION

No person shall make or cause to be made or allow others on their property to make any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of a reasonable person or reasonable persons, or precludes their enjoyment of property, or adversely affects their

property's value. This general prohibition is not limited by the specific prohibitions contained in the following section.

§ 94.16 SPECIFICALLY PROHIBITED

A. The noises and acts set forth in the following subparagraphs are declared to be prohibited noises in violation of this subchapter, but said enumeration shall not be deemed to be exclusive:

- (1) Horns, Signaling Devices, etc. No person shall sound any horn or signaling device on any vehicle, except as a warning of danger, as required by Minn. Stat. Section 169.68.
- (2) Electronic Sound Systems, etc. No person shall use or operate, or permit the use or operation of any electronic sound system or audio equipment including, but not limited to, any compact disc player, cassette tape player, AM-FM radio, paging system, musical instrument, or any other device designed for the production or reproduction of sound, in a distinctly and loudly audible manner as to unreasonably disturb the peace, quiet, and comfort of a reasonable person or reasonable persons nearby.
 - (i) at the real property boundary of the building, structure, residence or other area in which it is located; or
 - (ii) at a distance of fifty (50) feet from any motor vehicle in which it is located.

B. This section shall not apply to sound produced by the following:

- (i) Amplifying equipment used in connection with activities which are authorized, sponsored or permitted by the City of Lakeland Shores, so long as the activity is conducted pursuant to the conditions of the license, permit or contract authorizing such activity;
- (ii) Church bells, chimes or carillons, school bells, or emergency civil defense warning signals;
- (iii) Anti-theft devices;
- (iv) Machines or devices for the production of sound on or in authorized emergency vehicles.

§ 94.17 LOUD SPEAKERS/AMPLIFIERS FOR ADVERTISING

No person shall operate or permit the use or operation of any electronic sound

system, audio equipment, loudspeaker, sound amplifier, or any 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.

§ 94.18 EXHAUSTS

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

§ 94.19 RESTRICTED HOURS

No person shall engage in the following activities between the hours of 9:00 p.m. and 7:00 a.m. daily:

A. Construction, installation and maintenance of utility and street projects;
B. Operation of tools and domestic maintenance equipment powered by external air compressors or internal combustion engines including, but not limited to, use of lawn mowers, hedge clippers, chain saws, mulchers, garden tillers, edgers or other similar domestic power maintenance equipment. Snow removal and street sweeping equipment are exempt from this provision;

C. Repair and servicing of vehicles or other equipment where the noise from that activity is audible beyond the property lines on which the repair or servicing is being conducted;

D. Exterior construction, remodeling, repair or maintenance of structures;

E. Exceptions. The performance of City or State authorized, sponsored or licensed work to preserve the public health, safety or welfare, or in the performance of work necessary to restore public service or eliminate a public hazard shall be exempt from the restrictions of this Section. Any person responsible for such work shall take all reasonable actions to minimize the amount of noise.

§ 94.20 NOISY PARTIES AND GATHERINGS

No person shall permit or participate in any party or gathering of people, on public or private property, giving rise to noise, unreasonably disturbing the peace, quiet or report of a reasonable person or reasonable persons. It shall be presumed that a violation of this Section has occurred when any noise from a gathering is plainly audible, at a distance of fifty (50) feet or more, between the hours of 9:00 p.m. and 7:00 a.m.

A. When a police officer has probable cause that a violation of this Section has occurred, the officer may order all persons present, other than the owner or tenant of

the premises, to disperse and leave the premises immediately. It shall be a violation of this Section for any person to refuse to leave after being so ordered by the police officer:

B. Exceptions. The following are exempt from violation of this Section:

- (i) Activities which are duly authorized, sponsored or licensed by the City of Lakeland Shores, so long as the activity is conducted pursuant to the conditions of the license, permit or contract authorizing such activity;
- (ii) Persons who have gone to a party for the sole purpose of abating the violation."

§ 94.21 PENALTY

Any person who shall do or commit any act that is forbidden by the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided by State law for misdemeanor offenses.