

**CITY OF FOREST LAKE
WASHINGTON COUNTY, MINNESOTA**

ORDINANCE NO. 754

**AN ORDINANCE REPEALING AND REPLACING FOREST LAKE CITY CODE TITLE IX, CHAPTER 96,
SECTION 96-05,
AND RENUMBERING CURRENT SECTIONS 96-05 THROUGH 96-09
AND SECTION 36.02**

The City Council of the City of Forest Lake does ordain:

SECTION 1. REPEAL AND REPLACE. Forest Lake City Code Section 96.05 is hereby repealed and replaced as follows:

§ 96.05: Noise.

(A) Noises Prohibited.

- (1) No person shall make or cause to be made any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any person, or precludes their enjoyment of property, or affects their property's value. This general prohibition is not limited by the specific restrictions of the following subdivisions.
- (2) No person shall operate or cause or permit to be operated any source of noise in such a manner as to create a noise level exceeding the limit set by the Minnesota Pollution Control Agency in Minn. R. 7030, as it may be amended from time to time, for the receiving land use category specified when measured at a point of normal human activity of the receiving land use.
- (3) No person shall operate a motor vehicle in the city in violation of the motor vehicle noise limits of the Minnesota Pollution Control Agency.
- (4) *Noisemaking Devices.*
 - i. No person shall use or operate or permit the use or operation of any radio, musical instrument, paging system, machine, or other device for the production or reproduction of sound in a distinctly and loudly audible manner as to unreasonably disturb the peace, quiet, and comfort of any person nearby. Operation of any such radio, instrument, machine or other device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at the property line in which the device is located or in the hallway or apartment adjacent is a violation of this section.

- ii. 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.
 - iii. No person shall permanently install or place any air circulation device, except a window air conditioning unit, in any outdoor location until the City determines that the device in that location will comply with the noise ordinance regulations herein. The noise produced by any window unit and by any existing air circulation device shall be attenuated by means including, but not limited to, relocation of the device, if the noise results in or contributes to a violation.
- (5) No person shall participate in any party or other gathering of people giving rise to noise, unreasonably disturbing the peace, quiet, or repose of another person. When a police 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 police officer to do so. Every owner or tenant of the premises who has knowledge of the disturbance shall make every reasonable effort to see that the disturbance is stopped.

(B) Hourly Restriction on Certain Operations

- (1) No person shall, between the hours of 10:00 p.m. and 7:00 a.m., drive or operate any recreational vehicle (not including snowmobiles which are regulated by Section 71.04) not licensed for travel on public highways.
- (2) No person shall operate a power lawn mower, power hedge clipper, chain saw, mulcher, garden tiller, edger, drill, or other similar domestic power maintenance equipment except between the hours of 7:00 a.m. and 10:00 p.m. Snow removal equipment is exempt from this provision.
- (3) No person shall engage in or permit construction activities involving the use of any kind of electric, diesel, or gas-powered machine or other power equipment except between the hours of 7:00 a.m. and 10:00 p.m. on any weekday or between the hours of 9:00 a.m. and 9:00 p.m. on any weekend or holiday.

(C) Exemptions

- (1) 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 or eliminate a public hazard, shall be exempt from the provisions of this subchapter for a period not to exceed 24 hours after the work commences. The person(s) responsible for the work shall inform the City of the need to initiate the work or, if the work commences during nonbusiness hours of the city, at the beginning of business hours of the first business day thereafter. Any person responsible for the emergency work shall take all reasonable actions to minimize the amount of noise.

- (2) Noise created by a community celebration or community function having a valid permit issued by the City shall be exempt from the provisions of this section.

(D) *Powers and Duties of the City.*

- (1) The City shall adopt guidelines establishing the test procedures and instrumentation to be used in enforcing the provisions of this section imposing noise standards.
- (2) The City shall conduct such research, monitoring, and other studies related to sound as are necessary or useful in enforcing this section 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 section.
- (3) The Zoning Administrator may require any person applying to the City for a change in zoning classifications or a permit or license for any structure, operation, process, installation, or alteration, or project that may be considered a potential noise source to submit a noise impact statement on a form prescribed by the City and may require necessary conditions of approval related to potential noise impacts.

(E) *Variances.* The City Council shall have authority, consistent with this section, to grant variances from the requirements of this section.

- (1) *Application.* Any person seeking a variance shall file an application with the City on a form prescribed by the City. The application shall state the dates during which the variance is proposed, the location of the noise source and times of operation, the nature of the noise source, reasons why the variance is sought, steps taken to minimize the noise level, and such other information as is required by the City. If the application is for a variance for more than 7 days, the City shall give mailed notice of the requested variance to all property owners within 500 feet of the noise source.
- (2) *Action on application.* If City staff find sufficient controversy exists regarding the proposed variance, the proposal shall be referred to the City Council, which shall hold a public hearing on the proposal at which all persons affected shall be given

an opportunity to be heard. The City Council shall also hold such a hearing upon request of the applicant. Within 90 days of receipt of the application, City staff, or City Council if there is a hearing, shall approve or deny the application. The variance may be granted subject to conditions, including a time limit which shall be clearly stated.

SECTION 2. RENUMBERING. Forest Lake City Code Chapter 96 is hereby renumbered as follows:

Section 96.05: Unsheltered Storage is moved to Section 96.06.

Section 96.06: Abandoned, Junk, or Unauthorized Motor Vehicles is moved to Section 96.07.

Section 96.07: Building Maintenance and Appearance is moved to Section 96.08.

Section 96.08: Public Nuisance Violations is moved to Section 96.09.

Section 96.09: Abatement is moved to Section 96.10.

SECTION 3. AMENDMENT. Forest Lake City Code Chapter 36.02 Alternative Methods of Enforcement is hereby amended as follows:

§ ALTERNATIVE METHODS OF ENFORCMENT.

(B) Compliance letter....

(4) Exceptions to issuance of a compliance letter....

(f) Noise violations. For any violation of ~~§§ 96.21 and 96.22~~ 96.05.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective upon publication.

Passed by the City Council on the 28th day of April, 2025.

CITY OF FOREST LAKE

By: 
Blake Roberts
Its Mayor

Attest: 
Jolleen Chaika
Its City Clerk

(Published in the *Forest Lake Times* on May 1, 2025)