



Legislation Text

File #: Ord. 981, **Version:** 1

City Council Meeting Date: August 16, 2016

To: Mayor and City Council
City Administrator

From: Monte Nelson, Chief of Police

Consider Amending City Code Chapter 50 - Offenses and Miscellaneous Provisions Related to Disorderly Conduct, Loud Parties and Noise.

Action Requested:

The Northfield City Council is requested to have the Second Reading of Ordinance 981 Amending Chapter 50- Offenses and Miscellaneous Provisions related to Disorderly Conduct and Loud Parties/Assemblies, and a proposed new Unlawful Noise section.

Summary Report:

The proposed changes to the City ordinance related to Disorderly Conduct and Loud Parties/Assemblies and a new section of Noise Ordinance were previously presented to Council at the May 3rd City Council meeting, the June 14 City Council work session, the July 19 City Council meeting, and the August 2 City Council meeting. Please see and review the attachments including the proposed Ordinance in question and the staff reports from the previous City Council Meetings.

At the August 2 City Council meeting, Council discussed the ordinance and approved the First Reading of Ordinance 981 with the time restriction language listed below. The entire Ordinance is also attached for review.

- **Council Approved Time Restriction Language:**

- (3) The use, operation, or permitting the playing, use, or operation of any radio receiving set, musical instrument, phonograph, or other machine or device for the amplification, production or reproduction of sound at any time in such manner as to be likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of a reasonable person of ordinary sensibilities who might be in its vicinity; or in the C-1, C-2, and I-1 Zoning Districts between 10:00 P.M. and 7:00 A.M. Sunday through Thursday, and between Midnight and 7:00 A.M. Friday and Saturday; or in all other Zoning Districts between 10:00 P.M. and 7:00 A.M. Sunday through Thursday and 11:00 P.M. and 7:00 A.M. Friday and Saturday, at such a volume so as to be plainly audible at the real property boundary of the building, structure, residence or other area in which the device is located;
 - a. Exception: The above time limits contained in paragraph (d)(3) shall not apply to those certain noise complaints generated by complainants who reside within, or within 300 feet of, the C-1, C-2, or I-1 Zoning Districts, and are related to the playing of music indoors at bars, taverns and nightclubs or similar entertainment businesses that regularly play music as part of their business.

Playing of music indoors for purposes of this exception means that such music is played within the enclosed structure of the business such that doors, windows, patios or other business openings to the outdoors are otherwise closed during the above stated times to prevent the escape of noise to the outdoors, but allowing for periodic ingress and egress to the business through otherwise closed doors.

Staff recommends approval of the Second Reading for all of the proposed changes and the new sections to the ordinance as modified by Council.

Alternative Options:

Council could choose to modify timeframes, days of the week, or other parts of the ordinance as they deem appropriate. Staff is recommending the Second Reading of the Ordinance in the current version.

Tentative Timelines:

If the Second Reading is approved, publication would take place on August 24, and the ordinance would be effective September 23, 2016.