

2007-Or-___

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: _____

Amending Title 15, Chapter 389 of the Minneapolis Code of Ordinances relating to Offenses—Miscellaneous: Noise, Prohibited Acts.

The City Council of The City of Minneapolis do ordain as follows:

That Section 389.100 of the above-entitled ordinance be amended to read as follows:

389.100. Prohibited acts. (a) The following acts are not allowed in the city and the causing thereof are prohibited:

- (1) Intentionally sounding or permitting the sounding outdoors of any fire, burglar, or civil defense alarm, siren, whistle, or similar stationary emergency signaling device except in the following circumstances:
 - a. Existence of an emergency.
 - b. Testing the device, not to exceed four (4) minutes in an hourly period, unless approved by the director when there is no reasonable alternative to exceeding four (4) minutes of testing and the testing is required by state or federal laws, rules or regulations.
 - c. The sounding of a properly maintained car alarm subject to paragraph 6 of this section.
- ~~(2) Loading, unloading, opening, closing or other handling of boxes, crates, bottles, containers, building and construction materials and equipment, demolition debris, garbage cans, garbage dumpsters or carts, scrap metal or other metal waste or similar objects outside of an insulated building in a residentially used area between the hours of 10:00 p.m. and 6:00 a.m. This shall not prohibit the reasonable and careful handling of garbage carts and recyclables by residents setting them out for solid waste or recycling collection if the immediately following day is a collection day.~~

- ~~(3)~~ (2) No person shall load or unload a solid waste compacting vehicle, solid waste processing vehicle, solid waste collection vehicle, or recycling collection vehicle outside of an insulated building in any residentially used area between the hours of 10:00 p.m. and 6:00 a.m.
- ~~(4)~~ (3) No person shall operate a parking lot sweeper or commercial snow plowing equipment in any residentially zoned and used area between the hours of 10:00 p.m. and 6:00 a.m. Snow plowing of off-street parking areas and adjoining walkways with reasonably maintained and proficiently operated equipment in residentially zoned and used areas is allowed between 10:00 p.m. and 6:00 a.m. during an official snow emergency which has been declared by the proper city officials. The Minneapolis Department of Public Works may plow and otherwise remove snow from public streets and other public areas between the hours of 10:00 p.m. and 6:00 a.m. whenever, in the judgment of the City Engineer, such plowing or otherwise removing snow is in the public interest.
- ~~(5)~~ (4) Removing or rendering inoperative any noise control device or the design of a product having those devices, by any person other than for purposes of maintenance, repair or replacement.
- ~~(6)~~ (5) It shall be unlawful for any person to be in control of and allow operation of an electronic theft or burglar alarm which sounds an audible signal without an automatic shutoff device to prohibit the audible signal from sounding continually for more than five minutes.
- ~~(7)~~ ~~Idling of buses, trucks, tractors, truck-tractor, trailers and semitrailers, as those terms are defined in Minnesota Statute 168.011, while stopped, standing or parked in a residentially used area between the hours of 10:00 p.m. and 6:00 a.m. except as provided for under permit in section 389.70, in compliance with traffic signals or signs, at the directions of a police officer or while buses are in the act of loading or unloading passengers. This prohibition shall not apply to emergency vehicles of the police department, sheriff's office, fire department, nor to any public or private ambulances, nor to any public works or public utility vehicles where actually engaged in the performance of emergency or operational duties necessary to be performed by said public departments or public utilities, nor to any vehicle owned by or performing work for the United States of America or the State of Minnesota.~~
- ~~(8)~~ ~~Operation of a mobile refrigeration unit while stopped, standing or parked outside of an insulated building in a residentially used area between the hours of 10:00 p.m. and 6:00 a.m.~~