

ORDINANCE NO. 1670

AN ORDINANCE AMENDING CHAPTER 95 OF TITLE IX OF THE 2015 ORDINANCE CODE OF THE CITY OF OWATONNA, AS AMENDED, ENTITLED "NOISE CONTROL" ADOPTING MPCA NOISE STANDARDS.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OWATONNA, MINNESOTA, DO ORDAIN:

Section 1. Chapter 95 of Title IX of the 2015 Ordinance Code of the City of Owatonna entitled "Noise Control" is hereby amended by amending §§ 95.03, 95.05(A) and 95.05(B)(4) to read as follows:

§ 95.03 MPCA STANDARDS.

Minn. Stat. § 116.07 directs that the Minnesota Pollution Control Agency (MPCA) to adopt rules and standards regulating noise. Minn. Rule 7030.0030 states that no person may violate MPCA's standards. Cities must take all reasonable measures to prevent land use activities listed in noise area classifications (NAC), 1, 2, or 3 at any location where the standards established in Rule 7030.004 will be violated.

The noise area classifications are:

- NAC 1: Residential housing, religious activities, camping and picnicking areas, health services, hotels, educational services.
- NAC 2: Retail, business and government services, recreational activities, transit passenger terminals.
- NAC 3: Manufacturing, fairgrounds and amusement parks, agricultural and forestry activities.

This is only a partial list. The complete list of uses is in Minn. Rule 7030.0050.

Minn. Rule 7030.0040 sets forth the noise standards for the NACs below. The values shown, e.g., 65 and 55, are the decibel levels. L10 is the noise level that is exceeded for 10%, or 6 minutes of an hour. L50 is the noise level exceeded for 50% or 30 minutes of an hour.

Noise Area Classification	Daytime Day (7:00 a.m.-10:00 p.m.)		Nighttime (10:00 p.m.-7:00 a.m.)	
	L10	L50	L10	L50
1	65	60	55	50
2	70	65	70	65
3	80	75	80	75

§ 95.05 **PUBLIC NUISANCE NOISES PROHIBITED.**

(A) It shall be unlawful for any person to make, continue, permit or cause to be made or continued any loud, unnecessary or unusual noise or any noise within the city which would be likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of a reasonable person of ordinary sensibilities. The following non-exclusive characteristics and conditions shall be considered in determining whether a noise is loud, disturbing or excessive for the purposes of this section:

- (1) The time of day or night the noise occurs;
- (2) The duration or recurrence of the noise;
- (3) The proximity of the noise source to any location reasonably identifiable as a sleeping facility, residential dwelling unit, school, institution of learning, hospital, church, courthouse or office, such that it is reasonably likely to interfere with the peace, quiet, repose or operation of that property;
- (4) The number of people and their activities that are affected or likely to be affected by the noise;
- (5) The land use, nature and zoning of the area from which the noise emanates and the area where it is perceived;
- (6) The sound decibel level, if known, in comparison to the level of ambient noise; and/or
- (7) A decibel meter measurement is one factor to consider but is not necessary in every case and a determination of a violation may be based on consideration of the other factors herein.

(B) The following acts constitute a presumptive public nuisance:

(4) *Loudspeakers, megaphones, bullhorns, public address systems, radios, CD players, or other sound amplification systems.* The use, operation or permitting the playing, use or operation of any loudspeakers, megaphones, bullhorns, public address systems, radios, CD players, or other sound amplification systems which is cast upon the public streets, sidewalks, or other public ways exceeding the standards herein, except as may be authorized by a permit issued by the City.

Section 2. Effective date. This ordinance shall be in full force and effect from and after its passage and publication.

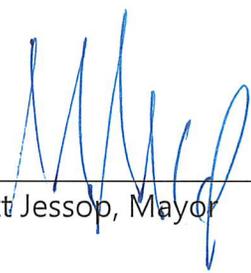
Passed and adopted this 18th day of February, 2025 with the following roll call vote:

Aye – Voss, Dotson, Burbank, Boeke, McCann, Svenby, and Raney

No - None

Absent - None

Approved and signed this 18th day of February, 2025.



Matt Jessop, Mayor

ATTEST:



Kris M. Busse, City Administrator/Clerk/Treasurer