

Print

Lake Elmo, MN Code of Ordinances

NOISE CONTROL

§ 130.45 NOISE PROHIBITED.

It shall be unlawful to make, continue, or cause to be made or continued, any noise in excess of the noise levels set forth unless noise is reasonably necessary to preserve life, health, safety, or property.

(1997 Code, § 1370.01) Penalty, see § 10.99

§ 130.46 MEASUREMENT OF NOISE.

(A) Any activity not expressly exempted by this section which creates or produces sound regardless of frequency exceeding the ambient noise levels of the property line of any property (or if a condominium or apartment house within any adjoining apartment) by more than 6 decibels above the ambient noise levels as designated in the following table at the time and place and for the duration then mentioned, is a violation of this section, but any enumeration in this section is not exclusive.

<i>Duration of Sound</i>	<i>7:00 a.m. to 6:00 p.m. (All Districts)</i>	<i>6:00 p.m. to 7:00 a.m. Residential District and 6:00 p.m. to 7:00 a.m. (All Other Districts)</i>	<i>10:00 p.m. to 7:00 a.m. (Residential Districts)</i>
Less than 10 minutes	75 db	70 db	60 db
Between 10 minutes and 2 hours	70 db	60 db	50 db
In excess of 2 hours	60 db	50 db	40 db

(B) In determining whether a particular sound exceeds the maximum permissible sound level in the above table:

(1) Sounds in excess of the residential district limitations as measured in a residential district or other districts; and/or

(2) During all hours of Sunday and state and federal holidays, the maximum allowable decibel levels for residential districts are as set forth in the table in division (A) above.

(1997 Code, § 1370.02) Penalty, see § 10.99

§ 130.47 CONSTRUCTION EQUIPMENT.

(A) Except as stated, no pile driver, jackhammer, or other construction equipment shall be operated between the hours of 6:00 p.m. to 7:00 a.m. on weekdays and during any hours on Saturdays, Sundays, and state and federal holidays. No equipment shall be operated at any time if the sound level from the operation exceeds 100 decibels measured along any property line. However, if the decibel maximum sound limit is reduced to 95 decibels effective the second anniversary of the enactment of this code, and 90 decibels effective the fourth anniversary; and the operation of the equipment conforms to the maximum allowable sound levels as stated in this section; it may be operated during the above prohibited hours and days. When any of the above named equipment is used for any purpose other than construction, the ambient noise levels apply.

(B) No internal combustion engine or any other power unit when operated in connection with construction or demolition equipment shall be operated at any time other than at the times as set forth in this section and any sound emitted from any engine or power unit shall not exceed 83 decibels measured along the property line.

(C) If an emergency situation exists or if substantial economic loss would result to any person unless allowed additional hours of equipment operation, a special permit may be granted for extended hours of operation of the construction equipment and internal combustion engine or power unit as follows.

(1) In the event of an emergency situation, a permit may be granted for the operation during any hour of any day for a period not to exceed 3 days or less while the emergency continues. This permit may be renewed for periods of 3 days or less while the emergency continues.

(2) In the event of a determination of substantial economic loss to a person, a special permit may be granted for the operation throughout the hours of 7:00 a.m. to 9:30 p.m. on weekdays and throughout the hours of 1:00 p.m. to 5:00 p.m. on Saturdays, Sundays, and state and federal holidays upon the condition that while any construction equipment, internal combustion engine, or power unit is in operation, its location shall not be less than 600 feet in any direction from any dwellings, except that if while any construction equipment, internal combustion, or power unit is in operation, its location shall be no less than 1,200 feet in any direction from any dwelling, a permit may be granted for operation during any hour of any day.

(1997 Code, § 1370.03) Penalty, see § 10.99

§ 130.48 OUTDOOR IMPLEMENTS.

(A) Except as stated, any power lawn mower, snowblower, power hedge clipper, power saw, or other implement, designed primarily for outdoor use, shall be operated only between the hours of 7:30 a.m. to 9:00 p.m. on weekdays, or between the hours of 9:00 a.m. to 9:30 p.m. on Saturdays, Sundays, and state and federal holidays.

(B) However, if the equipment conforms to the maximum allowable sound levels as stated, it may be operated during the above prohibited hours.

(1997 Code, § 1370.04) Penalty, see § 10.99