

NOISE ORDINANCE FOR ROCHESTER TOWNSHIP OLMSTED COUNTY MINNESOTA

The Town Board of Supervisors of the Town of Rochester has found it to be in the best interest of the Town of Rochester that the current noise ordinance be revised.

Therefore, the Town Board of Supervisors of the Town of Rochester ordains: That no person or persons shall make, or cause to be made, any unusual, unnecessary or loud noise which unreasonably annoys, disturbs, injures or endangers the comfort, convenience, safety, health, welfare or repose of persons in the vicinity thereof, unless the making or causing to be made of such noise cannot be prevented and is necessary for the protection or preservation of property or of the health, safety, life or limb of some person or is an activity required in support for construction and / or maintenance of property.

Definitions - for purposes of this ordinance the following definitions shall apply:

"Loud noise" shall, as a general guideline, be considered as noise that exceeds the approximate level of 85 dBA when measured at the boundary of the property where the noise is being generated.

"Construction and construction work" shall mean any and all activity incidental to the erection of buildings, structures, roads, driveways, flood or water control facilities including but not limited to; land clearing, grading, excavation and filling. Construction also includes the demolition, alteration or repair of a building or facilities.

"Maintenance of property" shall mean any and all activity incidental to property maintenance including but not limited to; lawn mowing, tree trimming, brush cutting, brush elimination and driveway maintenance.

The following table defines the times allowed for normal construction and maintenance of property. Noise from construction and construction work or from maintenance of property occurring outside of these stated times is a violation of this ordinance.

Days	Times allowed for noise generated from construction and construction work or maintenance of property
Monday - Saturday	7:00 a.m. - 10:00 p.m.

Sunday	12:00 p.m. - 10:00 p.m.
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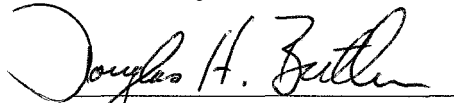
Public road construction and maintenance are considered a necessity for public safety and are exempt from the provisions of this ordinance.


Law enforcement may issue citations for noise that exceeds or is otherwise in violation of this ordinance and may order the person violating this ordinance to stop making the noise.

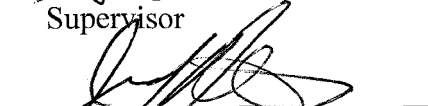
Any violation of this ordinance may be prosecuted as a misdemeanor by the Town of Rochester or by its representatives in Olmsted County District Court. Upon conviction, the costs of prosecution of the offence shall be added to the imposed sentence. This ordinance is enacted pursuant to Minnesota Statute 386.01 and may be referred to as the Rochester Township Noise Ordinance.


This ordinance shall be in full force and effect upon publication and adoption pursuant to law.

Dated: July 14, 2005


Chairman


Supervisor


Supervisor

Attest:

Clerk