

RESOLUTION NO. 2004-660

WHEREAS, pursuant to Section 4-4-2 (c) of the ordinance of the City of Moorhead, the Moorhead City Council by resolution provide guidelines for the issuance of sound amplification permits; and

WHEREAS, as a result of some problems in the past with events, which have used a sound amplification permit, the City desires to amend its guidelines so as to better protect the public from the intrusion of unnecessarily loud noises resulting from events utilizing sound amplification permits:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moorhead that the following guidelines shall be used in regard to the issuance of sound amplification permits in the future:

1. Sound amplification permits applications for all events should be made to the City Clerk. The Clerk is responsible for coordinating with all relevant units of government, especially including Police, Fire, Operations, and Community Services before forwarding to the City Manager with a recommendation for approval, denial, or approval with specified conditions. The application must be signed by the applicant.
2. City staff shall prepare a uniform application form, which among other things shall require applicant to list the sponsoring organization of the event for which the permit is sought, including the name of the responsible person at the event. The application shall also require from the applicant the location of the event, the hours of the event, as well as the hours requested for the sound amplification permit. In addition, the type of sound amplification equipment to be used must be supplied. Finally, the applicant must set out what measures the applicant proposes to take to minimize disruption to areas surrounding the event location.
3. The actual permit granted shall set forth the time limits, the location, and other relevant conditions of the permit. No event will be allowed to start before, 11:00 a.m. (8:00 a.m. for sporting events) and all events must end by 10:00 p.m. on weeknights, and 11:00 p.m. on weekends. The permit will not be for a period to exceed six hours. When and where warranted, the permit conditions may further restrict the times in order to protect surrounding neighborhoods.
4. In granting a permit, and placing conditions on the permit, staff will take into consideration the location of the event, and its possible impact on surrounding neighborhoods. If staff denies a permit, or if the applicant disagrees with the conditions placed on the permit, the applicant may appeal to the City Council at its next regularly scheduled meeting.
5. The permit shall plainly state that the permit may be revoked by any Moorhead Police Officer on duty at the time of the event if any condition placed on the Permit is violated. Other than for violating the time restriction on the permit, at least one warning will be given to the responsible person at the event prior to terminating the permit, so that the violation may be cured.
6. Although the permit is granted as an exception to the normal noise ordinance of the City, the intent of the sound amplification permit is so that persons attending the event for which the permit is granted may hear the speaker or music. Although, it is inevitable that some sound will carry beyond the location of the event, a police officer on duty at the time of the event shall have the authority to require the responsible person at the event to lower the volume of the sound amplification to a level that can still be heard at the event location, but would lower the noise level in the surrounding neighborhoods. Refusal to lower, and maintain the lower sound level, once requested by any on duty Police Officer to do so, is grounds for a Police Officer to terminate the permit.

PASSED by the City Council of the City of Moorhead this 21st day of June, 2004.