

(a) No motor vehicle, as defined in Section 33-1 of this Code, shall emit any electronically amplified sounds that are plainly audible at a distance of 50 feet from the vehicle, provided that this Section shall not apply to:

- (1) Sirens, horns or other signaling devices used by an authorized emergency vehicle as defined in Minnesota Statutes Section 169.01;
- (2) Vehicles in parades or other civic celebrations duly authorized by the city;
- (3) Motor vehicle horns when actually used as a warning of danger;
- (4) Anti-theft devices installed on motor vehicles;

(b) Engine braking.

(1) Definitions. The following phrases are defined as follows:

(A) "Engine retarding brake" shall mean a Dynamic Brake, Jake Brake, Jacobs Brake, C Brake, Paccar Brake, transmission brake or other similar engine retarding brake system which alters the normal compression of the engine and subsequently releases that compression;

(B) "Abnormal or excessive noise" shall mean (1) distinct and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort and repose of any person or precludes their enjoyment of property or affects their property's value, (2) noise in excess of that permitted by Minnesota Statutes Section 169.69, as it may be amended from time to time, which requires every motor vehicle to be equipped with a muffler in good working order, or (3) noise in excess of that permitted by Minnesota Statutes Section 169.693 and Minnesota Rules parts 7030.1000 through 7030.1050, as this Statute and these rules may be amended from time to time, which establish motor vehicle noise standards;

(2) It shall be unlawful for any person to discharge the exhaust or permit the discharge of the exhaust from any motor vehicle except through a muffler that effectively prevents abnormal or excessive noise and complies with all applicable state laws and regulations;

(3) It shall be unlawful for the operator of any truck to intentionally use an engine retarding brake on any public highway, street, parking lot or alley within the city which causes abnormal or excessive noise from the engine because of an illegally modified or defective exhaust system, except in an emergency;

(4) Signs stating "VEHICLE NOISE LAWS ENFORCED" may be installed at locations deemed appropriate by the city's traffic engineer to advise motorists of the prohibitions contained in this Section. The provisions of this ordinance are in full force and effect even if no signs are installed;

(c) Violations of this Section are punishable by fines of not to exceed those set in accordance with Section 31-8 of this Code for the first and second offenses and a fine as provided in Section 1-7 of this Code for all subsequent offenses. (Section repealed by Ord. No. 7995, 6-25-1973; Section reinstated by Ord. No. 9416, 7-12-1999, § 1; Ord. No. 10155, 5-29-2012, § 15; Ord. No. 10402, 9-14-2015, § 1.)

Sec. 34-24. Sound broadcasting devices.

Except as provided in this Section, the use of sound broadcasting devices which broadcast commercial advertising or other announcements in or over the public highways or public grounds of the city, either in, from or on a moving vehicle or otherwise, by means of any recording equipment, sound truck, amplifier, phonograph or other sound broadcasting service is hereby prohibited.

Nothing contained in this Section shall be deemed to prevent or prohibit the use of any sound broadcasting device by the police division, the fire division and the civil defense agency of the city, by the county sheriff, by any duly authorized officer of the militia, military, naval and armed forces of the state or of the United States when the use of such sound broadcasting device is made necessary for the preservation and protection of the public peace, health or safety. Nor shall anything contained in this Section be deemed to prevent the use of any sound broadcasting device in connection with the holding of a parade or special event which is or has been duly authorized by the city. Nor shall this Section be deemed to forbid the use of any sound broadcasting device in or upon any place or ground where there is in progress an athletic event or other form of public amusement or entertainment permissible under this Code or other ordinances of the city and the statutes of the state. (Ord. No. 7093, §§ 3, 5.)

Sec. 34-25. Urination or defecation in public.