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2 **ORDINANCE #24-03**
3 **CITY OF RAMSEY**
4 **ANOKA COUNTY**
5 **STATE OF**
6 **MINNESOTA**
7

8 **AN ORDINANCE AMENDING CHAPTER 10 ANIMALS, CHAPTER 30 NUISANCES, AND**
9 **CHAPTER 54 TRAFFIC AND VEHICLES PERTAINING TO NUISANCES**
10

11
12 The City of Ramsey Ordains:

13
14 Underlined text is inserted into City Code.

15 ~~Strikethrough~~ text is deleted from City Code.
16
17

18 **SECTION 1. AUTHORITY**
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20 This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.
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22

23 **SECTION 2. AMENDMENTS TO CHAPTER 10 (ANIMALS).**
24

25 There following Sections of Chapter 10 are modified as follows:
26

27 **Sec. 10-1(b)(2)b.:** Poultry/fowl must be provided an enclosure in accordance with City Zoning Code
28 ~~chapter 117, article II (Zoning)~~ and Minnesota State Building Code. The enclosure shall be counted as an
29 accessory building when calculating total number of permitted accessory buildings on a property. The
30 enclosure and surrounding grounds shall be maintained in a clean and sanitary condition and in good repair.
31 Flies, rodents, and noxious odors shall be controlled. Poultry/fowl may not run at large.
32

33 **Sec. 10-1(b)(2)d.2.:** If 100 percent opaque fencing (privacy fencing) is utilized for the exercise area, said
34 fencing is subject to the standard fence regulations and setbacks within City Code ~~chapter 117~~. If alternative
35 fencing is used (for example, chain link fencing), then said fencing shall be no closer than ten feet to a
36 property line.
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38 **Sec. 10-60. Animal at large.**

39 (a) Every owner or keeper of a dog shall cause the same to be under the control of and in custody of a
40 person of sufficient age to adequately control the dog at all times, while the dog is off the premises
41 of the owner. The terms "control" and "custody" mean on a leash of not more than six feet in length
42 or under the voice control of its owner. It shall be lawful to have a dog in an automobile without a
43 leash, but it must be on a leash or under the voice control of its owner if taken out of the vehicle.
44 Violation of this section shall be a petty misdemeanor.

45 (b) It is unlawful for any diseased animal to run at large.

46 (c) All animals must be in the care and control of their owner.

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Sec. 10-70. Removal of excrement, manure, and carcasses.

- (a) It is unlawful for any person who owns or has custody of a dog to cause or permit such animal to defecate on any private property without the consent of the property owner or on any public property unless such person immediately removes the excrement and places it in a proper receptacle. The provisions of this section shall not apply to seeing-eye dogs under the control of a blind person or dogs while being used in city police activity.
- (b) It is unlawful for any person who owns or has custody of a dog to cause or permit accumulations of manure and animal excrement, except that any manure maintained in conformance with State Law and City Code for use as fertilizer.
- (c) It is unlawful for any person who owns or has custody of a dog to cause or permit carcasses of animals not buried at least three feet deep or destroyed within 24 hours after death.

SECTION 3. AMENDMENTS TO CHAPTER 30 (NUISANCES).

There following Sections of Chapter 30 are modified as follows:

Sec. 30-1. Definitions. The following definitions are added or modified as follows:

Diseased tree means any diseased or insect infested tree that poses a threat to public trees in the city.

Motor vehicle or vehicle means every vehicle which is self-propelled, motorized or unmotorized and every vehicle which is propelled by electric power. The term "motor vehicle" includes, but is not limited to, automobiles, trucks, buses, recreational vehicles, trailers, motorcycles, snowmobiles, motor bikes, scooters, all-terrain vehicles, and go-carts.

Recreational vehicle describes all-terrain vehicles, campers, camping trailers, motorhomes, off-highway vehicles, and off-road vehicles.

Shade tree means a woody perennial grown primarily for aesthetic or environmental purposes.

Sec. 30-2. Purpose.

The purpose of this chapter is to take all reasonable measures within the city's jurisdiction to prevent the establishment of activities that maintain or permit a condition which unreasonably annoys, injures or endangers the health, morals, decency, safety, or public peace so that such activities do not affect the comfortable enjoyment of life or property.

(Code 1978, § 5.08.01; Ord. No. 07-14, § 3, 9-11-2007)

Sec. 30-3. Property Conditions ~~constituting a public nuisance.~~

The following are declared to be nuisances affecting public peace, health, welfare, and/or safety of the community:

(a) General

- (1) Exposed accumulation of decayed or unwholesome food or vegetable matter.

- 1 (2) The outdoor or outside storage of any junk, abandoned or inoperable vehicles, equipment,
2 trailers and the like, as defined by this chapter.
- 3 ~~(2) All diseased animals running at large.~~
- 4 (3) The outdoor or outside storage of any part of a motor vehicle or piece of machinery that is
5 deteriorating or unusable or intended to be used as salvageable parts.
- 6 ~~(3) Carcasses of animals not buried at least three feet deep or destroyed within 24 hours after~~
7 ~~death.~~
- 8 (4) The outdoor accumulation and storage of junk, trash, refuse, debris, materials or other items
9 to include, but not limited to, those items not customarily used outdoors.
- 10 ~~(4) Accumulations of manure, refuse or other debris, except that any manure maintained in~~
11 ~~conformance with chapter 10 shall not be declared a public nuisance.~~
- 12 (5) Privy vaults and garbage cans which are not rodent-free or flytight or which are so
13 maintained as to constitute a health hazard or to emit foul and disagreeable odors.
- 14 (6) The storage or accumulation of waste, refuse, or garbage that is not contained in a closed
15 container designed or reasonably adapted for such purpose, except for 30 days preceding
16 pick-up by a hauler. This includes any accumulation of appliances, plumbing fixtures,
17 furniture, equipment, remnants of wood (decayed or weathered) unused construction
18 materials, stockpiles of rocks or dirt, or any items that could not be put to use in the manner
19 that they are intended.
- 20 (7) Temporary accessory structures not approved or exempted elsewhere in City Code
21 including, but not limited to, shipping containers and structures made from canvas or
22 plastic with tubular metal hoops.
- 23 ~~(7) The depositing of garbage or refuse on a public right of way or adjacent private property.~~
- 24 (8) Failure to follow or comply with requirements set forth in development agreements,
25 Conditional Use Permits, or Interim Use Permits, unless otherwise approved by the City.
- 26 ~~(8) The placing or throwing on any street, sidewalk or other public property of any glass, tacks,~~
27 ~~nails, bottles or other substance which may injure any person or animal or damage any~~
28 ~~pneumatic tire when passing over such surface.~~
- 29 (9) Camping, squatting, or living on public or private land unless within a designated
30 campground or for the personal enjoyment on privately owned property by the owner.
31 Tents, campers, vehicles and the like, cannot be used for commercial or private permanent
32 or temporary dwelling units.
- 33 ~~(9) The pollution of any public well or cistern, stream or lake, canal or body of water by~~
34 ~~sewage, industrial waste, or other substances.~~
- 35 (10) Dense smoke, noxious fumes, gas and soot, or cinders in unreasonable quantities.
- 36 (11) Radio aerials or television antennas erected or maintained in a dangerous manner.
- 37 (12) The existence of any structure or part of any structure which, because of fire, wind, or other
38 natural disaster or physical deterioration, is no longer habitable as a dwelling nor useful for
39 any other purpose for which it may have been intended.
- 40 (13) The existence of any vacant dwelling, garage or other outbuilding, unless such buildings
41 are kept securely locked, windows kept glazed or neatly boarded up and otherwise
42 protected to prevent entrance thereto by vandals.

1 ~~(14) All dangerous, unguarded machinery in any public place, or so situated or operated on~~
2 ~~private property as to attract the public.~~

3 ~~(15) Address numbers must be clearly visible and each property identifiable, to include~~
4 ~~construction sites from the start of construction throughout development, as to allow for~~
5 ~~first responders, emergency services, and wayfinding.~~

6 ~~(16) Any barbed-wire fence less than six feet above the ground and within three feet of a public~~
7 ~~sidewalk or way unless a permit is granted by the city.~~

8 ~~(17) Any well, hole or similar excavation which is left uncovered or in such other condition as~~
9 ~~to constitute a hazard to any child coming on the premises where it is located.~~

10 (b) Grass, Weeds and Noxious Growths.

11 (10) All grass, weeds, or noxious growths of vegetation upon public or private property
12 exceeding eight inches in height, or whatever height specified in the appropriate zoning
13 district, excluding acceptable prairie restoration plant materials.

14 a. Exemption. All ground cover vegetation located in the following areas are hereby
15 exempt from height restrictions:

16 1. Shore impact zones;

17 2. Bluff impact zones;

18 3. Areas within 50 feet of a wetland or natural drainage way;

19 4. Areas of native plant communities with approved management plans; and

20 5. Significant vegetative stands identified within City Code ~~under section~~
21 ~~117-148~~, relating to Mississippi River Corridor Critical Area (MRCCA)
22 Overlay District Development Standards.

23 6. Any vegetation management within the MRCCA overlay district shall
24 comply with the requirements and standards of City Code ~~section 117-~~
25 ~~148(i)~~ and with any vegetation clearing permits approved by the City of
26 Ramsey.

27 7. Areas of steep slope where mowing is not safely possible.

28 8. Any area that has been undisturbed by development, grading or building
29 and remains in its original natural state.

30 b. All areas that have been graded or developed must maintain the property to turf
31 grass standards unless an appropriate prairie management plan has been accepted
32 by the City or falls within the exemption list above.

33 ~~(11) Dense smoke, noxious fumes, gas and soot, or cinders in unreasonable quantities.~~

34 ~~(12) Snow, ice, or other precipitation not removed from sidewalks or the allowing of rain water,~~
35 ~~ice, or snow to fall from any building or structure upon any street or sidewalk or to flow~~
36 ~~across any sidewalk.~~

37 ~~(13) All wires and limbs of trees which are so close to the surface of a sidewalk or street as to~~
38 ~~constitute a danger to pedestrians or vehicles.~~

39 ~~(14) Obstructions and excavations affecting the ordinary use by the public of streets, alleys,~~
40 ~~sidewalks, or public grounds except under such conditions as are permitted by this Code~~
41 ~~or other applicable law.~~

- 1 ~~(15) — Radio aerials or television antennas erected or maintained in a dangerous manner.~~
- 2 ~~(16) — Any use of property abutting on a public street or sidewalk or any use of a public street or~~
3 ~~sidewalk which causes large crowds of people to gather, obstructing traffic and the free~~
4 ~~uses of the streets or sidewalks.~~
- 5 ~~(17) — All hanging signs, awnings, and other similar structures over streets and sidewalks, or so~~
6 ~~situated so as to endanger public safety, or not constructed and maintained as provided by~~
7 ~~code.~~
- 8 ~~(18) — Any barbed wire fence less than six feet above the ground and within three feet of a public~~
9 ~~sidewalk or way unless a permit is granted by the city.~~
- 10 ~~(19) — Wastewater cast or permitted to flow, upon streets or other public property.~~
- 11 ~~(20) — Any well, hole or similar excavation which is left uncovered or in such other condition as~~
12 ~~to constitute a hazard to any child coming on the premises where it is located.~~
- 13 ~~(21) — Obstruction to the free flow of water in a natural waterway or a public street drain, gutter,~~
14 ~~or ditch with trash or other materials.~~
- 15 ~~(22) — The existence of any structure or part of any structure which, because of fire, wind, or other~~
16 ~~natural disaster or physical deterioration, is no longer habitable as a dwelling nor useful for~~
17 ~~any other purpose for which it may have been intended.~~
- 18 ~~(23) — The existence of any vacant dwelling, garage or other outbuilding, unless such buildings~~
19 ~~are kept securely locked, windows kept glazed or neatly boarded up and otherwise~~
20 ~~protected to prevent entrance thereto by vandals.~~
- 21 ~~(24) — All dangerous, unguarded machinery in any public place, or so situated or operated on~~
22 ~~private property as to attract the public.~~
- 23 ~~(25) — The outdoor or outside storage of any abandoned or inoperable vehicles, as defined by this~~
24 ~~chapter.~~
- 25 ~~(26) — The outdoor or outside storage of any part of a motor vehicle or piece of machinery that is~~
26 ~~deteriorating or unusable or intended to be used as salvageable parts.~~
- 27 ~~(27) — Any violation of section 117-355, relating to off street parking regulations.~~
- 28 ~~(28) — Any violation of chapter 10, relating to the keeping of animals.~~
- 29 ~~(29) — Any violation of chapter 34, article III, division 3, relating to clandestine drug labs.~~
- 30 ~~(30) — Any other act or omission declared to be a public nuisance and for which no sentence is~~
31 ~~specifically provided.~~
- 32 ~~(31) — The use or operation of a radio, musical instrument, amplified music or sound, or other~~
33 ~~machine or device used for production of reproduction or sound at a volume in the excess~~
34 ~~of that reasonably necessary for the convenient hearing of the person or in the room,~~
35 ~~vehicle, or chamber in which the same is being operated, as defined by this chapter. The~~
36 ~~operation between the hours of 10:00 p.m. and 7:00 a.m. of any radio, musical instrument,~~
37 ~~amplified music or sound, or other machine or device for the reproducing or producing of~~
38 ~~sound if the sound therefrom is audible from:~~
- 39 ~~a. — An apartment or hallway of a multifamily building adjacent to a unit where the~~
40 ~~device is operating.~~
- 41 ~~b. — The property line of the real property on which the device is being operated.~~
- 42 ~~c. — A distance of 50 feet from any motor vehicle in which the device is operating.~~

(32) ~~To operate or to cause to be operated, but not limited to, the use of any noise creating blower or power fan, internal combustion engine, air compressor or steam engine, automobile, motorcycle, snowmobile, motor boat, motor bike, scooter, recreational vehicle, all terrain vehicle, off highway motorcycle, off road vehicle, go cart, or remote controlled airplane, boat, or other vehicle powered by an engine or motor, the operation of which causes noise, unless the noise from the blower or fan is muffled and such engine or compressor is equipped with a muffler device sufficient to deaden and effectively prevent such noise so that the noise shall not annoy, disturb or affect the comfortable enjoyment of life or property.~~

a. ~~Sound levels. No person shall operate or cause or permit to be operated any source of noise in such a manner as to create a noise level exceeding the limit set in Table 1.~~

TABLE 1

Land Use	7:00 A.M.—10:00 P.M.		10:00 P.M.—7:00 A.M.	
	L50	L10	L50	L10
Residential	60	65	50	55
Commercial	65	70	65	70
Industrial	75	80	75	80

b. ~~Measurement procedure. The following procedures must be used to obtain a representative sound level measurement by the use of a sound measuring device:~~

- ~~1. A decibel meter will be used to obtain readings and be used as evidence.~~
- ~~2. The operator of the device has sufficient training to properly operate the equipment and can testify as to the manner in which the device was set up and operated.~~
- ~~3. The device is operated with minimal distortion or interference from outside sources; and has been certified as being accurate and reliable.~~
- ~~4. Measurements must be made at least three feet off the ground or surface and away from natural or artificial structures which would prevent an accurate measurement.~~
- ~~5. Measurements must be made using an A weighting and fast response characteristics of the sound measuring device as specified in American National Standards Institute S1.4 1983.~~
- ~~6. Measurements must not be made in sustained winds or in precipitation which results in a difference of less than ten decibels between the background noise level and the noise source being measured.~~
- ~~7. Measurements must be made using a microphone which is protected from ambient conditions which would prevent an accurate measurement.~~
- ~~8. Measurement must be made from the property of the person making the complaint, when applicable.~~

(33) ~~Tracks and trails for riding motor vehicles are not allowed in a residential area unless said track or trail is:~~

- a. ~~1,000 feet from any residence except that of the owner; and~~

1 b. ~~At least 50 feet from property lines, public streets, utilities, or easements.~~
2 (Code 1978, § 5.08.04; Ord. No. 04-34, 9-27-2004; Ord. No. 07-14, §§ 2, 3, 9-11-2007; Ord. No. 07-21, §
3 2, 10-23-2007; Ord. No. 11-06, § 2, 7-24-2012; Ord. No. 12-10, § 2, 7-24-2012; Ord. No. 22-07, § 2, 2-8-
4 2022)

5 **Sec. 30-4. Nuisances affecting public safety Obstructions.**

6 The following are declared to be nuisances ~~affecting public safety~~:

- 7 (1) All snow and ice not removed from public sidewalks ~~12~~ 72 hours after snow or other precipitation
8 causing the condition has ceased to fall;
- 9 (2) All trees, hedges, billboards or other obstructions that prevent persons from having a clear view of
10 all traffic approaching an intersection;
- 11 (3) Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch
12 with trash or other materials.
- 13 ~~(3) All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute~~
14 ~~a danger to pedestrians or vehicles;~~
- 15 ~~(4) Wastewater cast or permitted to flow, upon streets or other public property.~~
- 16 ~~(4) Obstructions and excavations affecting the ordinary use by the public of streets, alleys, sidewalks,~~
17 ~~or public grounds except under such conditions as are permitted by this Code or other applicable~~
18 ~~law;~~
- 19 (5) Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk
20 which causes large crowds of people to gather, obstructing traffic and the free uses of the streets or
21 sidewalks.
- 22 ~~(5) Radio aerials or television antennas erected or maintained in a dangerous manner;~~
- 23 (6) All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute
24 a danger to pedestrians or vehicles.
- 25 ~~(6) Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk~~
26 ~~which causes large crowds of people to gather, obstructing traffic and the free uses of the streets or~~
27 ~~sidewalks;~~
- 28 (7) Obstructions and excavations affecting the ordinary use by the public of streets, alleys, sidewalks,
29 or public grounds except under such conditions as are permitted by this Code or other applicable
30 law.
- 31 ~~(7) All hanging signs, awnings, and other similar structures over streets and sidewalks, or so situated~~
32 ~~so as to endanger public safety, or not constructed and maintained as provided by code;~~
- 33 ~~(8) The allowing of rain water, ice, or snow to fall from any building or structure upon any street or~~
34 ~~sidewalk or to flow across any sidewalk;~~
- 35 (8) All hanging signs, awnings, and other similar structures over streets and sidewalks, or so situated
36 so as to endanger public safety, or not constructed and maintained as provided by code.
- 37 (9) The depositing of garbage or refuse on a public right-of-way or adjacent private property.
- 38 ~~(9) Any barbed wire fence less than six feet above the ground and within three feet of a public sidewalk~~
39 ~~or way unless a permit is granted by the city;~~

- 1 ~~(10) The placing or throwing on any street, sidewalk or other public property of any glass, tacks, nails,~~
2 ~~bottles or other substance which may injure any person or animal or damage any pneumatic tire~~
3 ~~when passing over such surface.~~
- 4 ~~(10) All dangerous, unguarded machinery in any public place, or so situated or operated on private~~
5 ~~property as to attract the public;~~
- 6 ~~(11) The pollution of any public well or cistern, stream or lake, canal or body of water by sewage,~~
7 ~~industrial waste, or other substances.~~
- 8 ~~(11) Wastewater cast or permitted to flow, upon streets or other public property;~~
- 9 ~~(12) It shall be unlawful to place any sign or advertisement in the public right of way.~~
- 10 ~~(12) Any well, hole or similar excavation which is left uncovered or in such other condition as to~~
11 ~~constitute a hazard to any child coming on the premises where it is located;~~
- 12 ~~(13) It is unlawful to place or deposit debris including, but not limited to, dirt, leaves, grass, snow, ice,~~
13 ~~and other materials onto or across a public road. Governmental agencies and their contractors~~
14 ~~performing street maintenance and snow removal activities are exempted.~~
- 15 ~~(13) Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch~~
16 ~~with trash or other materials;~~
- 17 ~~(14) Any obstructions affecting the ordinary use of a public street, trail, or right of way unless~~
18 ~~specifically permitted by code.~~
- 19 ~~(14) The placing or throwing on any street, sidewalk or other public property of any glass, tacks, nails,~~
20 ~~bottles or other substance which may injure any person or animal or damage any pneumatic tire~~
21 ~~when passing over such surface;~~
- 22 ~~(15) The depositing of garbage or refuse on a public right of way or adjacent private property.~~
- 23 (Code 1978, § 5.08.06; Ord. No. 04-34, § 9-27-2004)

1 **Sec. 30-5. Nuisances affecting public peace Noise.**

2 (a) ~~Specific acts.~~ The following are declared to be nuisances affecting public peace:

3 (1) ~~The use or operation of a radio, musical instrument, phonograph, tape recorder or other machine~~
4 ~~or device used for production of reproduction of sound at a volume in the excess of that~~
5 ~~reasonably necessary for the convenient hearing of the person or in the room, vehicle, or chamber~~
6 ~~in which the same is being operated.~~

7 (2) ~~The operation between the hours of 10:00 p.m. and 7:00 a.m. of any radio, musical instrument,~~
8 ~~phonograph, tape recorder or other machine or device for the reproducing or producing of sound~~
9 ~~if the sound therefrom is audible from:~~

10 a. ~~An apartment or hallway of a multifamily building adjacent to a unit where the device is~~
11 ~~operating.~~

12 b. ~~The property line of the real property on which the device is being operated.~~

13 c. ~~A distance of 50 feet from any motor vehicle in which the device is operating.~~

14 (a) Noisy parties and gatherings.

15 (1) It is unlawful for any person to permit, or to be present at, or participate in a noisy party or
16 gathering of people from which noise emanates of sufficient volume or nature so as to
17 disturb the peace, quiet or comfort of another or interferes with the right of another to use
18 peacefully his/her property, whether on public or private property. It shall be presumed that
19 a violation of this section has occurred when any noise from a gathering is plainly audible,
20 at a distance of 50 feet or more, between the hours of 10:00 p.m. and 7:00 a.m.

21 (2) It is unlawful for any person, owning or possessing property upon which a party or
22 gathering prohibited herein is in progress, to fail to abate such noise upon an order of a
23 police officer. When a police officer has probable cause that a violation of this section is
24 occurring, the officer may order all persons present, other than the owner or person in
25 possession of the property, to disperse and leave the property immediately and failure of
26 any person, other than the owner or person in possession of the property, to refuse to leave
27 after being so ordered by the police officer shall be unlawful.

28 (b) Electronic sound system/audio equipment.

29 (1) No person shall use or operate any device, instrument, electronic sound system or audio
30 equipment including, but not limited to, any compact disc player, cassette tape player, AM-
31 FM radio, citizen band radio, paging system, or any other device designed to produce or
32 reproduce audio sound; in such an unreasonably loud manner that it disturbs the peace,
33 quiet, and comfort of others or interferes with the right of another to use peacefully his/her
34 property or public property without disturbance.

35 (2) It shall be presumed that a violation of this section has occurred when any electronic sound
36 system or audio equipment is operated in a manner in which it is plainly audible at a
37 distance of 50 feet or more.

38 (3) When sound violating this section is produced by an electronic sound system or audio
39 equipment that is located in or on a vehicle, the vehicle's owner is guilty of the violation,
40 provided that if the vehicle's owner is not present, the person in charge of the vehicle at the
41 time of the violation is guilty of the violation.

42 (4) This section shall not apply to sound produced by the following:

43 a. Amplifying equipment used in connection with activities for which a permit has
44 been granted or in connection with activities of any organized school, church,

1 civic, or other event or activity open to the public and occurring between the hours
2 of 7:00 a.m. and 10:00 p.m. while still maintaining decibel limits set by Minnesota
3 State Law.

4 b. Anti-theft devices;

5 c. Bells, chimes, carillons, or the like in association with a religious institution or
6 school;

7 d. Emergency civil defense warning signals; and

8 e. Authorized emergency vehicles or other vehicles required by law to be equipped
9 with sound devices.

10 (c) Operation. ~~(3)~~To operate or to cause to be operated, but not limited to, the use of any noise creating
11 blower or power fan, internal combustion engine, air compressor or steam engine, automobile,
12 motorcycle, snowmobile, motor boat, motor bike, scooter, recreational vehicle, all-terrain vehicle,
13 off-highway motorcycle, off-road vehicle, go-cart, or remote-controlled airplane, boat, or other
14 vehicle powered by an engine or motor, the operation of which causes noise, unless the noise from
15 the blower or fan is muffled and such engine or compressor is equipped with a muffler device
16 sufficient to deaden and effectively prevent such noise so that the noise shall not annoy, disturb or
17 affect the comfortable enjoyment of life or property.

18 (d) Tracks and trails for riding motor vehicles are not allowed in a residential area unless said track or
19 trail is:

20 (1) 1,000 feet from any residence except that of the owner; and

21 (2) At least 50 feet from property lines, public streets, utilities or easements.

22 (e) The following activity shall be unlawful on public or private property between the hours of 10:00
23 p.m. and 7:00 a.m.:

24 (1) The use of any power tools for construction activity including, but not limited to: saws;
25 jackhammers; nail drivers; impact wrenches; and air compressors.

26 (2) The use of power lawn or landscape maintenance equipment, including but not limited to:
27 lawn mowers; hedge clippers; grass/weed trimmers; garden tillers; chainsaws; leaf-
28 blowers; wood chippers.

29 (3) Repair and servicing of motor vehicles, recreational vehicles or other vehicles or equipment
30 in residentially zoned districts or those districts adjacent to residentially zoned properties.

31 (f) Construction activity, including but not limited to: operation, repair, servicing and engine start-
32 up/warm-up of heavy construction equipment; loading and unloading of heavy equipment; and
33 delivery of supplies between the hours of 8:00 p.m. and 7:00 a.m.

34 (g) Exemption. The following activities are specifically exempted from the prohibitions under this
35 section:

36 (1) Mining and excavation regulated by a mining and excavation permit.

37 (2) All activities and land uses regulated by conditional use permits including but not limited
38 to fuel facilities, fast food establishments, major auto repair, school activities and day care
39 facilities.

40 (3) Public work, construction and maintenance by federal, state, county or city authorities or
41 their contractors and sub-contractors as approved by the city engineer.

42 (4) Snow removal activities.

43 (5) Emergency public works repair/construction.

1 (6) Parking lot maintenance or sweeping.

2 ~~(h) All other conditions or things, which are likely to cause injury to the person or property of anyone~~
3 ~~and to interfere with the comfortable enjoyment of life or property.~~

4 ~~(b) Sound levels. No person shall operate or cause or permit to be operated any source of noise in such~~
5 ~~a manner as to create a noise level exceeding the limit set in Table 1.~~

6 TABLE 1

	-7:00 A.M.—10:00 P.M.		10:00 P.M.—7:00 A.M.	
Land Use	L50	L10	L50	L10
Residential	65	60	55	50
Commercial	70	65	70	65
Industrial	80	75	80	75

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8 ~~(c) Measurement procedure. The following procedures must be used to obtain a representative sound~~
9 ~~level measurement by the use of a sound measuring device:~~

10 ~~(1) A decibel meter will be used to obtain readings and be used as evidence.~~

11 ~~(2) The operator of the device has sufficient training to properly operate the equipment and~~
12 ~~can testify as to the manner in which the device was set up and operated.~~

13 ~~(3) The device is operated with minimal distortion or interference from outside sources; and~~
14 ~~has been certified as being accurate and reliable.~~

15 ~~(4) Measurements must be made at least three feet off the ground or surface and away from~~
16 ~~natural or artificial structures that would prevent an accurate measurement.~~

17 ~~(5) Measurements must be made using an A-weighting and fast response characteristics of the~~
18 ~~sound measuring device as specified in American National Standards Institute S1.4 1983.~~

19 ~~(6) Measurements must not be made in sustained winds or in precipitation that results in a~~
20 ~~difference of less than ten decibels between the background noise level and the noise source~~
21 ~~being measured.~~

22 ~~(7) Measurements must be made using a microphone that is protected from ambient conditions~~
23 ~~that would prevent an accurate measurement.~~

24 ~~(8) Measurement must be made from the property of the person making the complaint, when~~
25 ~~applicable.~~

26 ~~(Code 1978, § 5.08.07; Ord. No. 04 34, § 9 27 2004)~~

27
28 **Sec. 30-6. Powers of city officials. Sound levels and Measurement**

29 The allowable sound levels and measurement standards follow the Minnesota Pollution Control
30 Guidelines for Noise found in the Minnesota Administrative Rules Section 7030. Whenever the City
31 Administrator or designee finds that a violation has occurred, penalties may be issued in accordance with
32 State Law and the City of Ramsey Code.

33 ~~Whenever in the judgment of the City Administrator or their Designee city's health authority, city~~
34 ~~engineer, or chief of police (or other such city official as may be determined by the city administrator), a~~
35 ~~finding is made upon investigation that a public nuisance is being maintained or exists within the city, the~~
36 ~~city may at the direction of the city administrator, issue a citation or written notice to the owner or occupant~~
37 ~~of the premises where the public nuisance is maintained requiring him to terminate and abate said nuisance.~~
38 ~~Service of said notice shall be in person or by U.S. mail. If the premises are not occupied and the address~~

1 of the owner is unknown, service on the owner may be had by posting a copy of the notice on the premises.
2 If the nuisance is not abated within ten days of the date of issuance of the notice, the city may issue a code
3 violation citation to the notified owner or occupant. As an alternative, the city may elect to prosecute the
4 matter in district court without first issuing the ten-day notice described in this section.

5 (Code 1978, § 5.08.08; Ord. No. 04-34, § 9-27-2004)

6
7 **Sec. 30-7 Natural Resource and Environmental Preservation and Protection - Shade Tree Diseases**
8 **and Pests**

9 **(a) Purpose**

10 The City Council has determined that the health of the community forest, including both public and private
11 trees, faces threats from certain lethal diseases and pests, including but not limited to, Oak Wilt, Dutch Elm
12 Disease, and Emerald Ash Borer. Without proper preventative and control measures in place, the loss of
13 trees from these epidemics would result in substantial depreciation of property values, could significantly
14 reduce wildlife habitat and the beneficial wildlife corridor linkages, and detract from the city's rural
15 character. In addition to, and in accordance with, Minn. Stats. 18G and Minn. Stats. 89.54-89.64, the
16 provisions of this chapter are adopted as an effort to control and prevent the spread of these shade tree
17 diseases and pests.

18 **(b) Nuisances Declared**

19 (1) The following are considered public nuisances, as their conditions represent a threat to the
20 health of the overall community forest. The city may submit a wood sample to a laboratory,
21 such as the University of Minnesota's Plant Disease Clinic, to confirm the presence of the
22 disease or pest.

23 a. Any elm tree or part thereof infected to any degree with Dutch Elm Disease fungi
24 (either Ophiostoma ulmi or Ophiostoma novo-ulmi), or which harbors any elm
25 bark beetle (Hylurgopinus rufipes), European elm bark beetle (Scolytus
26 multistriatus), or banded elm bark beetle (Scolytus schevyrewi), collectively
27 referred to as elm bark beetles.

28 b. Any dead elm tree or part thereof, including logs, branches, stumps, firewood or
29 other elm material not properly covered and sealed or from which the bark has not
30 been removed or sprayed with an effective insecticide for elm bark beetles; except
31 that the stockpiling of uncovered bark bearing elm wood shall be permitted during
32 the months of October through March.

33 c. Any tree, or part thereof, within the Red Oak family (northern red oak, northern
34 pin oak, pin oak, and black oak), infected to any degree with the oak wilt fungus
35 (Bretziella fagacearum). This includes any diseased material that is potentially
36 spore producing (PSP).

37 d. Any tree, or part thereof, within the White Oak family (white oak, bur oak, swamp
38 white oak, and chinkapin oak), that poses a threat of transmission of the oak wilt
39 fungus to other trees of the same species through grafted roots.

40 e. Any ash tree (Fraxinus spp.) or part thereof, infested to any degree with Emerald
41 Ash Borer (EAB), Agrilus planipennis.

42 f. Any tree deemed by the city to be hazardous, which may include structural defects
43 in the roots, stem, and/or branches, that could cause the tree to fail and, should it
44 fall, would land within a public right-of-way or upon public land.

45 **(c) Nuisance Trees**

1 (1) Any tree located within the city, which is determined by a certified arborist or a certified
2 tree inspector, to be a nuisance tree, as defined above, may be declared a public nuisance.
3 A nuisance tree can be declared hazardous or potentially hazardous if circumstances
4 warrant immediate action to abate that nuisance.

5 a. The city, or its designate, may remove or cause or order to be removed, any
6 nuisance tree or part thereof.

7 b. An evaluation of "imminent danger" means that the hazard to the public is
8 immediate. If the property owner cannot be contacted or refuses to remove the
9 hazard, the city will initiate action immediately.

10 c. An evaluation of "potentially dangerous" means that a hazard to the public will
11 exist in the near future. The property owner will be notified and should remove the
12 future hazard as soon as possible.

13 (d) The city shall have the right to cause the removal of any nuisance tree(s), as defined above, on
14 private property. In the event of failure of the property owner(s) to comply with such provisions,
15 the city shall have the authority to remove such nuisance trees and charge the cost of removal to
16 the property owner.

17 (1) Notice to take action. A "Notice to Take Action" will be issued upon determination by the
18 city, or its designee, to prevent the spread of disease or insects to public trees in accordance
19 with one (or more) of the following provisions:

20 a. For Oak Wilt, any of the following: visual confirmation of wilted leaves, presence
21 of a fungal spore pad(s), or laboratory confirmation of the presence of the Oak Wilt
22 fungus.

23 b. For Dutch Elm Disease, any of the following: laboratory confirmation of the
24 presence of the Dutch Elm Disease fungi, visual confirmation of leaf symptoms,
25 staining of the sapwood, or visual confirmation of elm bark beetle galleries.

26 c. For Emerald Ash Borer, confirmation of EAB galleries or D-shaped exit holes.

27 (2) The Notice to Take Action shall include the following information:

28 a. Specify the kind of tree which has been declared to be a public nuisance; its
29 location on the property; and the reason for declaring it a nuisance.

30 b. Proper disposal procedures of wood, bark and debris from said nuisance shall be
31 detailed in said notice. These disposal procedures shall be followed within the time
32 provided in the notice.

33 c. The Notice to Take Action shall state the timeline to correct and/or remove the
34 nuisance tree(s).

35 d. If the owner of the property to whom an order has been issued fails or refuses to
36 take remedial action in accordance with and within the time specified in a Notice
37 to Take Action, the city, or its designate, shall cause the remedial action so ordered
38 to be performed at the expense of the owner. Appeals shall be in accordance with
39 Chapter 2 of City Code.

40 (e) Preventative Measures

41 When managing nuisance trees, as defined herein, preventative measures are generally more cost effective
42 for property owners than control measures. Hence, the following measures, either individually or in
43 combination, shall be implemented:

- 1 (1) If pruning or removal of oak trees must be conducted during the ‘High Risk’ timeframe
2 (generally April through July), the cut surface shall be immediately treated with a water-
3 based paint, wound sealant, or shellac to minimize the potential introduction of Oak Wilt.
- 4 (2) If a property owner desires to retain Oak Wilt infected wood from the Red Oak family,
5 DED infected elm wood, or EAB infested ash wood on site, the following measures shall
6 be implemented:
- 7 a. Cut the wood into firewood sized pieces and stack neatly to allow for drying.
- 8 b. Cover the stacked wood with 4-6 mil thick clear plastic or a tarp and completely
9 bury the edges into the ground to trap any elm bark beetles or emerald ash borers
10 under the covering and to prevent sap feeding beetles from accessing the diseased
11 oak wood.
- 12 c. The plastic or tarp can be removed after the growing season of the year following
13 removal.

14

15 **Sec. 30-78. Abatement of nuisances by council. Violations**

16 Any Violation of Ramsey City Code is deemed to be a Public Nuisance and is punishable as a
17 Misdemeanor unless otherwise noted as a Petty Misdemeanor. Each day a violation continues is considered
18 a new violation.

19 ~~If, after such service of notice, the party fails to abate the nuisance or make the necessary repairs,~~
20 ~~alterations, or changes in accordance with the direction of the council, said council may cause such nuisance~~
21 ~~to be abated at the expense of the city and recover such expenditure, plus an additional 25 percent, either~~
22 ~~by civil action against the person served; or if such service has been had upon the owner or occupant, by~~
23 ~~ordering the city administrator to extend such sum, plus 25 percent as a special tax against the property~~
24 ~~upon which the nuisance existed and to certify the same to the county auditor for collection in the manner~~
25 ~~as taxes and special assessments are certified and collected.~~

26 ~~(Code 1978, § 5.08.09; Ord. No. 04 34, § 9 27 2004)~~

27 State law reference(s)—Collection of charges as a special assessment, Minn. Stats. § 439.101.

28

29

30 **SECTION 4. AMENDMENTS TO CHAPTER 54 (TRAFFIC AND VEHICLES).**

31

32 The following Sections of Chapter 54 are modified as follows:

33

34 **Sec. 54-23. Definitions.** The following definitions are added:

35 Commercial Motor Vehicle For purposes of this section, "commercial vehicle" shall have the
36 meaning as the term is defined in Minn. Stats. § 169.011.

37 Temporary or Temporarily within parking regulations means not to exceed 4 hours.

38

39 **Sec. 54-25. Commercial Vehicle and Trailer On-street parking.**

40 (a) It is unlawful to park any detached semitrailer as defined by Minnesota State Statute upon any
41 street, city owned parking lot, or other public property unless specifically approved by City Council
42 and Sign Posted.

1 (b) It is unlawful to park or store any Commercial Motor Vehicle as designated by Minnesota State
2 Statute on any street, city owned public property, or other public property unless specifically
3 approved by City Council and sign posted.

4 (c) It is unlawful to transfer materials and equipment from one commercial vehicle to another on a
5 public roadway.

6 (d) It is unlawful to load or unload on a public road or right of way where zoning regulations and
7 properties have accommodated for deliveries.

8 (e) Exemptions:

9 (1) Actively loading or unloading in designated loading zones.

10 (2) For the purpose of emergency repairs, property maintenance activity, or construction
11 activity of adjacent infrastructure or buildings.

12 (3) Postal or mail delivery

13 (4) Residential moving vehicles actively loading or unloading and not obstructing normal
14 flow of traffic.

15 (5) To temporarily visit a business or residence where sufficient space to park within the
16 private parking area is limited.

17 ~~All persons who hold the legal title to a vehicle, or in the event a vehicle is the subject of an~~
18 ~~agreement for the conditional sale or lease thereof with the right of purchase upon performance of the~~
19 ~~conditions stated in the agreement and with an immediate right of possession vested in the conditional~~
20 ~~vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional~~
21 ~~vendee or lessee or mortgagor shall be deemed the owner. The operation or use of a motor vehicle in~~
22 ~~violation of this article shall be prima facie evidence that said motor vehicle was at the time of such violation~~
23 ~~controlled, operated and used by the owner thereof.~~

24
25 **Sec. 54-28. Prohibited Parking.** The following is added:

26 (10) On or across any sidewalk, crosswalk, or trail-way.

27
28 **Sec. 54-30. Display for sale.**

29 No person shall park a vehicle upon any roadway, boulevard, sidewalk, trail, or Right of Way for the
30 principal purpose of displaying such vehicle for sale or parked in such a manner as to be used as advertising
31 of a business.

32
33 **Sec. 54-31. Repairing ~~automobiles~~ vehicles on the street.**

34 No person shall make or allow to be made any washing, greasing, or repairing of a vehicle, on a street,
35 except repairs necessitated by an emergency.

36
37 **Sec. 54-70. Traffic regulations.**

38 (a) No person shall operate or halt any vehicle on public or semi-public property carelessly or
39 heedlessly in disregard of the rights or safety of others.

40 (b) No person shall park a vehicle, motor vehicle, commercial motor vehicle, or motorcycle in any
41 designated parking area for disabled persons on public or semi-public property unless such person

1 is physically handicapped and the vehicle displays an identifying certificate or insignia issued by
2 the state department of public safety.

3 (1) For the purposes of this section, the term "physically handicapped" shall include any person
4 who has sustained an amputation or permanent material disability of either or both arms,
5 or legs, or who has been otherwise permanently disabled in any manner rendering it
6 difficult and burdensome for him to walk.

7 (2) No person charged with violation of this section may be convicted notwithstanding that no
8 identifying certificate or insignia is displayed on the vehicle if that person is, in fact,
9 physically disabled.

10 (3) No person shall obstruct any disability parking space, access aisle, or ramp with any
11 material, vehicle, or object to include the piling of snow in those spaces, unless they are
12 designated emergency vehicles responding to an emergency or call for service.

13 (4) It shall be unlawful for property owners or the responsible party to fail to install
14 Handicapped Accessible signage in accordance with the Minnesota State Accessibility
15 Code and Statute.

16 (c) It shall be unlawful for a person to park any vehicle for the sole intention to camp, sleep or live and
17 reside out of on any street. Commercial Vehicle operators in conformance with the Federal Motor
18 Carrier Safety Act and Minnesota Statutes may utilize appropriate rest stops, truck stops, or as
19 posted to maintain compliance with mandatory rest periods.

20 (d) All violations of this section (54-70) are considered a misdemeanor.

21
22 **Sec. 54-105. Penalty.**

23 Violation of any provision of this section shall constitute a petty misdemeanor unless otherwise
24 determined by Minnesota State Statute as a Misdemeanor or this ordinance.

25
26
27 **SECTION 5. SUMMARY**

28
29 The following official summary of Ordinance #24-03 has been approved by the City Council of the City of
30 Ramsey as clearly informing the public of the intent and effect of the Ordinance:

31
32 “Ordinance #24-03 repeals, modifies, adds, and organizes various portions of Chapters 10 (Animals), 30
33 (Nuisances), and 54 (Traffic and Vehicles) pertaining to nuisances.”

34
35
36 **SECTION 6. EFFECTIVE DATE**

37
38 This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section
39 5.04.