Ordinance No. 2026-029 **City of Minneapolis** **File No. 2026-00809**

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RECORD OF COUNCIL VOTE				
COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT
Payne	X			
Wonsley	X			
Rainville				X
Vetaw	X			
Warren	X			
Osman	X			
Shaffer	X			
Stevenson	X			
Chavez	X			
Chughtai	X			
Whiting				X
Chowdhury				X
Palmisano	X			

MAYOR ACTION

☑ APPROVED ☐ VETOED

MAYOR FREY

SEP 23 2026

DATE

Certified an official action of the City Council

ATTEST:

CITY CLERK

Presented to Mayor: SEP 17 2026

Received from Mayor: SEP 23 2026

Amending Title 15 of the Minneapolis Code of Ordinances relating to Offenses—Miscellaneous.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances, Chapter 389 Noise, be amended in the form of a complete revision to read as follows:

CHAPTER 389 – NOISE

ARTICLE I. - GENERALLY

389.10. Authority. This chapter is adopted pursuant to the authorization and policies contained in Minnesota Rules, Chapter 7030, and A Guide to Noise Control in Minnesota. The Commissioner of Health, Chief of Police, or their designees, are authorized and directed to administer and enforce the provisions of this article.

389.20. Purpose. The purpose of this Chapter is to name certain noises as a public health nuisance that can be a threat to the general health and wellbeing of the people of Minneapolis, and to regulate the sound levels, duration, and types of activities that make noise. It shall be unlawful to make any noise above noise levels set in section 389.40 unless such noise is reasonably necessary to the preservation of life, health, safety, or property.

389.30. Definitions. The following terms whenever used in this chapter shall have the following respective meanings:

Ambient noise level: The total of all noise in the environment, other than the noise from the source of interest. This term is used interchangeably with background noise.

Attenuation: The reduction of sound intensity by various means (e.g., air, humidity, porous materials).

Construction equipment: Any vehicle, powered device, or mobile device used to supply power for the purposes of construction, or used to transport equipment, materials, supplies or debris to or from a construction site, including, but not limited to a jackhammer, hammerdrill, bulldozer, dump truck, front end loader, bobcat, crane or backhoe.

dB(A): A-weighted decibel (dBA or dB(A)) is an expression of the relative loudness of sounds as perceived by the human ear. A-weighting gives more value to frequencies in the middle of human hearing and less value to frequencies at the edges as compared to a flat audio decibel measurement. A-weighting is the standard for determining hearing damage and noise pollution.

dB(C): C-weighted decibel (dBC or dB(C)) looks more at the effect of low-frequency sounds, louder sounds and more impulsive sounds on the human ear compared with A-weighting.

Impulsive noise: Sound of short duration, usually one second or less with abrupt onset and rapid decay. Impulsive noises include but are not limited to metal impacts, hammers, gunshots, explosions, and drop forge impacts.

Leq: Equivalent continuous sound level or time-averaged sound level. A single-number value that expresses the time-varying sound level for the specified period as though it were a constant sound level with the same total sound energy as the time-varying level.

Plainly audible: Sound that can be detected by a person using their unaided hearing faculties.

Points of nearest human activity: Any point inside a dwelling and any deck, patio, or other outdoor area that contains seating or cooking areas designed for the use of the occupants and within thirty (30) feet of the adjoining dwelling. Outdoor areas are a point of human activity only during the period between April 15 and November 15.

Publicly owned and controlled property: Any land owned and controlled by a government or quasi-government agency including, but not limited to, the City of Minneapolis, Minneapolis Park and Recreation Board, Minneapolis School Board, Hennepin County, State of Minnesota, Metropolitan Sports Commission, University of Minnesota, and the United States of America.

Residentially used area: Any building or portion thereof designed or used exclusively for human habitation, including single-family, two-family, and multiple-family dwellings without regard to their size or location within the city plus any area within five hundred (500) feet of such building or portion thereof which is so used. Residentially used area shall include any mixed use building which contains a dwelling unit or rooming unit as defined in Chapter 565 of this Code plus any area within five hundred (500) feet of such dwelling unit. Residentially used area shall not be established by the locations of buildings which are principally hotels or motels.

389.40. Violations. A violation is:

(1) Any sound measured inside with doors and windows closed that is ten (10) dB(C) Leq or more above the ambient noise level during the daytime or five (5) dB(C) Leq or more above ambient noise level during the nighttime when measured within a building unit occupied by the complainant.

(2) Any sound measured outside at the point of nearest human activity in excess of the limits set forth in Minnesota Rules, Chapter 7030 provided that such sound is five (5) dB(A) or more above ambient noise levels.

389.50. Measurement of noise. All sound level measurements shall be taken using written procedures approved by the Health Commissioner. The written procedures shall conform to applicable law and shall be made available to the public upon request.

389.60. Penalties. (a) In addition to any penalties specifically provided for by the terms of this chapter, violations of the provisions of this chapter may be enforced by any one (1), all, or any combination of the following penalties and remedies:

(1) Violations shall be punishable as criminal offenses as stated in section 1.30 of the Minneapolis Code of Ordinances.

(2) Violations may be enforced as administrative offenses pursuant to chapter 2 of the Minneapolis Code of Ordinances.

(3) This chapter may also be enforced by injunction, abatement, mandamus, or any other appropriate remedy in any court of competent jurisdiction.

(b) The failure to comply with the terms of this chapter by the holder of any license, provisional license or permit issued pursuant to this Code shall constitute good cause for adverse action against such license, provisional license or permit.

389.70. Exemptions. (a) Sounds emanating from the operation of the following are exempt from the provisions of section 389.40:

(1) Motor vehicles on trafficways of the city.

(2) Aircraft in flight.

(3) Outdoor implements, such as power lawn mowers, leaf blowers, snow blowers, power hedge clippers and power saws, used within allowable hours stated in section 389.120.

(4) Pile drivers, jackhammers, cranes, scrapers, dump trucks, backhoes, bulldozers and other construction equipment, used within allowable hours or with an after hours work permit as stated in section 59.30.

(5) Official athletic activities at outdoor stadiums owned or operated by the University of Minnesota or the Minnesota Ballpark Authority. Concerts or other events using amplified sound at outdoor stadiums owned or operated by the University of Minnesota or Minnesota Ballpark Authority are also exempt if they meet the following conditions:

a. Sound amplifying equipment will only be used between the hours of 7:00 a.m. to 11:00 p.m.

b. Sound measured from any point within the boundary line of the nearest residentially occupied property at the street level shall never be more than fifteen (15) dB(A) above the ambient noise level as measured over a period of ten (10) minutes or such longer period as generally determined by the City for measuring sound under this chapter.

(6) Lawful and properly permitted organized athletic activities on school grounds, and officially designated playgrounds used for recreation by children under supervision, and parks or places wherein athletic contests take place between the hours of 7:00 a.m. and 10:00 p.m.

(7) Rail traffic.

(8) Repairs and maintenance of utility structures when the utility structures pose a clear and immediate danger to life or health or significant loss of property, and the repairs and maintenance are necessary for the safety and commercial vitality of the city.

(9) Intermittent or impulse noises short duration, usually one (1) second or less with abrupt onset and rapid decay. Impulsive noises include but are not limited to metal impacts, hammers, gunshots, explosions, and drop forge impacts.

(10) Sounds created by bells, chimes, carillons, amplifying equipment, or sounds associated with religious worship no more than six (6) minutes in any one (1) hour and no more than sixty (60) minutes in a twenty-four (24) hour period.

(11) Sounds emanating from amplifying equipment that is in full compliance with a permit issued pursuant to section 389.80.

(b) Noise shall not be prohibited or restricted which substantially burdens a person's exercise of religion unless it is demonstrated that application of the burden to the person is:

(1) In furtherance of a compelling governmental interest;

(2) The least restrictive means of furthering that compelling governmental interest; and/or

(3) Consistent with Article I, Section 16 of the Minnesota Constitution.

(c) Noise shall not be prohibited or restricted which substantially limits speech unless such a prohibition or restriction:

(1) Serves a significant governmental interest as applied in a particular case;

(2) As applied in the particular case there are other ample alternative channels for communication of the information; and/or

(3) Application of the regulation in the particular case promotes a substantial government interest that would be achieved less effectively absent application of the regulation.

389.80. Permits for amplifying sound. (a) Except as provided in sections 389.70(a)(5), 389.70(a)(10), and 389.80(i), no person shall use or maintain any outside sound amplifying equipment except under specific permit from the commissioner of health, or their designee. Permits for outdoor sound amplifying equipment are based on three (3) permit types:

(1) Small event permits for permits adhering to lower sound measurement standards as outlined in subsection 389.80(c)(3);

(2) Standard event amplified sound permits; and

(3) Large block event permits issued in conjunction with a large block event.

(b) The fees for each permit type shall be as established in the director's fee schedule pursuant to section 45.100 for each calendar day for which amplified sound is played or operated.

(c) Permits are subject to the following conditions:

(1) A daytime permit is required for outside sound amplifying equipment used between the hours of 7:00 a.m. and 10:00 p.m.

(2) An extended hours permit shall be required for outside sound amplifying equipment used outside of the hours specified in this subsection and may be issued only if:

a. Outside amplified sound equipment is being used as part of a large block event and is explicitly allowed by the terms of the large block event permit issued pursuant to Chapter 455 of this Code; or

b. Outside amplified sound equipment is being used on publicly owned and controlled property in the central business district; or

c. Approved by the commissioner of health, or their designee.

(3) Amplification that exceed the limits of section 389.40 shall be limited to the following:

a. Twelve (12) hours in any one (1) day;

b. Twenty-four (24) hours in any seven (7) day period; and

c. Thirty-six (36) hours in any twenty-eight (28) day period for the same property.

The commissioner of health, or their designee, may permit amplified sound in excess of these limitations if, and only if, the outside amplified sound equipment is being used on publicly owned and controlled property in the central business district.

(d) Small events are subject to the following conditions:

(1) Sound measured at fifty (50) feet from the source shall not exceed eighty (80) dB(A);

(2) Sound measured off the property where the equipment is allowed under the permit shall never be more than ten (10) dB(A) above the ambient noise level;

(3) Amplified sound plainly audible to police, business licensing, or health department personnel or their designees at three hundred (300) feet from the property line shall be considered a violation of the small event permit.

(e) Standard and large events are subject to the following conditions:

(1) Sound measured at fifty (50) feet from the source shall not exceed ninety (90) dB(A);

(2) Sound measured off the property where the equipment is allowed under the permit shall never be more than fifteen (15) dB(A) above the ambient noise level;

(3) Amplified sound plainly audible to police, business licensing, or health department personnel or their designees at one thousand five hundred (1,500) feet from the property line shall be considered a violation of the standard event permit.

(f) Written neighbor notification must be sent to adjacent properties for reduced fee permits, and properties within a three hundred (300) foot radius for standard and small event permits. In addition, special event amplified sound permit holders must notify the neighborhood association in the area the event is held. A copy of the written notice must be included with the permit application.

(g) Standard and small event amplified sound permits shall not be issued for activities past 9:00 p.m. on Sundays within five hundred (500) feet of a residentially zoned property or religious institution place of assembly.

(h) Permits shall be obtained thirty-six (36) hours in advance of the proposed event unless approved by the commissioner of health or their designee. Failure to do so may result in a penalty fee of fifty (50) percent of the original permit fee as designated in the director's fee schedule.

(i) *Amplified sound at the Upper Harbor Community Performing Arts Center*. Amplified sound may emanate from the Upper Harbor Community Performing Arts Center for a total of fifty-four (54) commercial events in a given calendar year, provided that sound amplification at each commercial event adheres to the following:

(1) Sound amplifying equipment will only be used between the hours of 7:00 a.m. to 10:00 p.m.

(2) Sound measured at one hundred thirty-four (134) feet from the source will not exceed an Leq of 98 dB(A) as measured over a period of (10) minutes or such longer period as generally determined by the City for measuring sound under this chapter.

(3) At the beginning of each calendar year, upon request of the Operator of the Upper Harbor Community Performing' Arts Center, the City will issue fifty-four (54) sound amplification permits for commercial events at the Upper Harbor Community Performing Arts Center that calendar year, subject to the conditions set forth in this section.

(j) Amplification equipment of ten (10) watt power or less, such as a bullhorn, shall be categorically exempt from requiring an outdoor amplifying sound equipment permit between the hours of 7:00 a.m. and 10:00 p.m.

389.90. Noise control devices. Removing or rendering inoperative any noise control device or the design of a product having those devices, by any person other than for purposes of maintenance, repair, or replacement, is a violation subject to enforcement through criminal, civil and administrative means.

389.100. Alarms. (a) It is a violation to operate any electronic theft or burglar alarm which sounds an audible signal without an automatic shutoff device used to prohibit the audible signal from sounding continually for more than five (5) minutes.

(b) It is a violation to intentionally sound or permit the sounding outdoors of any fire, burglar, or civil defense alarm, siren, whistle, or similar stationary emergency signaling device, except in the following circumstances:

(1) The existence of an emergency.

(2) Testing the device, not to exceed four (4) minutes in an hourly period, unless approved by the director when there is no reasonable alternative to exceeding four (4) minutes of testing and the testing is required by state or federal laws, rules, or regulations.

(3) The sounding of a properly maintained car alarm.

(4) The sounding of a motion-sensor on private property so far as it is:

a. Not audible from within an enclosed residential dwelling in an urban neighborhood or residential mixed-use district boundary, or a permitted or conditional residential use.

b. Triggered by motion within the property boundary where the motion-sensing device is located.

389.110. Solid waste collection. The loading or unloading of a solid waste compacting vehicle, solid waste processing vehicle, solid waste collection vehicle, or recycling collection vehicle is only allowed during the hours of 6:00 a.m. and 10:00 p.m.

389.120. Outdoor implements. (a) Any outdoor implement such as a power lawn mower, snow and ice control equipment, parking lot sweeping equipment, power hedge clipper, leaf blower, or trimmer shall be operated only between the hours of 7:00 a.m. and 10:00 p.m.

(b) Leaf blowers shall not be operated by any person without a muffler.

(c) Snow and ice control equipment may be operated at any time during an official snow emergency

(d) The Minneapolis Department of Public Works, Minneapolis Park and Recreation Board, Hennepin County, and Minnesota Department of Transportation may operate snow and ice control equipment on public streets and other public areas at any time, as it is the judgment of the city engineer that such activities are in the public interest.

389.130. Waiver of ordinance as applied. Any person who claims that the application or threatened application of this chapter or any section of this code regulating the generation of noise to such person violates their right to freedom of speech, freedom of assembly, equal protection, or to the free exercise of their religion as secured by the Minnesota Constitution or United States Constitution, should promptly apply to the commissioner of health for a waiver. The matter shall then be heard by the commissioner of health, or their designee, or referred to a hearing officer(s) as the director may determine. After hearing the matter or receiving the report of the hearing officer(s), the commissioner, or their designee, shall grant such waiver to the extent necessary to eliminate the violation if the director or director's designee determines based on the reliable evidence submitted or on the report of the reliable evidence presented that application of the ordinance in such case would violate the applicant's right to freedom of speech, freedom of assembly, equal protection, or to the free exercise of the applicant's religion as secured by the Minnesota Constitution or United States Constitution or section 389.70(l) or (m) of this chapter.

ARTICLE II. – VEHICULAR NOISE CONTROL

389.200. Vehicle noise. (a) *Purpose and scope*. It is the purpose of these regulations to state the maximum sound levels that vehicles shall be allowed to emit when used on trafficways of the city. These regulations are intended to limit such maximum sound levels to those consistent with the physical, mental, and social well-being of the people.

(b) *Applicability*.

(1) These regulations shall apply to all vehicles wherever operated on the trafficways of the city.

(2) These regulations shall apply to sounds of any time duration.

(3) For the purpose of these regulations, those persons who are the vehicle owner(s) or operator(s) may be held responsible separately or jointly for a violation.

(c) *Exemptions*. The following are exempt from the provisions of this article:

(1) All vehicular warning devices authorized for use under the traffic code of the city.

(2) Back-up alarm devices on trucks when installed and operated in accordance with the Society of Automotive Engineers recommended practice J994, "Criteria for Back-up Alarm Devices."

(d) *Light Vehicles*. No person shall operate, nor shall its owner permit the operation of, a vehicle with a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or less, or any auxiliary device attached to or required for the operation of said vehicle, on any trafficway in such a manner that it emits noise at levels in excess of the limits specified in Table A.

TABLE A
NOISE LEVEL LIMITS FOR LIGHT VEHICLES

Posted Speed Limit	Measurement Distance 25 feet	Measurement Distance 50 feet	Measurement Distance 200 feet
25 mph or less	69 db(A)	67 db(A)	61 db(A)
30	71	69	63
35	73	71	65
40	75	73	67
45	77	75	69
50	79	77	71
55	81	79	73
60 mph or more	83	81	75

(e) *Heavy vehicles*. No person shall operate, nor shall its owner permit the operation of, a vehicle with a manufacturer's gross vehicle weight rating of more than ten thousand (10,000) pounds, or any auxiliary device attached to or required for the operation of said vehicle, on any trafficway in such a manner that it emits noise at levels in excess of the limits specified in Table B.

TABLE B
NOISE LEVEL LIMITS FOR HEAVY VEHICLES

Posted Speed Limit	Time Periods When Applicable	Measurement Distance 20 Feet	Measurement Distance 25 Feet	Measurement Distance 50 Feet
35 mph or less	Daytime	83 db(A)	81 db(A)	75 db(A)
	Evening	75	73	67
	Night, holiday, Sunday	73	71	65
More than 35 mph	All	83	71	75

(f) *Mufflers*.

(1) No person shall operate, nor shall its owner permit the operation of, a vehicle on a trafficway with a motor the exhaust system of which has been altered, modified or repaired in such a way that the noise

emitted by said motor's exhaust system is increased above that emitted by the exhaust system with which said motor came originally equipped from the manufacturer.

(2) The burden of proof shall be on the owner and/or operator of a vehicle with an altered, modified, repaired, or reconstructed motor exhaust system to submit evidence that said system meets the provisions of subsection (a) of this section.

(g) *Horns and other signal devices*. It is a violation to sound any horn or signal device on an automobile, motorcycle, bus, or other vehicle, except as a danger signal or traffic warning.

(h) *Operation of vehicles*. It is a violation to use any automobile, pickup truck, motorcycle, or other vehicle which is not reasonably maintained and which causes noise which would be likely to cause significant discomfort or annoyance to a reasonable person of normal sensitivities present in the area.

(i) *Amplified sound from vehicles.* Except as provided in section 389.80, it is a violation to operate any electronic device used for the amplification of music or other entertainment, which is located within a motor vehicle being operated on a public street or alley, or in commercial or residential parking facilities, which is audible by any person from a distance of fifty (50) feet or more from the vehicle. When sound violating this section is produced, the motor vehicle's owner, if present when the violation occurs, is in violation of this section. If the motor vehicle's owner is not present at the time of the violation, the person in charge or control of the vehicle at the time of the violation is in violation of this section. In addition to an owner or a driver, any person who controls or assists with the production of sound violating this section is in violation of this section. Violation of this subsection is a misdemeanor:

(1) A first violation of this subsection is punishable by a fine not to exceed five hundred dollars ($500.00);

(2) A second violation is punishable by a fine not to exceed seven hundred dollars ($700.00); and

(3) A third violation is punishable by a fine to the maximum amount.

ARTICLE III. – NOISY AND UNRULY ASSEMBLIES

389.300. Definitions. The following terms whenever used in this article shall have the following respective meanings:

Noisy and unruly assembly means a gathering of more than one person in a residentially zoned or used area or building between the hours of 10:00 p.m. and 6:00 a.m. whose noisy or illegal conduct would be likely to cause significant discomfort or annoyance to a reasonable person of normal sensitivities present in the area considering the time of day and the residential character of the area. Noisy or unruly assemblies may include, but are not limited to, those involving excessive noise, obstruction of public ways by crowds or vehicles, consumption of alcohol by minors, provision of alcohol to minors, fighting, disturbing the peace, disorderly conduct, littering, and public urination or defecation.

Reasonable and necessary actions means those actions that would firmly convince a reasonable person that the frequency and severity of future noisy or unruly assemblies would be substantially reduced.

389.310. Noisy and unruly assembly. (a) It is a violation to participate in, conduct, visit, or remain at a gathering knowing, or having reason to know, that the gathering is a noisy or unruly assembly, as defined in section 389.30, except person(s) who have come to the gathering for the sole purpose of abating the disturbance.

(b) The premises at which a noisy or unruly assembly occurs shall additionally be subject to a notice of noisy or unruly assembly as further described in this section.

(c) A notice of noisy or unruly assembly shall be sent within ten (10) business days via first class mail to the owner and/or rental license holder of record of any premises at which a noisy or unruly assembly is determined to have taken place by the Minneapolis Police Department. The Minneapolis Police Department may, upon determining that the issuance of a notice would be contrary to public policy, refrain from such issuance when emergency services were summoned by a person taking part in the noisy or unruly assembly, or when the noisy or unruly assembly was created primarily by the occurrence of an incident of domestic abuse, as that term is defined in Minnesota Statutes section 518B.01, or wholly through the actions of uninvited guests or trespassers.

(1) Each notice of noisy or unruly assembly shall state:

a. That a noisy or unruly assembly has occurred on the premises;

b. The date, time, and nature of the noisy or unruly assembly; and

c. That the owner, rental license holder, or landlord may be issued an administrative citation should police respond to any additional noisy or unruly assemblies within one hundred eighty (180) days of the date of the noisy or unruly assembly which triggered the notice.

Each notice shall further state the date of expiration for the notice, which shall be one hundred eighty (180) days from the date of the noisy or unruly assembly which triggered the notice. The notice shall direct the owner, rental license holder, or landlord to take steps to ensure that the premises are not used for additional noisy or unruly assemblies.

(2) *Right to contest issuance of notice*. An owner, rental license holder, or landlord who receives a notice may contest its issuance by requesting an administrative hearing pursuant to Chapter 2 of this Code. The hearing shall proceed pursuant to and be governed by the administrative hearing procedures of Chapter 2. At the hearing, the city shall bear the burden of proving by a preponderance of the evidence that a noisy or unruly assembly occurred and that the issuance of the notice was justified pursuant to the provisions of this chapter. Should the owner, rental license holder or landlord of the property affirmatively demonstrate that the issuance was based wholly upon the actions of uninvited guests or trespassers, the notice shall be deemed invalid and rescinded. An owner, rental license holder, or landlord who receives a notice, may at any time petition the designated agent of the Minneapolis Police Department for a written order rescinding the notice on the grounds that they have taken reasonable and necessary actions, as defined in section 389.150, to prevent the occurrence of subsequent noisy or unruly assemblies. The designated agent of the Minneapolis Police Department may grant or deny the request for good cause. A denial of such a request may be contested by requesting an administrative hearing pursuant to Chapter 2 of this Code. At the hearing, the petitioner shall bear the burden of proving by a preponderance of the evidence that the petitioner has taken reasonable and necessary

actions to prevent subsequent noisy or unruly assemblies at the premises. Each notice of noisy or unruly assembly shall contain a recitation of these appeal rights. In any event, the notice shall be rescinded upon the presentation of adequate verification to the Minneapolis Police Department of the final departure from the unit that triggered the notice of every resident living in that unit at the time of the incident that formed the basis for the notice.

(3) The criminal, civil, or administrative enforcement of this section shall not preclude any additional enforcement or application of any other provisions of this Code, including but not limited to section 244.2020 or 244.1940.

(d) *Administrative enforcement*. When the police department, fire department, or other emergency response personnel respond to a noisy or unruly assembly at the same premises within one hundred eighty (180) days of the date of any previous noisy or unruly assembly for which a notice of noisy or unruly assembly was served and remains valid, the owner, rental license holder, or landlord of the premises shall be issued an administrative citation pursuant to Chapter 2 of this Code in an amount as specified in the schedule of civil fines as adopted by resolution of the city council. However, in no case shall any such citation be issued pursuant to this section for any noisy or unruly assembly occurring within twenty-one (21) days of the mailing of the notice.

(e) *Applicability to multiple dwellings and duplexes*. Notwithstanding any other provision of this section, when a noisy or unruly assembly occurs on a premises on which any multiple dwelling, defined in section 244.40, or duplex is located, an administrative citation shall be issued pursuant to this section only if one (1) the following circumstances has occurred:

(1) A previous notice of noisy or unruly assembly has been served and remains valid for an incident occurring in the same dwelling unit in which the incident occurred that forms the basis for the administrative citation;

(2) A previous notice of noisy or unruly assembly has been served and remains valid for an incident in which any resident or guest of a resident participated, and that same resident or guest of a resident also participated in the incident that forms the basis for the administrative citation; or

(3) A previous notice of noisy or unruly assembly has been served and remains valid for an incident occurring in any non-dwelling structure, common area, outdoor area, or other non-dwelling area of the premises, and the incident that forms the basis for the administrative citation also occurred in any one (1) of these areas.

(f) It is a violation to knowingly permit real estate under one's care or control to be used for a noisy or unruly assembly.

Section 2. That Section 399.70, contained in Chapter 399, Control of Invasive Species Tree Pests, be amended to read as follows:

399.70. Collection of assessment. The cost of the abatement of any such nuisance paid by the park and recreation board, or by the departments of health or regulatory services pursuant to section 399.60(c), and not reimbursed by the owner on or before September first of each year shall be reported by the board to the city council and the city council shall assess and levy and cause to be collected the amount

of such cost as a special assessment upon and against said premises and property upon which said nuisance existed in like manner as such other special assessments. Any such assessment levied and remaining uncollected, at the option of the property owner, shall be payable either in one (1) sum, or in successive annual installments to the extent permitted by law, pursuant to Minn. Statute Chapter 429 or other applicable law, charter, and ordinance. Said amounts collected shall be credited to the tree preservation and reforestation fund, except that any amounts collected pursuant to section ~~389.60(c)~~ 399.60(c) shall be credited to the department that paid the cost of abatement.