

# Noisy or Unruly Assembly

## Mpls. Ordinance 389.65

Creates a process for issuing warnings and administrative citations to property owners & rental license holders for "noisy or unruly" incidents. It's aimed at noisy assemblies and other illegal conduct that meets the criteria under the ordinance.

### Definition of " Noisy or Unruly Assembly "

- A gathering of more than one person, in a residential area
- Occurring between 10 PM and 6 AM
- "Noisy or illegal conduct that would be likely to cause significant discomfort or annoyance to a reasonable person of normal sensitivities ....considering the time of day & residential character of the area.

### The Process

- Police respond to a noisy party or other unruly assembly and document the incident. Affidavits from neighbors can also be used to help document the incident.
- Crime Prevention Specialist (CPS) determines that there is sufficient documentation to take action under the ordinance.
- CPS issues a *warning notice* to the rental license holder or property owner. The warning notice must be mailed to the owner within 10 business days of the incident. There is a 21 day grace period following the warning notice, during which no *administrative citation* may be issued for a subsequent incident.
- The warning notice is in effect for 180 days. If the landlord or property owner takes "reasonable and necessary actions" to prevent the problem from reoccurring, the CPS can rescind the notice.
- If a new "noisy or unruly" assembly occurs within the 180 day period (without the warning notice having been rescinded) the CPS issues an administrative citation to the rental property owner. Fines start at \$200 and double with each new incident.
- The owner has the right to appeal the citation before an administrative hearing officer.

### Some Exceptions

- Someone at the incident (e.g. the party), called 911 in an attempt to address the problem.
- The disturbance resulted primarily from a domestic dispute.
- The incident was caused wholly by trespassers or uninvited guests.

