

**CITY OF ALBERTVILLE
COUNTY OF WRIGHT
STATE OF MINNESOTA**

ORDINANCE NO. 2009-003

**AN ORDINANCE AMENDING TITLE 5 HEALTH AND SANITATION,
CHAPTER 1 NUISANCES, SECTION 3 PUBLIC NUISANCES AFFECTING HEALTH;
AND SECTION 5 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY
OF THE 2005 ALBERTVILLE MUNICIPAL CITY CODE TO ADD NUISANCE
REGULATIONS TO HEALTH AND SANITATION**

THE CITY COUNCIL OF THE CITY OF ALBERTVILLE, MINNESOTA ORDAINS:

SECTION 1. Section 5-1-3.H., relating to open burning, is hereby amended to read as follows:

H. Open Burning: Burning in violation of chapter 4 of this title. The emission of smoke by any use shall be in compliance with and regulated by the Minnesota pollution control standards, MPCA Chapter 7009.

SECTION 2. Section 5-1-3.I., relating to air pollution is hereby amended to read as follows:

I. Air Pollution: Dense smoke, noxious fumes, gas and soot, ~~or~~ cinders, dust, fly ash, or other particulated matter in unreasonable quantities. The emission of any particulated matter by any use shall be in compliance with and regulated by the Minnesota pollution control standards, MPCA Chapter 7009, as amended.

SECTION 3. Section 5-1-3.L., relating to odors is hereby added to read as follows:

L. Odors: Any offensive odors upon public or private property. The emission of odor by any use shall be in compliance with and regulated by the Minnesota pollution control standards, MPCA Chapter 7009, as amended.

SECTION 4. Section 5-1-3.M., relating to noise is hereby added to read as follows:

M. Noise: Noise in violation of chapter 5 of this title. The emission of noise by any use shall be in compliance with and regulated by the Minnesota pollution control standards, MPCA Chapter 7030, as amended.

SECTION 5. Section 5-1-3.N., relating to radiation emission is hereby added to read as follows:

N. Radiation emission: All activities that emit radioactivity shall comply with the minimum requirements of the Minnesota Pollution Control Agency.

SECTION 6. Section 5-1-5.Q., relating to other injurious conditions and electrical emission is hereby amended to read as follows:

~~Q. Other Injurious Conditions: All other conditions or things which are likely to cause injury to the person or property of anyone. (2005 Code).~~

Electrical Emission: All activities which create electrical emissions shall comply with the minimum requirements of the Federal Communications Commission.

SECTION 7. Section 5-1-5.R., relating to other injurious conditions is hereby added to read as follows:

R. Other Injurious Conditions: All other conditions or things which are likely to cause injury to the person or property of anyone. (2005 Code).

This amendment shall be in full force and effective immediately following its passage and publication.

Approved by the Albertville City Council this 2nd day of February 2009.

Ron Klecker, Mayor

Bridget Miller, City Clerk