

Bismarck North Dakota – Loud Party Ordinance

8-10-06. Noisy Party or Gathering Prohibited.

No person shall participate in any party or gathering consisting of two or more people when the party or gathering occurs in a residentially zoned or used area or building between the hours of 11:00 p.m. and 7:00 a.m. and when the party or gathering gives rise to unreasonable noise 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 or building. (Ord. 5382, 01-25-05)

8-10-07. Order to Disperse.

Refusal Prohibited. When a police officer determines that a party or other gathering of people is creating unreasonable noise, disturbing the peace, or is disturbing the quiet or repose of another person, the officer may order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. No person ordered to leave the premises by a police officer shall refuse to do so. (Ord. 5382, 01-25-05)

8-10-08. Tenant or Owner.

Cooperation Required. Every owner of a premises, or tenant in charge of a premises, who has knowledge of a disturbance shall cooperate with police and make reasonable effort to stop the disturbance. (Ord. 5382, 01-25-05)

8-10-09. Violations -Prima Facie Evidence.

The following shall be prima facie evidence of a violation in any prosecution under this Chapter:

1. As to tenants, and owner if owner resides on the premises, if twice or more on the same day or if on successive days, the police department is called upon to enforce the terms of this ordinance either by citizen complaint or by personal investigation of a police officer.
2. As to the owner if the owner does not reside at the premises, if the police department gives the owner written notices of three violations of this ordinance by his tenants at any single location within a six month period.
3. Noise of such volume as to be clearly audible at a distance of 50 feet from the structure or building in which the party or gathering is occurring or in the case of Title 8 49 apartment buildings, in the adjacent hallway or apartment, shall be prima facie evidence of unreasonable noise in violation of this Chapter. (Ord. 5382, 01-25-05)

8-10-10. Classification; Penalty.

A violation of any provision of this chapter is an infraction, for which the maximum penalty is a fine in the amount of \$500.00 (Ord. 5382, 01-25-05) <http://www.bismarcknd.gov/DocumentCenter/Home/View/155>