

Grand Forks ND- 9-0110. - Noisy party or gathering.

(1) No person shall participate in any party or gathering consisting of two (2) or more people when said 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, in consideration of the time of day and the residential character of said area or building.

(2) When a law enforcement officer determines that a gathering is creating such a noisy disturbance, 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 shall refuse to leave the premises after being told by a police officer to do so.

(3) Every owner of such premises, or tenant in charge of such premises, who has knowledge of the disturbance shall cooperate with such police officer and shall make reasonable efforts to stop the disturbance.

(4) The following shall be prima facie evidence in any prosecution under this section of the owner's or tenant's violation of this section.

(A) As to tenants, and owner if owner resides on the premises, if twice or more on the same day or if on successive days, any law enforcement agency is called upon to enforce the terms of this section either by citizen complaint or by personal investigation of a police officer.

(B) As to the owner if the owner does not reside at the premises, if after the owner receives written notice of three (3) violations of this section by the owner's tenant at any premises owned by the owner in the City of Grand Forks within a six-month period, and after receipt of such written notice, the Grand Forks Police Department is called upon to enforce this section either by citizen complaint or by personal investigation of a police officer.

(C) Noise of such volume so as to be clearly audible at a distance of fifty (50) feet from the structure, or building in which the party or gathering is occurring, or in the case of apartment buildings in the adjacent hallway or apartment, shall be prima facie evidence of unreasonable noise in violation of this section.

(5) For the purposes of this section, "premises" shall mean:

(A) The building actually leased or owned by the person occupying the leasehold or real estate;

(B) The appurtenant lot and outbuildings of said leasehold or real estate; and

(C) The common entryways and exit ways of said leasehold or real estate whether or not these ways are privately controlled or commonly available to other tenants.