

Fargo Park District
Noise/Sound Amplification Policy
Required Permit

The City of Fargo (“City”) has adopted City Ordinance 11-0204 limiting the noise at outdoor events that is generated by sound amplification equipment unless a permit is procured from the City. The Ordinance states that noise is allowed at 50-55 decibels. This is the level described as the maximum permitted in the City Ordinance.

The parks owned or supervised by the Fargo Park District (“Park District”) are exempted from the terms of the City Ordinance. However, the Park District is of the opinion that uniformity throughout the City is appropriate and a similar policy for Park District parks is appropriate to insure a park-like atmosphere for those using and living around Park District parks.

THEREFOR, THE Park District hereby adopts the following SOUND AMPLIFICATION POLICY:

1. No person shall use or maintain any sound amplifying equipment in or on Park District parks without first having obtained a permit from the Park District. This policy applies to all Park District parks unless otherwise stated below or in a later amendment to this Policy.
2. Sound amplifying equipment includes, but is not limited to, microphone(s), electric music amplifiers and speaker(s) and could include the use of radios, ipods, and other equipment that produce sound at a lower level if the sound is amplified for more than personal use.
3. Events that are issued a permit allowing for the use of sound amplification equipment shall follow the provisions of the City Ordinance with regard to the volume of sound levels and other provisions that are not inconsistent with this POLICY. The permit does not grant the user the ability to disturb the peace or violate the City Ordinances. The intent of this POLICY is to provide for the peaceful enjoyment by all using the parks and to be considerate of park neighbors. When notifying the Park District about an event, the applicant will be required to include detailed information about the plans for using equipment to amplify sound.
4. If a permit is granted, the sound amplification shall be set at a reasonable level that projects within the boundaries of the area that is reserved. For those groups

renting a shelter, the boundaries are defined as the area under the shelter canopy and a limited area immediately adjacent to the shelter. For special events using the trail system, the sound shall project for no more than 100 feet from the speakers. All sound amplification equipment should direct sound away from adjacent residential areas.

5. Permits to use sound amplification equipment will not be issued for the Park District parks listed on the attached Attachment I.
6. The applicant shall provide information to the Park District regarding the type and size of sound equipment, the intended location where the sound equipment will be placed, the type of sound that will be amplified, the time of day, length of use, the expected volume of sound, and direction of the speakers projecting the sound.
7. Sound amplification is prohibited before 7:00am and after 10:00pm. Private events may request sound permits between 10:00am and 8:00pm. Special events that are free admission and invite the public may request sound permits between 7:00am and 10:00pm. No permits shall be issued for any event that proposes to locate the sound amplification equipment within 100 feet of a residential building, including apartments. Permits issued for any property where the source of the sound is located between 100 and 500 feet of a residential building shall be valid for no longer than 2 hours. The distance shall be measured from the exterior wall of the residential building to the location where the sound amplification equipment is to be placed. The speakers shall direct the sound away from residential buildings.
8. Permits are valid for the day or days listed on the permit only.
9. The Executive Director or his/her designee has the discretion to grant or deny a permit to an applicant who violated the terms of a previous permit or who has had a permit revoked within a prior 12-month period. The Executive Director shall consider the circumstances of the prior violation and/or revocation and what steps, if any, the applicant has taken to correct the violation which led to the prior permit being revoked.
10. The Executive Director or his/her designee shall review all other circumstances surrounding the application, including whether or not more than one permit has been requested for the same park on the same day and whether or not other events are scheduled in or around the park where amplified sound would

interfere with the other intended event. Absent such circumstances, a permit should be issued to any applicant who has submitted a properly completed application evidencing use that complies with this POLICY, along with the applicable fee.

11. Revocation - A permit may be revoked by the Park District for the following reasons:

- a. Violation of one or more regulations of the sound amplification policy;
- b. Material misrepresentation of fact in the permit application; or
- c. Material change in any of the circumstances relied upon by the Park District in granting the permit.

A permit may be revoked at any time, even after the permitted event, if the Park District learns of any violation listed above.

12. Appeal—The applicant, or any person actually or potentially aggrieved by the issuance or denial of a permit or the granting or denial of an exemption, may appeal the decision to the Executive Director if the decision had been made by the Executive Director's designated person.

Approved by Board: 03/10/2015

Attachment 1

Parks where Amplified Sound Permits will not be issued:

Great Northern Park

Parks where there is a 2 hour limit on private events:

Rheault Farm Shelter

Rheault Farm Plaza

Oak Grove Main Shelter

Oak Grove North Shelter

Trollwood Park Art Mart

Trollwood Park Barn Stage

Trollwood Park Main Shelter

Trollwood Park West Shelter

Trollwood Park Amphitheater