

N.D.A.G. Letter to McLean (April 20, 1987)

April 20, 1987

Mr. Stephen M. McLean
City Attorney
Oakes, ND 58474

Dear Mr. McLean:

Thank you for your letter of March 27, 1987, regarding the City of Oakes' noise ordinance.

The state of North Dakota has not formally adopted any rules regarding noise. Therefore, the state levels referred to in your correspondence are at the present time only recommendations. The State Department of Health is aware of the noise ordinance in effect in the City of Oakes and notes that it is comparable to other noise ordinances adopted by other cities within our state.

I have enclosed correspondence from the State Department of Health in regard to current noise problems being experienced in your city. The correspondence indicates that their inspectors have read violations of the standards as established in your current ordinance. Other problems your city is experiencing appear to be the result of residential homes being located in areas which have been zoned industrial with correspondingly higher noise level requirements.

In conclusion, there are no state rules regarding noise levels in effect at this time. Your ordinance, which is comparable to other ordinances throughout the state, establishes the levels to be enforced within your community.

Sincerely,

Nicholas J. Spaeth

cv
Enclosure