



## **RESOLUTION NUMBER 2023-7-3**

### **A RESOLUTION PROVIDING FOR THE SUSPENDING OF CERTAIN PROHIBITIONS AND CITY CODE REQUIREMENTS OF THE CITY OF STACY FOR THE ANNUAL STACY DAZE CELEBRATION**

**WHEREAS**, the City of Stacy hosts an annual celebration known as Stacy Daze; and

**WHEREAS**, this year the celebration occurs between the days of August 4-6; and

**WHEREAS**, during the course of normal Stacy Daze activities, certain activities occur which would otherwise be prohibited by the Code of Ordinances, thereby requiring a temporary modification of certain areas of the Code of Ordinances.

**NOW, THEREFORE, BE IT RESOLVED** that the Stacy City Council hereby authorizes the temporary suspension of the following rules and requirements of the Stacy City Code to provide for certain types of activities in the locations listed, and in conjunction with the Stacy Daze Celebration:

1. For outdoor entertainment purposes at the Stacy Sports Grill, the Stacy Lions Park and The Fort Restaurant and Bar, to allow for outdoor noise until 12:00 a.m. on August 4 and 5, 2023, the Stacy City Council hereby temporarily suspends §90.02 Prohibited Acts, Exception subd. G which reads: To operate or play any musical instrument, radio, television, record or tape player, loudspeaker or other sound amplifying equipment in such a manner that the sound emanating therefrom is audible beyond the immediate vicinity of the device and interferes with the use of the park or recreation area by others, or disturbs the residents of adjacent properties. In addition, the Stacy City Council temporarily suspends §95.05 subd. S (1) and (2) Prohibited Noises in the Stacy City Code which reads: (1) Any person participating in any party or other gathering that causes the unreasonable disturbing of the peace, quiet, or repose, which participation is primarily audible by another person at a distance of 50 feet or more from the source, and (2) Any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of any person, or precludes such person's enjoyment of property, or affects such person's property value, and which noise is audible at a distance of 50 feet or more from its source. Additionally, the Stacy City Council temporarily suspends §95.05 subd. S (7) which reads: (7) The use or operation, or permitting the use or operation, of any radio receiving set, television set, musical instrument, music device, paging system, machine or other device for producing or reproducing sound in a distinctly and loudly audible manner as so to disturb the peace, quiet and comfort of any person nearby, which sound is audible at a distance of 50 feet or more from the

sound. Additionally, the Stacy City Council hereby temporarily suspends §95.05 subd. S (11) which reads: (11) *Radios, music devices, paging systems, and the like*. The operation of any device referred to in (S)(7) between the hours of 10:00 p.m. and 7:00 a.m. in a manner so as to be plainly audible at the property line of the structure or building in which it is located, or at a distance of 50 feet or more from the source if it is located outside a structure or building, shall be prima facie evidence of a violation of this section.

Passed and adopted by the City Council of the City of Stacy, Minnesota this 11th day of July 2023.

---

Mark Utecht  
Mayor

ATTEST:

---

Angie Comstock  
Deputy City Clerk