



CITY OF DEL REY OAKS

Staff Report

DATE: September 27, 2022

TO: Honorable Mayor and Members of City Council

FROM: Jeffrey J. Hoyne, Chief of Police/Assistant City Manager

SUBJECT:

Receive information regarding possible revision of Municipal Code 8.20.010 Loud noises.

CEQA:

This action does not constitute a “project” as defined by the California Environmental Quality Act (CEQA) guidelines section 15378 as it is an administrative activity of the City that will not result in direct or indirect physical changes in the environment.

Recommendation

Receive information regarding possible revision of Municipal Code 8.20.010 Loud noises and direct staff to research and present options in revising the ordinance to address quality of life concerns regarding excessive noise in the City.

Summary & Discussion

The City receives numerous excessive noise complaints each year. Many are related to noise disturbances in the City’s park both during and after hours. While the current ordinance addresses almost all the issues related to complaints received, in some cases it restricts the Police Department’s ability to enforce the law and resolve complaints satisfactorily. Additionally, the noise ordinance conflicts with the City’s Park Rules which can cause conflict and confusion in the enforcement of the ordinance. Staff believes that amending Del Rey Oaks’ ordinance and/or its park rules will help improve the quality of life in our neighborhoods.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends that City Council receive information regarding the “loud noises” ordinance and park rules and advise if further research and action is desired.

Fiscal Impacts

There are no fiscal impacts related to this informational report.

ATTACHMENTS

1. City Ordinance 8.20.010 Loud noises

Respectfully Submitted,

Jeffrey J. Hoyne
Chief of Police/Assistant City Manager

CHAPTER 8.20 - NOISE CONTROL

8.20.010 - Loud noises.

A. General. It is unlawful for any person to knowingly make, continue or cause to be made or continued, any excessive, unnecessary or unusually loud noise. The term "excessive, unnecessary or unusually loud noise" means a noise disturbance which, because of its volume level, duration or character, annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of any individual within the limits of the city.

B. Public Nuisance Declared. The following specific acts are declared to be public nuisances:

1. Using or operating out of doors, for any purpose, any loudspeaker system, amplification device including a boom box, radio, amplifier, phonograph, stereo, compact disc or tape player, musical instrument or other device for the producing or reproducing of sound, between the hours of 10:00 p.m. and 7:00 a.m.; or at any time when such loudspeaker or amplification or similar device described herein is operated in such a manner, whether indoors or outdoors, that it can be heard at a place two hundred (200) feet distant, or such that the sound therefrom creates a noise disturbance across a residential or commercial property;
2. Excessive, unnecessary or unusually loud yelling, shouting, talking, whistling or singing out of doors between the hours of 10:00 p.m. and 7:00 a.m. on any day;
3. Excessive, unnecessary or unusually loud operation or use of hammers, hand powered saws, or similar implements; impact wrenches or similar equipment powered by compressed air; tools or pieces of equipment powered by an internal combustion engine such as, but not limited to, chain saws, blowers and lawn mowers; electrically powered tools or equipment such as, but not limited to, saws, drills, latches or routers before 7:00 a.m. or after 7:00 p.m. daily.

C. Exemptions. Excessive, unnecessary or unusually loud noise as used in this chapter does not include noise or sound generated by the following:

1. Cries for emergency assistance and warning calls;
2. Radios, sirens, horns and bells on police, fire and other emergency response vehicles;
3. Special events for which a permit has been obtained from the city are exempted; provided, there is compliance with all conditions which have been noted in writing on the permit. Excessive, unnecessary or unusually loud noise produced as a result of noncompliance with any condition specified on the permit is not exempt from the requirements of this chapter;
4. Activities on or in publicly owned property and facilities, or by public employees or their

franchisees, while in the authorized discharge of their responsibilities, are exempt; provided, that such activities have been authorized by the owner of such property or facilities or its agent or by the employing authority;

5. Religious worship activities, including, but not limited to,, bells, organs, singing and preaching.

(Ord. 227 § 1, 1993; prior code § 7-103)