

Davis Municipal Code

[Up](#)[Previous](#)[Next](#)[Main](#)[Collapse](#)[Search](#)[Print](#)[No Frames](#)**Chapter 24 NOISE REGULATIONS**

Article 24.01 GENERAL PROVISIONS

24.01.010 Declaration of policy.

It is declared to be the policy of the city, in the exercise of its police power, to prohibit unnecessary, excessive and annoying sound levels from all sources. In accordance with this policy, Davis is designated a quiet city. At certain levels, sounds are detrimental to the health and welfare of the citizenry and, in the public interest, shall be systematically proscribed. It is the purpose of this chapter to prescribe standards for and to provide an effective and readily available remedy for violations of this chapter. The provisions of this chapter and the remedies contained herein shall be cumulative and are not intended to replace any otherwise available remedies for public, private or mixed nuisance, nor any other civil or criminal remedies otherwise available. (Ord. 1700 § 1; Ord. 1955, 1998; Ord. 2221, 2005)

24.01.020 Definitions.

As used in this chapter, unless the context otherwise clearly indicates, the words and phrases used in this chapter are defined as follows:

City manager means the city manager for the City of Davis, California, or his or her representative or designee.

Director of public works means public works director for the City of Davis, California, or his or her representative or designee.

Emergency means efforts necessary to preserve or restore property to a safe condition following a public calamity, or to protect persons or property from an imminent exposure to danger, or work by private or public utilities when restoring utility services.

Holiday means any day established as such by federal, state or local government.

Landscape maintenance equipment means any equipment or device used, designed or operated to maintain landscaped areas, including edger's, hedgers, lawn mowers, powered blowers, weed eaters/string trimmers, chain saws for landscape and tree maintenance, and similar devices.

Noise means unwanted sound.

Noise level means the maximum continuous sound level or repetitive peak level produced by a sound source or group of sources as measured with a Type S2A or better sound level meter using the "A" switch weighing scale and the meter response function set to "SLOW."

Person means a person, firm, association, co-partnership, joint venture, corporation, or entity, public or private in nature, including any city, county, district or other public agency.

Police chief means the chief of police for the City of Davis, California, or his or her representative or designee.

Powered blower means any equipment or device used, designed or operated to vacuum or produce a current of air to push, propel or blow cuttings leaves, refuse, or debris.

Power tools means any motorized piece of equipment or device, such as air gun, air compressor, chain saw, chipper, circular saw, drill, stump grinder, or similar.

Precision sound meter means a device for measuring sound level in decibel units within the performance specifications in the American National Standards Institute Standards S1.4, Specification of Sound Level Meters.

Property plane means a vertical plane including the property line which determines the property boundaries in space. When the term "property line" is used in this chapter, it refers to the property plane. For implementation of noise regulations, the property plane used for conducting noise measures is the property plane of the noise source.

School means the Davis Joint Unified School District and any other public or private school licensed as a school by the State of California.

Sound amplifying equipment means any machine or device for the acoustical or electronic amplification of the

human voice, music or any other sound, or by which the human voice, music or any other sound is amplified. Sound amplifying equipment, as used in this chapter, shall not include vehicle radios, CDs and/or tape players when used and heard only by the occupants of the vehicles in which the vehicle radio, CD, and/or tape players installed. Sound amplifying equipment, as used in this chapter, shall not include warning devices on authorized emergency vehicles or horns or other warning devices on any vehicle used for traffic safety purposes.

Sound level expressed in decibels (dB), means a logarithmic indication of the ratio between the acoustic energy present at a given location and the lowest amount of acoustic energy audible to sensitive human ears and weighted by frequency to account for characteristics of human hearing, as given in the American National Standards Institute Standard S1.1, Acoustic Terminology, Paragraph 2.9, or successor references. All references to dB in this chapter utilize the A-level weighing scale, abbreviated dBA, measured as set forth in this section.

Sound truck means any motor vehicle, or any other vehicle regardless of motor power, whether in motion or stationary, having mounted thereon, or attached thereto, any sound amplifying equipment with the intent to amplify sound outside the vehicle.

Type S2A or better sound level meter means a device for measuring sound level in decibel units within the performance specifications in the American National Standards Institute S1.4, Specification for Sound Level Meters. (Ord. 1700 § 1; Ord. 1854 § 1; Ord. 1955, 1998; Ord. 2221, 2005)

24.01.030 Violations—Infractions—Miscellaneous.

(a) Any person violating or permitting violation of any of the provisions of this chapter is guilty of an infraction for each of the first two violations within a period of one year, and upon conviction thereof, shall be punished by a fine not to exceed the fine prescribed in accordance with the provisions of Section 36900 (b) of the California [Government Code](#), or successor legislation. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. Any repetition or continuation of any violation, reasonably capable of immediate correction after receipt of written or verbal notice shall constitute a separate offense and shall be punished as such.

(b) Any person violating or permitting violation of any of the provisions of this chapter for the third time within a one-year period is guilty of a misdemeanor, and shall be punished by a fine or, by imprisonment in the county jail, or by both such fine and imprisonment not to exceed the maximum fine and/or imprisonment established in Section 36901 of the California [Government Code](#), or successor legislation.

(c) Upon the third confirmed violation of this chapter within a twenty-four hour period of time beginning on the first notice of violation issued, the police department may take action as necessary to abate the noise violation, including, but not limited to, instructing the host to “close the party,” physically arresting the host or taking the amplifying equipment as evidence. (Ord. 1700 § 1; Ord. 1854 § 2; Ord. 1955, 1998; Ord. 2221, 2005)

24.01.040 Violations—Additional remedies—Injunctions.

As an additional remedy, the violation of any provision of this chapter shall be deemed and is declared to be a public nuisance and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction. (Ord. 1700 § 1; Ord. 1854 § 3; Ord. 1955, 1998; Ord. 2221, 2005)

Article 24.02 GENERAL RESTRICTIONS

24.02.010 Animals and fowl.

(a) No person shall keep or maintain in any residential neighborhood, or permit the keeping of, upon any premises owned, occupied or controlled by such person, any animal or fowl otherwise permitted to be kept which, by any sound, cry or behavior shall cause annoyance or discomfort. The vocalization of a dog, or comparable sounds by other animals or fowl, for more than three out of five minutes, on a sustained basis during a ten minute measurement period, in excess of the allowable decibel limit, between the hours of 9:00 p.m. and 7:00 a.m. the following day, or

for more than five out of ten minutes, on a sustained basis during a fifteen minute measurement period, in excess of the allowable decibel limit, between the hours of 7:00 a.m. and 9:00 p.m., or for fifteen minutes of sustained vocalizations, which sounds are audible within the property plane on property other than that owned, occupied, or controlled by such person, or inside any dwelling unit on the same property, but not owned, occupied or controlled by such person, shall constitute a prima facie violation of the provisions of this section.

(b) If the owner, or person in custody of the animal or fowl that violates this section is not available, the written notice of violation and/or the citation may be given to someone else at the residence, or posted in a conspicuous location on the premises. (Ord. 1700 § 1; Ord. 1854 § 4; Ord. 1955, 1998; Ord. 2221, 2005)

24.02.020 Noise limits.

(a) No person shall produce, suffer or allow to be produced on any public or private property, sounds at a level in excess of those enumerated in Table 1, when measured at its property plane or, if on any street or highway measured at the property plane of the nearest property.

(b) No person shall produce, suffer or allow to be produced on any multifamily residential property, sounds at a level in excess of those enumerated in Table 1, when measured inside any dwelling unit on the same property or twenty feet from the outside of the dwelling unit in which the noise source or sources may be located.

(c) Notwithstanding any other provision of this section, no person shall produce, suffer or allow to be produced any sound on any private or public property, which is audible to a person within any dwelling unit of a residential planned development or residentially zoned property, except within any dwelling unit which the sound source or sources are located to which is occupied or controlled by the person controlling such source; unless the permission, either written or verbal, of the occupants of all affected dwelling units has been obtained.

During the hours of 9:00 a.m. through 10:00 p.m., Sunday through Thursday, and 9:00 a.m. and 12:30 a.m. the following day, Friday and Saturday, such permission shall be presumed to be granted by occupants of all affected dwelling units; provided that any affected person may withdraw such consent at any time. Such withdrawal of consent may be accomplished by either verbal or written request to the person causing, or allowing, such sound to be made, or by making such request to the city police department who shall then notify the person causing, or allowing, such sound to be made.

The provisions of this subsection shall not apply to any sound generated upon a common use portion of any multiple-family dwelling between the hours of 9:00 a.m. through 10:00 p.m., Sunday through Thursday, and 9:00 a.m. through 12:30 a.m. the following day, Friday and Saturday, except to the extent that such sound is audible within any dwelling unit not located upon the same property.

Table No. 1

Land Use	Time Period	Maximum Noise Level (dBA)
Residential	9 p.m.—7 a.m.	50
	7 a.m.—9 p.m.	55
Commercial/industrial/core commercial	10 p.m.—7 a.m.	55
	7 a.m.—10 p.m.	60
High noise traffic corridor	Anytime	65

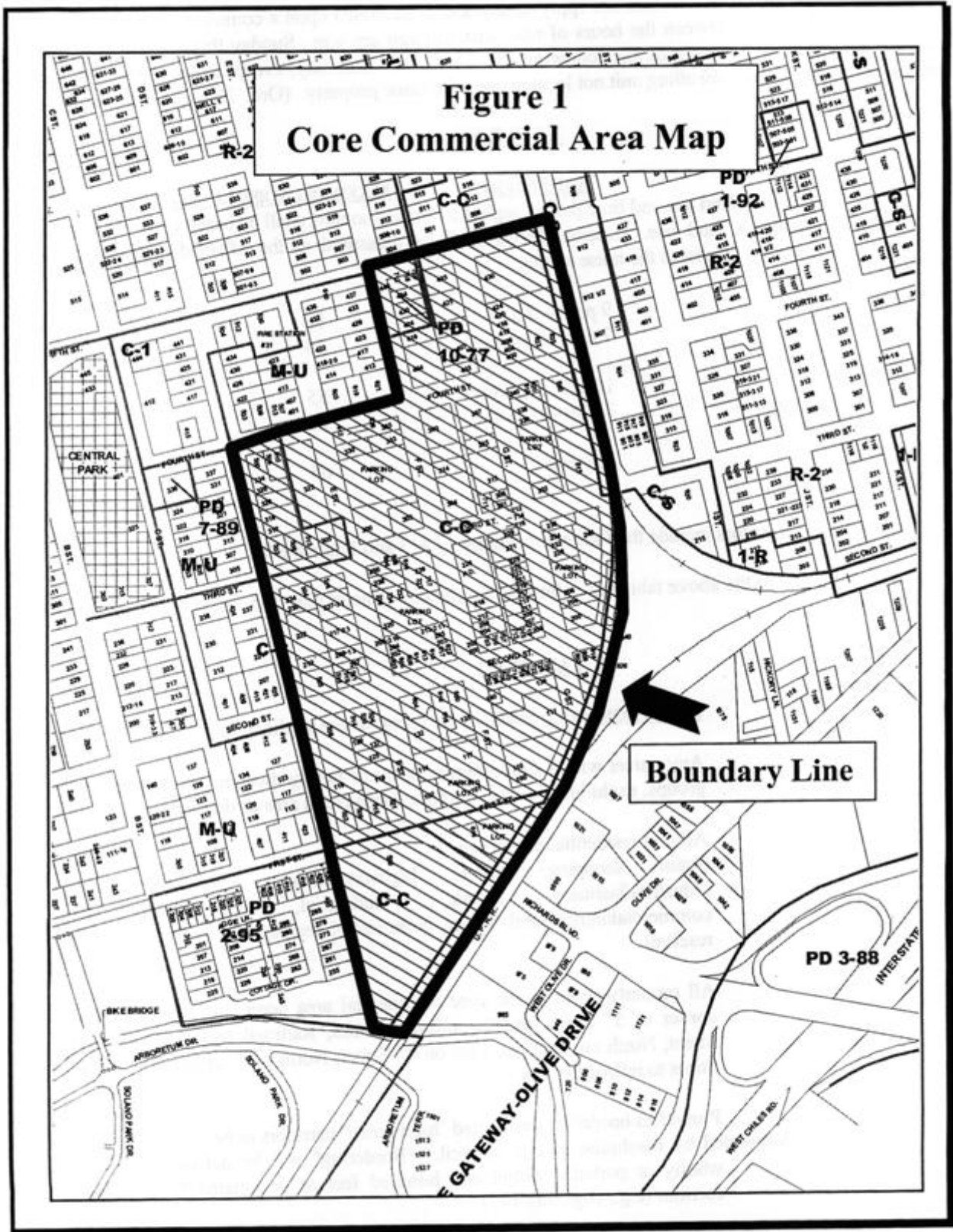
Determination of which land use and time period applies to a noise source, shall be based upon the affected (complainant’s) property’s land use. Decibel levels shall be measured at the affected (complainant’s) property plane at the point closest to the noise source.

The high noise traffic corridors include the following: Highway 113 and Interstate 80.

The land uses as shown in the above table are defined using the city general plan and Table No. 2, as shown below:

Table No. 2

Noise Zone	Definition (using general plan terms where applicable)
Residential	Any parcel with a single-family or multifamily dwelling, including living groups, excluding those in the core commercial area as defined below
Commercial/industrial	All nonresidential properties (retail shopping, office, highway/service commercial, light industrial/business park, industrial, public/semipublic, commercial/ agricultural buffer, commercial recreation, agriculture, urban reserve)
Core commercial	All property types in the core commercial area beginning at southwest corner of 5th Street and the railroad tracks; railroad tracks south to D Street, north on D Street, east on 4th Street, north on F Street, east on 5th Street to railroad tracks
High noise traffic corridor	Properties bordering designated “high noise” corridors to be designated by resolution of city council. “Bordering” will be defined as falling wholly or partially within one hundred feet of designated “high noise” corridor (e.g., Highway 113)



(Ord. 1700 § 1; Ord. 1854 § 5; Ord. 1955, 1998; Ord. 2017, 2000; Ord. 2221, 2005)

24.02.030 Maximum noise limit.

No person shall produce, suffer or allow to be produced in any location a noise level of more than twenty dBA above the limit, but not greater than eighty dBA, on Table No. 1 measured at the property plane. This section constitutes an absolute noise limitation applicable notwithstanding any other provision of this chapter, or any exception, exemption or waiver provided therefrom, except that the provisions of this section shall not apply to those activities referred to in Section [24.02.040\(a\)](#) through (d) or to emergencies. (Ord. 1700 § 1; Ord. 1854 § 6; Ord. 1955, 1998; Ord. 2221, 2005)

24.02.040 Special provisions.

(a) **Power tools.** The operation of power tools for noncommercial purposes shall be exempt from the provisions of Sections [24.02.020](#)(a), (b), (c) and [24.02.030](#), between the hours of 8:00 a.m. and 8:00 p.m.; provided, that such operations shall be subject to the provisions of Section [24.05.010](#). For purposes of this section, a noncommercial use shall be a use for which a business license is not required pursuant to Chapter 19.

(b) **Construction and landscape maintenance equipment.** Notwithstanding any other provision of this chapter, between the hours of 7:00 a.m. and 7:00 p.m. on Mondays through Fridays, and between the hours of 8:00 a.m. and 8:00 p.m. on Saturdays and Sundays, construction, alteration, repair or maintenance activities which are authorized by valid city permit or business license, or carried out by employees of contractors of the city shall be allowed if they meet at least one of the following noise limitations:

(1) No individual piece of equipment shall produce a noise level exceeding eighty-three dBA at a distance of twenty-five feet. If the device is housed within a structure on the property, the measurement shall be made outside the structure at a distance as close to twenty feet from the equipment as possible.

(2) The noise level at any point outside of the property plane of the project shall not exceed eighty-six dBA.

(3) The provisions of subdivisions (1) and (2) of this subsection shall not be applicable to impact tools and equipment; provided, that such impact tools and equipment shall have intake and exhaust mufflers recommended by manufacturers thereof and approved by the director of public works as best accomplishing maximum noise attenuation, and that pavement breakers and jackhammers shall also be equipped with acoustically attenuating shields or shrouds recommended by the manufacturers thereof and approved by the director of public works as best accomplishing maximum noise attenuation. In the absence of manufacturer's recommendations, the director of public works may prescribe such means of accomplishing maximum noise attenuation as he or she may determine to be in the public interest.

Construction projects located more than two hundred feet from existing homes may request a special use permit to begin work at 6:00 a.m. on weekdays from June 15th until September 1st. No percussion type tools (such as ramsets or jackhammers) can be used before 7:00 a.m. The permit shall be revoked if any noise complaint is received by the police department.

(4) No individual powered blower shall produce a noise level exceeding seventy dBA measured at a distance of fifty feet.

(5) No powered blower shall be operated within one hundred feet radius of another powered blower simultaneously.

(6) On single-family residential property, the seventy dBA at fifty feet restriction shall not apply if operated for less than ten minutes per occurrence.

(c) **Air conditioners and similar equipment.** Air conditioners, pool pumps and similar equipment are exempt from this chapter, provided they are in good working order.

(d) **Work required for the public health and safety.** Work performed by city, city franchises, persons under contract with the city for repairs or maintenance of roads, water wells, water service lines, trees and landscape, as well as street sweeping, garbage removal, and similar activities are exempt from this chapter.

(e) **Safety devices.** Aural warning devices which are required by law to protect the health, safety and welfare of the community shall be exempt from the provisions of this chapter.

(f) **Emergencies.** Emergencies are exempt from this chapter. (Ord. 1700 § 1; Ord. 1854 §§ 7—10; Ord. 1955, 1998; Ord. 2017, 2000; Ord. 2037, 2000; Ord. 2221, 2005)

Article 24.03 MOTOR VEHICLES

24.03.010 Vehicle repairs.

It is unlawful for any person within any residentially zoned or residentially planned development zoned area of the city to repair, rebuild or test any motor vehicle in such a manner that exceeds the limits set for residential zones in Table No. 1 measured at the property plane. (Ord. 1700 § 1; Ord. 1854 § 11; Ord. 1955, 1998; Ord. 2221, 2005)

Article 24.04 AMPLIFIED SOUND

24.04.010 Purpose.

The council enacts this legislation for the sole purpose of securing and promoting the public health, comfort, safety and welfare for its citizenry. While recognizing that the use of sound amplifying equipment may be entitled to certain protection by the constitutional rights of freedom of speech and assembly, the city council finds that in order to protect the public safety and the correlative rights of the citizens of this community to privacy and freedom from public nuisance of loud and unnecessary noise, reasonable regulation of the time, place and manner of the use of amplifying equipment is necessary. In no event shall approval or authorization required herein be withheld by reason of the constitutionally protected content of any material proposed to be broadcast through amplifying equipment. (Ord. 1700 § 1 ; Ord. 1854 § 13; Ord. 1955, 1998; Ord. 2221, 2005)

24.04.020 Registration—Required.

It is unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use or operate within the city a loudspeaker or sound amplifying equipment in a fixed or movable position or mounted upon any sound truck for the purposes of giving instructions, directions, talks, addresses, lectures or transmitting music, to any persons or assemblages of persons in or upon any street, alley, sidewalk, park, place, or other outdoor public property without first filing a registration statement and obtaining approval thereof as set forth in this article. The provisions of this section shall also apply to the use of sound amplifying equipment upon public or private property when used in connection with outdoor or indoor public or private events, whether or not admission is charged or food or beverages are sold, when such activity is to be attended by more than one hundred persons and the noise emanating from the event will be audible at the property plane, or in the case of a street dance or concert on the nearest residential property. Outdoor sponsored athletic events and graduations held on school property and indoor events held in any assembly hall, school building, or other private or public building with an occupancy rate of more than one hundred people are exempt from the requirements of this section. (Ord. 1700 § 1; Ord. 1955, 1998; Ord. 2221, 2005)

24.04.030 Registration—Optional.

Any person desiring to utilize sound amplifying equipment, and not otherwise required to file a registration statement pursuant to Section [24.04.040](#), may make such application and shall be subject to the provisions of this article. (Ord. 1700 § 1; Ord. 1955, 1998; Ord. 2221, 2005)

24.04.040 Registration—Application and issuance.

- (a) **Issuing authority.** The issuing authority shall be the police chief.
- (b) **Approving authority.** The approving authority shall be the police chief.
- (c) **Application.** Every user of sound amplifying equipment subject to the provisions of this article shall file a registration statement with the police chief at least sixteen days and no more than one hundred twenty days prior to the date on which the sound amplifying equipment is intended to be used. Applications for events covered by the first amendment of the United States Constitution are exempt from the time requirements of this section if it can be shown that circumstances required a shorter filing period and that the event will not constitute an unsafe condition. The statement shall contain the following information:
 - (1) The name, address and telephone number of both the owner and the user of the sound amplifying equipment;
 - (2) The license number, if a sound truck is to be used;

- (3) A general description of the sound amplifying equipment which is to be used;
 - (4) Whether sound amplifying equipment will be used for commercial or noncommercial purpose;
 - (5) The dates and times upon and within which and the streets or property over or upon which the equipment is proposed to be operated;
 - (6) The name or names of one or more persons who will be present during the conduct of any activities for which registration is sought and who will have authority to reduce the volume of any sound amplifying equipment during the course of the activities if required pursuant to this chapter and, otherwise, to insure compliance with the provisions of this chapter;
 - (7) A statement by the applicant that he or she is willing and able to comply with the provisions of this chapter and the conditions of the registration statement;
 - (8) A sketch of the area or facilities within which the activities are to be conducted, with approximate dimensions and illustration of the location and orientation of all sound amplifying equipment.
- (d) **Processing application.** The police chief shall approve the registration statement and return it to the applicant unless the chief finds:
- (1) The conditions of any motor vehicle movement are such that, in his or her opinion, the use of the equipment would constitute an unreasonable interference with traffic safety; or
 - (2) The conditions of pedestrian movement are such that the use of the equipment would constitute a detriment to traffic safety; or
 - (3) The registration statement submitted by the applicant reveals that the applicant would violate the provisions of this article; or
 - (4) The applicant is unwilling or unable to comply with the provisions of this chapter or any conditions imposed upon any registration statement issued; or
 - (5) There had already been a permitted event at the intended location, or within a two hundred-yard radius of the intended location and the prior permitted event was located on residentially zoned property or on a street, alley, public parking lot or neighborhood park within three months prior to the intended event. Community parks are exempt from this subsection (5); or
 - (6) The applicant or location has had previous violations within the past calendar year, and in the judgment of the police chief, issuance would be contrary to the intent of Section 24.04.010.
- (e) **Determination.** In determining whether the use of the equipment would constitute an unreasonable interference with or detriment to traffic safety, the police chief shall consider, but shall not necessarily be limited to:
- (1) The volumes, patterns and speed of vehicular and pedestrian traffic in the proposed area of use;
 - (2) The relationship of the proposed use of equipment and potential impacts upon traffic patterns;
 - (3) Availability of sufficient room for the operation of the equipment without significantly interfering with the traffic patterns;
 - (4) Proximity to schools, playgrounds and similar facilities where use of such equipment might attract children into traffic patterns;
 - (5) Proximity to busy intersections or other potentially hazardous conditions where use of such equipment might constitute a hazard by reason of its tendency to distract drivers of vehicles or pedestrians.
- (f) **Issuance or denial.**
- (1) If the registration statement is approved, the police chief shall return an approved copy of the registration statement to the applicant which shall constitute permission for the use of the sound amplifying equipment as requested.
 - (2) If the registration statement is disapproved, the police chief shall return a disapproved copy forthwith to the applicant with a written statement on the reason for disapproval.
 - (3) Any registration statement filed shall be either approved or disapproved within five days of the filing thereof. (Ord. 1700 § 1; Ord. 1854 §§ 14—16; Ord. 1955, 1998; Ord. 2221, 2005)

24.04.050 Appeals.

- (a) Any person affected or aggrieved by approval or disapproval of a registration statement may appeal by filing a written notice with the city clerk within five days of notification of approval or disapproval of the application, or within five days of notification of approval to neighbors as provided in Section [24.04.070\(c\)\(2\)](#), whichever is later. It is assumed that persons residing within two hundred yards of the event will be affected.
- (b) The appeal shall be heard by the city manager not later than seven calendar days after the date of filing an appeal.
- (c) The city manager's determination of the appeal shall be based solely on the grounds set forth in Section [24.04.040\(d\)](#). The city manager shall make his or her determination to uphold or deny the appeal within three business days of the date of the hearing on the appeal. The decision of the city manager shall be final.
- (d) No registration statement approved shall be valid while an appeal is pending.
- (e) The time periods set forth in this section may be extended by mutual consent of the city and the applicant. (Ord. 1700 § 1 ; Ord. 1854 § 17; Ord. 1955, 1998; Ord. 2221, 2005)

24.04.060 Fees and expiration.

Prior to the application for issuance of a registration statement, a fee consistent with the city's master fee schedule shall be paid to the city. The dates and times for which activity is authorized shall be shown on the face of the registration statement. In the event use is authorized during certain periods of time, without specification of fixed time, the time limits within which the registration statement is effective shall be shown on the face of the registration statement, as well as the expiration date. Registration statements may be renewed in the same manner as initial application are made. (Ord. 1700 § 1; Ord. 1854 § 18; Ord. 1955, 1998; Ord. 2221, 2005)

24.04.070 Regulations—Registration statements.

- (a) Upon approval of a registration statement pursuant to Section [24.04.040](#), any activity conducted on public or private property pursuant to such registration statement and in connection with an outdoor or indoor public or private concert, dance, party, or any similar event, shall be exempt from the provisions of Section [24.02.020](#), but shall remain subject to the provisions of Section [24.02.030](#) and, furthermore, shall be subject to the standards set forth in subsection (c) of this section.
- (b) Upon approval of a registration statement for any activity conducted within a dwelling unit located within a multiple-family structure, including condominiums, such activity shall be exempt from the provisions of Section [24.02.020\(c\)](#), but shall remain subject to all other provisions of this chapter including the provisions of subsection (c) of this section.
- (c) Any activity for which a registration statement is approved pursuant to this article shall be subject to the following conditions:
 - (1) The exemptions provided in subsections (a) and (b) of this section shall remain in effect until 12:00 midnight in residential zones and 12:30 a.m. in other zones, on Saturday, and Sunday mornings and any night preceding a holiday, or until ten p.m. on any other night. After that time the exemptions shall expire and any and all activities conducted shall be subject to all otherwise applicable provisions of this chapter.
 - (2) The applicant shall provide written notice of the event to the residents within two hundred yards of the property plane of the property on which the activity is to be held and in multiple dwellings, to all residences located on the same parcel at least fourteen days prior to the date of the event. The notice shall include the date of distribution of the notification, the name of the permit holder, the address and the telephone number of the host property, the date and hours during which the event is permitted to take place, and the statement "approval of the permit for this proposed event may be appealed to the Davis police department within five days of the receipt of this notice."
 - (3) Speakers for sound amplification equipment shall be directed, to the extent feasible, toward open or unoccupied space and away from residentially occupied property.
 - (4) Approval of a registration statement may be conditioned upon such other terms as may be necessary to

insure compliance with the provisions of this chapter.

- (d) Sound amplifying equipment shall not be utilized for more than four total hours within any twenty-four-hour period.
- (e) The only sounds permitted on the sound amplification system shall be either music or human speech, or both. (Ord. 1700 § 1; Ord. 1854 §§ 19—21; Ord. 1955, 1998; Ord. 2221, 2005)

Article 24.05 GENERAL NOISE REGULATIONS

24.05.010 General prohibition.

- (a) Notwithstanding any other provisions of this chapter, and in addition thereto, it is unlawful for any person to willfully make or continue, or cause to be made or continued, any noise which unreasonably disturbs the peace and quiet of any neighborhood.
- (b) For purposes of this article a complaint of unreasonable noise is deemed a prima facie violation if there is one complaint, and independent corroboration by a police department employee of the unreasonable nature of the noise, based on the criteria in subsection (c) of this section, or three distinct complaints from two affected premises affected by the same sound source, with the exception of events covered under Section [24.04.070\(a\)](#).
- (c) The factors below shall be considered when determining whether a violation of the provisions of this section exists shall include, but shall not be limited to the following:
 - (1) Loudness (intensity) of the sound;
 - (2) Pitch (frequency) of the sound, e.g. very low bass or high screech;
 - (3) Duration of the sound;
 - (4) Time of day;
 - (5) Necessity of noise, e.g., garbage collecting;
 - (6) Background noise. (Ord. 1700 § 1 ; Ord. 1854 § 22; Ord. 1858 § 1; Ord. 1955, 1998; Ord. 2221, 2005)

Article 24.06 VARIANCES AND EXCEPTIONS

24.06.010 Exception permits.

If the applicant can show to the city manager that a diligent investigation of available noise abatement techniques indicates that immediate compliance with the requirements of this chapter would be technologically impractical or unreasonable, a permit to allow exceptions from the provisions contained in all or a portion of this chapter may be issued, with appropriate conditions to minimize the public detriment caused by such exceptions. Any such permit shall be as short duration as possible, and shall be conditioned by a schedule for compliance and details of methods therefore in appropriate cases. Any person aggrieved with the decision of the city manager may appeal to the city council by filing a written notice of appeal with the city clerk within ten days of the decision of the city manager. (Ord. 1700 § 1; Ord. 1854 § 23; Ord. 1955, 1998; Ord. 2221, 2005)

Article 24.07 REGULATIONS NOT EXCLUSIVE

24.07.010 Interrelationship of provisions.

It is the purpose of this chapter to provide maximum noise level limitations for otherwise lawful activities. Nothing contained in this chapter shall be deemed to authorize any otherwise prohibited activity nor to supersede otherwise existing noise limitations. In the event of a conflict between the standards contained in this chapter and any other

provisions of law, the more restrictive shall govern. (Ord. 1700 § 1; Ord. 1955, 1998; Ord. 2221, 2005)

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