

## Antioch, CA Code of Ordinances

**CHAPTER 17: DISTURBING THE PEACE**

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## Section

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**§ 5-17.01 DISTURBING THE PEACE PROHIBITED.**

No person shall disturb the peace, quiet, and comfort of the community or any neighborhood therein by creating therein any unreasonably loud or disturbing or unnecessary noises.

('66 Code, § 5-17.01) (Ord. 583-C-S, passed 7-10-84) Penalty, see §§ 1-2.01 et seq.

**§ 5-17.02 DISTURBING NOISES DESIGNATED.**

(A) The following noises, among others, are declared to be disturbing to the peace, quiet, and comfort of that portion of the community or neighborhood wherein they are created and in violation of § 5-17.01 of this chapter.

(B) Such enumeration shall not be deemed or construed as in any degree exclusive, but merely illustrative, it being the intent and purpose of this chapter to include and prohibit all noises of the kind described in said § 5-17.01:

(1) The sounding of any horn, signal, or noise device on any automobile, motorcycle, bus, truck, or other vehicle in any other manner or for any other purpose than required by the California Vehicle Code or other laws of the state, and the exhaust system of all such vehicles shall be so equipped or constructed as to prevent any unreasonably loud, disturbing, or unnecessary noise;

(2) Racing the engine of any motor vehicle (while such vehicle is not in motion), except when necessary to do so in the course of repairing, adjusting, or testing such vehicle;

(3) The playing or operating of any radio, stereo, cassette deck, phonograph, orchestra, or other musical device or instrument in a loud or disturbing manner, whether from a vehicle or otherwise; and

(4) Prolonging or continuing a necessary noise beyond the period necessitating it.

('66 Code, § 5-17.02) (Ord. 583-C-S, passed 7-10-84)

### § 5-17.03 LOUDSPEAKERS AND SOUND AMPLIFIERS.

No person shall operate any loudspeaker or sound amplifier or device in such a manner as to cause any sound to be projected outside of any building or vehicle in any part of the city, except during public events or in the dissemination of matters of interest to the general public, and then only upon a permit from the Chief of Police.

('66 Code, § 5-17.03) (Ord. 583-C-S, passed 7-10-84) Penalty, see §§ 1-2.01 et seq.

### § 5-17.04 HEAVY CONSTRUCTION EQUIPMENT NOISE.

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**HEAVY CONSTRUCTION EQUIPMENT.** Equipment used in grading and earth moving, including diesel engine equipped machines used for that purpose, except pickup trucks of one ton or less.

**OPERATE.** Includes the starting, warming-up, and idling of heavy construction equipment engines or motors.

(B) It shall be unlawful for any person to operate heavy construction equipment during the hours specified below:

- (1) On weekdays prior to 7:00 a.m. and after 6:00 p.m.
- (2) On weekdays within 300 feet of occupied dwelling space, prior to 8:00 a.m. and after 5:00 p.m.
- (3) On weekends and holidays, prior to 9:00 a.m. and after 5:00 p.m., irrespective of the distance from the occupied dwelling.

### § 5-17.05 CONSTRUCTION ACTIVITY NOISE.

(A) As used in this section, **CONSTRUCTION ACTIVITY** means the process or manner of constructing, building, refurbishing, remodeling or demolishing a structure, delivering supplies thereto and includes, but is not limited to, hammering, sawing, drilling, and other construction activities when the noise or sound therefrom can be heard beyond the perimeter of the parcel where such work is being performed. The term **CONSTRUCTION ACTIVITY** also includes the testing of any audible device such as a burglar or fire alarm or loudspeaker. **CONSTRUCTION ACTIVITY** does not include floor covering installation or painting when done with non-powered equipment.

(B) It shall be unlawful for any person to be involved in construction activity during the hours specified below:

- (1) On weekdays prior to 7:00 a.m. and after 6:00 p.m.
- (2) On weekdays within 300 feet of occupied dwellings, prior to 8:00 a.m. and after 5:00 p.m.
- (3) On weekends and holidays, prior to 9:00 a.m. and after 5:00 p.m., irrespective of the distance from the occupied dwellings.

(C) In addition to the penalties provided by this code, authorized employees may issue "Stop Work Orders" when a violation of this section or § 5-17.04 has occurred. If such a Stop Work Order is issued, it shall not be released until the holder of the building permit provides assurance that future violations will not occur.

**§ 5-17.06 WAIVER TO ESTABLISHED CONSTRUCTION HOURS.**

The City Council delegates to the City Manager or designee the authority to grant a waiver of the restrictions in §§ 5-17.04 and 5-17.05 for a specific project for a specific period of time.

(Ord. 2032-C-S, passed 7-28-09)