

Monterey Park Municipal Code[Up](#) [Previous](#) [Next](#) [Main](#) [Collapse](#) [Search](#) [Print](#) [No Frames](#)[Title 9 PEACE, SAFETY AND MORALS](#)**Chapter 9.53 NOISE**

Note

* Prior ordinance history: Ord. 1329.

9.53.010 Declaration of policy.

To control unnecessary, excessive and annoying noise and vibration, it is the policy of the city to prohibit such noise and vibration generated from or by all sources as specified in this chapter. It shall be the policy of the city to maintain quiet in those areas that exhibit low noise levels and to implement programs aimed at reducing noise in those areas within the city where noise levels are above acceptable values. It is determined that certain noise levels and vibration are detrimental to the public health, welfare and safety, and are contrary to public interest. Creating, maintaining, causing or allowing to be created, caused or maintained, any noise or vibration in a manner prohibited by or not in conformity with the provisions of this chapter is declared to be a public nuisance and shall be punishable as such. (Ord. 1519 § 1, 1980)

9.53.020 Definitions.

With the intent of carrying out the purpose of this chapter, the words, phrases and terms included in this section shall be deemed to have the meaning ascribed to them.

“A weighted sound level” means the sound level in decibels as measured on a sound level meter using the “A” weighting network. The level so read is designated dB(A) or dBA.

“Ambient noise level” means the composite of noise from all sources near and far excluding intrusive noise.

“Construction” means any site preparation, assembly, erection, substantial repair, alteration or similar action.

“Decibel” means a unit for measuring the amplitude of a sound equal to twenty times the logarithm to the base ten of the ratio of the pressure of the sound measured to the referenced pressure, which is twenty micropascals.

“Demolition” means any dismantling, intentional destruction or removal of structures, utilities, public or private, right-of-way surfaces or similar property.

“Emergency work” means any work performed for the purpose of preventing or alleviating physical trauma or property damage threatened or caused by an emergency.

“Fixed noise source” means a stationary device, which creates sounds while fixed or motionless, including, but not limited to, residential, commercial and industrial machinery, equipment, pumps, fans, compressors, air conditioners and refrigeration equipment.

“Impulsive sound” means a sound of high intensity, short duration, usually less than one second, with an abrupt onset and rapid decay.

“Intrusive noise” means that alleged offensive noise which intrudes over and above the existing ambient noise on the property where the noise is received.

“Real property boundary” means an imaginary line along the ground surface and its vertical extension, which separates the real property owned by one person from that owned by another person.

“Sound level meter” means an instrument, including a microphone, an amplifier, an output meter, and frequency weighing networks for the moment of sound levels, which meets or exceeds the requirements pertinent for Type S2A meters in American National Standards Institute Specifications for sound level meters, S14-1971, or the most recent revision thereof. (Ord. 1519 § 1, 1980)

9.53.030 Noise level measurements.

Utilizing the “A” weighing scale of the sound level meter and the “slow” meter response (“fast” response for impulsive-type sounds), the noise level shall be measured at the street or any point on the property where the noise is received. In general, the microphone shall be located four feet above the ground and five feet from the nearest structure or wall. In those cases where another elevation is deemed appropriate, it shall be utilized. (Ord. 1519 § 1, 1980)

9.53.040 Noise standards.

No person shall, at any location within the city, create nor allow the creation of noise on any property which causes the noise level to exceed the applicable noise standards except as set forth in this section.

(1) The noise standards shall be the actual measured median ambient noise level or the following presumed ambient noise level, whichever is greater:

Noise Zone	Time	Allowable Noise Level— dBA
I. Residential	7 a.m.—10 p.m.	55
	10 p.m.—7 a.m.	50
II. Commercial	7 a.m.—10 p.m.	65
	10 p.m.—7 a.m.	55
III. Industrial	Anytime	70

(2) If the intruding noise source is continuous and cannot be reasonably discontinued for sufficient time in which the ambient noise level can be determined, the above presumed ambient noise levels shall be used.

(3) If the property where the noise is received is located on the boundary between two different noise zones, the lower noise level standard applicable to the quieter zone shall apply. (Ord. 1519 § 1, 1980)

9.53.050 Permitted increases in noise levels.

Increases in noise levels prescribed in Section 9.53.040 are permitted in accordance with the following:

Permitted Increase dBA	Duration of Increase Permitted (in minutes/per hour)
5	15
10	5
15	1
20	less than one minute

(Ord. 1519 § 1, 1980)

9.53.060 Impulsive sound.

Noise standards set in this chapter shall be increased by five dBA for any noise source which emits an impulsive sound. (Ord. 1519 § 1, 1980)

9.53.070 Exemptions.

The following activities shall be exempt from the provisions of this chapter:

- (1) The emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work.
- (2) Activities of the federal or local jurisdiction while performing governmental duties.
- (3) Activities conducted on public playgrounds and public or private school grounds, including, but not limited to, school athletic and school entertainment events.
- (4) The handling of boxes, crates, containers, garbage cans or other similar objects between the hours of seven a.m. and seven p.m.
- (5) The operation of any mechanically powered saw, sander, drill, grinder, lawn or garden tool or similar tool between the hours of seven a.m. and seven p.m. on weekdays and the hours of nine a.m. and six p.m. on Saturdays, Sundays and holidays.
- (6) Construction or demolition work conducted between the hours of seven a.m. and seven p.m. on weekdays and the hours of nine a.m. and six p.m. on Saturdays, Sundays and holidays.
- (7) Any activity to the extent regulation thereof has been preempted by state or federal law. (Ord. 1842 §§ 1, 2, 1992; Ord. 1519 § 1, 1980)

View the [mobile version](#).