

**Glendale Municipal Code**[Up](#)[Previous](#)[Next](#)[Main](#)[Collapse](#)[Search](#)[Print](#)[No Frames](#)[Title 8 HEALTH AND SAFETY](#)**Chapter 8.36 NOISE CONTROL**

---

**Article I. General Provisions**

---

**8.36.010 Purpose.**

---

It is declared to be the policy of the city to prohibit unnecessary, excessive and annoying noise from all sources. At certain levels, noises are detrimental to the health and welfare of the citizenry and in the public interest must be systematically proscribed. (Ord. 4973 § 1, 1991: prior code § 11-50)

**8.36.020 Definitions.**

---

For the purposes of this chapter, the following words and phrases shall have the meanings ascribed to them unless otherwise noted:

“A-band level” means the total sound level of all noise as measured with a sound-level meter using the A-weighting network. The unit is the dbA.

“Acoustic calibrator” means an instrument which measures the accuracy of a sound-level meter.

“Ambient noise” means the composite of noise from all sources near and far in a given environment, exclusive of occasional and transient intrusion noise sources and of the particular noise source or sources to be measured.

“Accelerometer” means an instrument for measuring vibration.

“Amplified sound” means any sound created by the use of sound-amplifying equipment.

“Commercial purpose” means the use, operation or maintenance of any sound-amplifying equipment for the purpose of advertising any business, goods or services, or for the purpose of attracting the attention to, advertising for or soliciting patronage or customers to or for any performance, show, entertainment, exhibition or event, or for the purpose of demonstrating such sound equipment.

“Construction” means any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action, for or of public or private rights-of-way structures, utilities or similar property and includes the transportation or delivery of any materials, tools or equipment to or from the site of any construction project or the loading or unloading or use of such materials, tools or equipment.

“Decibel (db)” means a unit of level which denotes the ratio between two quantities that are proportional to the power; the number of decibels corresponding to the ratio of two amounts of power ten times the logarithm to the base 10 of this ratio.

“Emergency machinery or vehicle” means any inanimate device used to protect, provide or restore safe conditions in the community or for the citizenry.

“Emergency work” means work made necessary to restore property to a safe condition following a public calamity, work required to protect persons or property from exposure to danger, or work by private or public utilities when restoring utility services.

“Equivalent sound level (Leq)” means the A-weighted sound level corresponding to a steady state sound level containing the same total sound energy as the time varying signal over a given period of time. The equivalent sound level shall be determined using an integrating sound level meter as set forth in American National Standards for Sound Level Meters SI.4-1971.

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

“Grading” means any excavating, filling of earth material or any combination thereof conducted at a site to

prepare such site for construction or other improvements thereon.

“Health care institution” means any hospital, convalescent home or other similar facility which provides health care medical treatment, room, board or other services for health, recovery or convalescence.

“Impulsive sound” means any sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drum beats, drop forge impacts, firecrackers, discharge of firearms and one object striking another.

“Mobile noise source” means any noise source other than a fixed noise source.

“Motor vehicle” means and includes any and all self-propelled vehicles as defined in the California [Vehicle Code](#), including all on-highway type motor vehicles, subject to registration under such code, and all off-highway type motor vehicles subject to identification under such code.

“Nighttime” means the hours from and after ten p.m. until seven a.m. of the following day.

“Noise” means any sound which exceeds the appropriate actual or presumed ambient noise level or which annoys or tends to disturb humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

“Noise disturbance” means any sound which:

1. Endangers or injures the safety or health of human beings or animals; or
2. Annoys or disturbs reasonable persons of normal sensitivities; or
3. Endangers or injures personal or real property; or
4. Violates the provision of this chapter.

“Noncommercial purpose” means the use, operation or maintenance of any sound equipment for other than “commercial purpose.” “Noncommercial purpose” means and includes, but shall not be limited to, philanthropic, political, patriotic and charitable purposes.

“Powered model vehicle” means any self-propelled, airborne, waterborne or landborne plane, vessel or vehicle, which is not designed to carry persons, including but not limited to, any model airplane, boat, car or rocket.

“Public right-of-way” means any street, avenue, boulevard, highway, sidewalk or alley or similar place which is owned or controlled by a governmental entity.

“Public space” means the real property or structures thereon which are owned or controlled by a governmental entity.

“Pure tone” means any sound which can be judged as audible as a single pitch or a set of single pitches by any person. Examples of a pure tone are whines, screeches or hums.

“Single event” means any sound which is continuous for a period lasting between an impulse sound and five minutes.

“Sound-amplifying equipment” means any machine or device for the amplification of the human voice, music or any other sound.

“Sound level” means the sound measured with the A-weighting and slow responses by a sound level meter, except for impulsive or rapidly varying sound for when the fast response shall be used.

“Sound level meter” means an instrument including a microphone, an amplifier, an output meter, and frequency weighing networks for the measurements of noise and sound levels in a specified manner.

“Sound truck” means any motor vehicle, or other vehicle regardless of mode of power, whether in motion or stationary, having mounted thereon or attached thereto, any sound-amplifying equipment.

“Supplementary definitions of technical terms” means those definitions of technical terms not defined in this section which shall be obtained from the American Standard Acoustical Terminology which is currently in effect at the time of the taking of the noise measurement. Such document is incorporated in this section by reference.

“Vibration perception threshold” means the minimal ground or structure borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to,

sensation by touch or visual observation of moving objects. The perception shall be presumed to be a motion velocity of 0.01 in./sec. over the range of one to one hundred Hz.

“Voice sound” means any sound emitted from the vocal cords or speaking mechanisms of any animate object. (Ord. 4973 § 2, 1991: prior code § 11-51)

### **8.36.030 Decibel measurement criteria.**

---

A. Any sound level measurement made pursuant to the provisions of this chapter shall be measured with a sound level meter using the A-weighting.

B. Exterior noise measurements shall be taken where possible, at any location on the property line and, except when impractical, the microphone shall be located four to five feet above the ground and ten or more feet from the nearest reflective surface. However, in those cases where another elevation is determined appropriate, the latter shall be utilized.

C. Interior sound level measurements shall be made at a point at least four feet from the wall, ceiling or floor nearest the noise source within the affected dwelling unit.

D. Ambient noise shall be averaged over a period of at least five minutes at a location and time of day comparable to that during which the measurement is taken of the particular noise source being measured.

E. In order to obtain the ambient level, the intrusive noise source which is being tested to determine whether a violation exists shall be eliminated either by bringing to a cessation such noise source or moving to a similar location which does not have the offending noise source and obtaining the ambient noise of that location.

F. The ambient noise level shall be the numerical average of noise measurements taken at a given location during at least a five-minute period of time.

G. Calibration of the sound level meter, utilizing an acoustic calibrator, shall be performed immediately prior to recording any sound level data.

H. Measurements shall be made in decibels using the A-weighted scale with slow response, following the manufacturer’s instructions, except the fast response shall be used for impulsive sounds or rapidly varying sounds.

I. Except as provided in subsection J of this section, measurement of the particular noise being measured shall be done for a five-minute period of time. The sound level shall be the equivalent sound level (Leq) measured.

J. The measurement of any “single event” as defined in Section [8.36.020](#), shall be taken during the entire single event.

K. In the event the alleged offensive noise contains a pure tone, an impulsive sound or a rapidly varying sound, the standard set forth in Section [8.36.040](#) shall be reduced by five dbA.

L. Vibrations shall be measured by an accelerometer at the point of maximum perceived vibration. (Ord. 4973 § 3, 1991: prior code § 11-52)

### **8.36.040 Presumed noise standards.**

---

A. The following exterior noise standards, unless otherwise specifically indicated, shall apply to all property within a designated zone:

<b>Zone</b>	<b>Decibels</b>	<b>Time</b>
Cemetery and residential (single family and duplex)	45 dbA	Nighttime
Cemetery and residential (single family and duplex)	55 dbA	Daytime
Residential (multifamily, hotels, motels and transient lodgings)	60 dbA	Anytime
Central business district and commercial	65 dbA	Anytime

Industrial

70 dbA Anytime

B. The following interior noise standards, unless otherwise specially indicated, shall apply to all residential property within a designated zone:

Zone	Decibels	Time
Residential	45 dbA	Nighttime
Residential	55 dbA	All other times

C. In any overlay zones, the underlying zone shall determine the presumed ambient noise level. (Ord. 4973 § 4, 1991: prior code § 11-53)

#### **8.36.050 Minimum and maximum ambient noise levels.**

---

A. Where the actual ambient is less than the presumed ambient, the actual ambient shall control and any noise in excess of the actual ambient, plus five dbA, shall be a violation.

B. Where the actual ambient is equal to or more than the presumed ambient, the actual ambient shall control and any noise may not exceed the actual ambient by more than five dbA; however, in no event may the actual ambient exceed the presumed noise standards by five dbA.

C. At the boundary line between two zones, the arithmetic average of the presumed ambient noise levels shall be used. (Ord. 4973 § 5, 1991: prior code § 11-54)

#### **8.36.060 Violations.**

---

It is unlawful for any person to operate any machinery, equipment, pump, fan, voice, air-conditioning apparatus or similar mechanical device in any manner or to allow or cause sounds, so as to create any noise or vibration which would cause the noise level as specified above to be exceeded unless a variance, exemption or some other exception allows for a greater noise. (Ord. 4973 § 6, 1991: prior code § 11-55)

#### **8.36.070 Animals.**

---

It is unlawful for any person to keep, maintain or permit the keeping, 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 to a reasonable person of normal sensitiveness in any residential neighborhood. (Ord. 4973 § 7, 1991: prior code § 11-56)

#### **8.36.080 Construction on buildings, structures and projects.**

---

It is unlawful for any person within a residential zone, or within a radius of five hundred feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures or projects within the city between the hours of seven p.m. on one day and seven a.m. of the next day or from seven p.m. on Saturday to seven a.m. on Monday or from seven p.m. preceding a holiday, as designated in Chapter [3.08](#) of this code, to seven a.m. following such holiday unless beforehand a permit therefor has been duly obtained from the building official. No permit shall be required to perform emergency work as defined in this chapter. (Ord. 4973 § 8, 1991: prior code § 11-57)

#### **8.36.090 Exhaust pipe required.**

---

No person having charge or control of any engine in which gas, gasoline, distillate or other similar substance is used as a motive power, shall run or operate such engine, or cause the same to be run or

operated, without having the exhaust pipe thereof connected with an underground air chamber or having attached to such exhaust pipe a muffler or other device so constructed as to deaden the sound of the exhaust of such engine and effectually prevent such exhaust from making any loud noise or disturbing the peace and quiet of persons in its vicinity. This section shall apply to the engine of a motor vehicle if its exhaust equipment is not regulated by state law. (Ord. 4973 § 9, 1991: prior code § 11-58)

### **8.36.100 Loading and unloading.**

---

It is unlawful for any person to load, unload, open, close or otherwise handle boxes, crates, containers, building materials, garbage cans or similar objects during nighttime in such a manner as to cause a noise disturbance, discomfort or annoyance to a reasonably sensitive person or which interferes with the comfort, peace, quiet, repose or endangers the health of inhabitants of the area. (Ord. 4973 § 10, 1991: prior code § 11-59)

### **8.36.110 Loud or unusual noises.**

---

It is unlawful for any person to wilfully make, continue or cause to be made or continued any loud, unnecessary or unusual noise which disturbs the comfort, peace, quiet or repose or endangers the health of inhabitants of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The standard which shall be considered in determining whether a violation of this section exists shall include, but shall not be limited to, the following:

- A. The volume of the noise;
- B. The intensity of the noise;
- C. Whether the nature of the noise is usual or unusual;
- D. Whether the origin of the noise is natural or unnatural;
- E. The volume of the noise to residential sleeping facilities;
- F. The nature and zoning of the area within which the noise emanates;
- G. The density of the inhabitation of the area within which the noise emanates;
- H. The time of day or night the noise occurs;
- I. The duration of the noise;
- J. Whether the noise is recurrent, intermittent, or constant; and
- K. Whether the noise is produced by a commercial or noncommercial activity. (Ord. 4973 § 11, 1991: prior code § 11-60)

### **8.36.120 Motor-driven vehicles.**

---

It is unlawful for any person to operate any motor-driven vehicle within the city in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance; or which interferes with the comfort, repose, peace or which endangers the health of inhabitants of the area; provided, however, that any such vehicle which is operated upon any public highway, street or right-of-way shall be excluded from regulation under this section. (Ord. 4973 § 12, 1991: prior code § 11-61)

### **8.36.130 Powered model vehicles.**

---

It is unlawful to operate or permit the operation of powered model vehicles so as to create a noise disturbance across a residential real property boundary during nighttime in such a manner as to cause a noise disturbance, discomfort or annoyance to a reasonably sensitive person or which interferes with the comfort, peace, quiet, repose or which endangers the health of inhabitants of the area. (Ord. 4973 § 13, 1991: prior code § 11-62)

---

**8.36.140 Proposed development project.**

---

If at any time the director of community development or the building official has reason to believe that a new development project, addition, modification or any other changes thereto may not conform with the permitted noise level standards, the director of community development or the building official may require as a condition of approval an acoustic analysis as part of the building permit process or other approval procedures. (Ord. 5803 § 16, 2013; Ord. 4973 § 14, 1991: prior code § 11-63)

---

**8.36.150 Public entertainment.**

---

Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which reproduces or produces or amplifies sound in any place of public entertainment at a sound level greater than ninety-five dbA at a place of business normally occupied by customers shall be a violation unless a conspicuous and legible sign is located outside such place or near each public entrance, stating, "WARNING: SOUND LEVEL MAY CAUSE HEARING IMPAIRMENT." (Ord. 4973 § 15, 1991: prior code § 11-64)

---

**8.36.160 Radios, television sets and similar devices.**

---

It is unlawful for any person within any residential zone of the city to use or operate any radio receiving set, musical instrument, phonograph, television set or other machine or device for the producing or reproducing of sound during nighttime in such a manner as to disturb the comfort, peace, quiet or repose or endanger the health of neighboring residents or of any reasonable person of normal sensitiveness residing in the area. (Ord. 4973 § 16, 1991: prior code § 11-65)

---

**8.36.170 Schools, health care institutions and churches.**

---

It is unlawful for any person to create any noise on any street, sidewalk or public space or public right-of-way adjacent to any school, library, health care institution or church while the same are in use, which unreasonably interferes with the workings of such institution, or which disturbs the peace, quiet, repose or health of the inhabitants, provided conspicuous signs are displayed in such street, sidewalk, public space or public right-of-way, indicating that the same is an area upon which a school, library, health care institution or church is located. (Ord. 4973 § 17, 1991: prior code § 11-66)

---

**8.36.180 Service or maintenance vehicles.**

---

It is unlawful for service or maintenance vehicles of a nonemergency nature to be operated in residential areas during nighttime. (Ord. 4973 § 18, 1991: prior code § 11-67)

---

**8.36.190 Street sales.**

---

Offering for sale, selling anything, or advertising by shouting or outcry within a residential or commercial zone or central business district of the city in a manner to disturb a reasonably sensitive person or which interferes with the comfort, peace, quiet, repose or endangers the health of inhabitants of the area shall constitute a violation. The provisions of this section shall not be construed to prohibit the selling by outcry of merchandise, food and beverages at licensed sporting events, parades, fairs, circuses or other similar licensed public entertainment events. (Ord. 4973 § 19, 1991: prior code § 11-68)

---

**8.36.200 Vehicle repair in residential areas.**

---

It is unlawful for any person within the city to repair, rebuild or modify or test any motor vehicle during nighttime within any residential area in such a manner that a reasonable person of normal sensitiveness residing in that area is caused discomfort or annoyance or which endangers the comfort, repose, peace or

health of residents of the area. (Ord. 4973 § 20, 1991: prior code § 11-69)

---

### **8.36.210 Vibration.**

Operating or permitting the operation of any device that creates a vibration which is above the vibration perception threshold of an individual at or beyond the property boundary of the source if on private property or at one hundred fifty feet from the source if on a public space or public right-of-way shall be a violation. (Ord. 4973 § 21, 1991: prior code § 11-70)

---

### **8.36.220 Yelling and shouting.**

It is unlawful for any person to yell, shout, cause loud or raucous yelling, shouting, whistling or singing which causes discomfort or annoyance to persons of reasonable sensitivity; or which interferes with the comfort, peace, quiet or repose or which endangers the health of inhabitants of the area. (Ord. 4973 § 22, 1991: prior code § 11-71)

---

## **Article II. Amplified Sound**

---

### **8.36.230 Purpose.**

The council enacts this article 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 is protected by the constitutional rights of freedom of speech and assembly, the council nevertheless feels obligated to reasonably regulate the use of sound-amplifying equipment in order to protect the constitutional rights of the citizens of this community to privacy and freedom from public nuisance of loud and unnecessary noise. (Ord. 4973 § 23, 1991: prior code § 11-72)

---

### **8.36.240 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, public space, public right-of-way or public property without first filing a registration statement and obtaining approval thereof as provided in this chapter. (Ord. 4973 § 24, 1991: prior code § 11-73)

---

### **8.36.250 Requirements and duties.**

A. Filing of Registration Statement. Every user of sound-amplifying equipment shall file a registration statement with the city clerk five days prior to the date which the sound-amplifying equipment is intended to be used and which shall contain the following information:

1. Name and address of both the owner and user of the sound-amplifying equipment;
2. The maximum sound-producing power of the sound-amplifying equipment to be used which shall include the wattage to be used; the volume in decibels of sound which will be produced, and the approximate distance for which sound will be audible from the sound-amplifying equipment;
3. License and motor number if a sound truck is to be used;
4. A general description of the sound-amplifying equipment which is to be used;
5. Whether commercial or noncommercial use.

B. Approval of Registration Statement. The city clerk shall return to the applicant an approved certified copy of the registration statement unless it is found that one of the following conditions exists:

1. Conditions of motor vehicle movement are such that, in the opinion of the police chief, sound-

amplifying equipment for commercial purposes would constitute a detriment to traffic safety;

2. Conditions of pedestrian movement are such that, in the opinion of the police chief, sound-amplifying equipment for commercial purposes would constitute a detriment to traffic safety;

3. There has been a failure to comply with the "Warning" requirements set forth in Section [8.36.150](#) where the noise level exceeds 95 dbA;

4. The application required in this chapter reveals that the applicant would violate the regulations prescribed in this article or any other provisions of this code.

C. In the event that the city clerk does not approve the registration statement, the city clerk shall endorse upon the application the reasons for disapproval and return it forthwith to applicant. (Ord. 4973 § 25, 1991: prior code § 11-74)

### **8.36.260 Appeals.**

---

The provisions of Chapter [2.88](#) relating to appeals shall be applicable. (Ord. 4973 § 26, 1991: prior code § 11-75)

### **8.36.270 Fees.**

---

Prior to the issuance of the registration statement, as provided above, a fee to be established or modified by resolution shall be paid to the city for the operation of a loudspeaker or sound-amplifying equipment for commercial purposes. No fee shall be required for the operation of a loudspeaker or sound-amplifying equipment for noncommercial purposes. (Ord. 4973 § 27, 1991: prior code § 11-75.1)

### **8.36.280 Regulations.**

---

Commercial and noncommercial use of sound-amplifying equipment shall be subject to the following regulations:

A. The only sound permitted shall be either music or human speech or both.

B. The operation of sound-amplifying equipment shall only occur between the hours of seven a.m. and ten p.m. each day except on Sundays and legal holidays. No operation of sound-amplifying equipment for commercial purposes shall be permitted on Sundays or legal holidays. The operation of sound-amplifying equipment for noncommercial purposes on Sundays and legal holidays shall only occur between the hours of seven a.m. and ten p.m.

C. No sound emanating from sound-amplifying equipment shall exceed fifteen dbA above the actual or presumed ambient, as measured at any property line.

D. Notwithstanding subsection C of this section, sound-amplifying equipment shall not be operated within two hundred feet of churches, schools, hospitals, libraries or city or county buildings.

E. In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing or a nuisance to reasonable persons of normal sensitiveness within the area of audibility, or interfere with comfort, peace, quiet, repose or endanger the health of inhabitants of the area. (Ord. 4973 § 28, 1991: prior code § 11-75.2)

### **8.36.290 Exemptions.**

---

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

A. 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 works is exempt for as long a period of time as is necessary to constitute adequate alerting of persons to the existence of the emergency or the emergency work;

B. Warning devices for the protection of public safety, as for example, police, fire, ambulance, train

horns, automobile horns, vehicle alarm devices are exempt as long as they are used for the purpose of warning for the protection of public safety;

C. Activities conducted on public parks or playgrounds and public or private school grounds including but not limited to school athletic and school entertainment events or outdoor activities such as public dances, shows, sporting events, and entertainment events provided such events are conducted pursuant to a permit issued by the city where otherwise required;

D. Public health and safety activities conducted by public utilities, transportation, flood control and utility company maintenance and construction operations any time on public right-of-way and these situations which may occur on private real property deemed necessary to serve the best interest of the public and to protect the public's health and well-being, including but not limited to, police, fire, street sweeping, debris and limb removal, removal of downed wires, restoring electrical service, repairing traffic signals, unplugging sewers, house moving, vacuuming catchbasins, removal of damaged poles and vehicles, repair of water hydrants and main gas lines, oil lines and sewers;

E. Any mechanical device, apparatus or equipment used, related to, or connected with emergency machinery or vehicle work;

F. All mechanical devices, apparatus or equipment which are utilized for the protection or salvage of agricultural crops during the periods of potential or actual frost damage or other adverse weather conditions or other crop sources;

G. Noise sources associated with maintenance of real property, provided such activities take place between eight a.m. (8 A.M.) and five p.m. (5 P.M.);

H. Testing of emergency signal devices, or testing of a station's emergency signaling device shall not occur before seven a.m. (7 A.M.) or after seven p.m. (7 P.M.). Any such testing shall use only the minimum cycle test time. In no case shall such test time exceed sixty (60) seconds;

I. Testing of the complete emergency signaling system, including the functioning of the signaling device, and the personnel response to the signaling device, shall not occur more than once in each calendar month. Such testing shall not occur before seven a.m. (7 A.M.) or after ten p.m. (10 P.M.). The time limits specified in subsection H of this section shall not apply to such complete system testing;

J. Any activity to the extent that regulation thereof has been preempted by state or federal law;

K. Any activity, operation or noise which cannot feasibly be brought into compliance with this chapter because it is technically infeasible to do so. The burden of proving that compliance is technically infeasible shall be upon the person or persons charged with a violation of this section. Technical infeasibility shall mean that such noise limitations cannot be complied with despite the use of mufflers, shields, sound barriers and/or any other noise reduction device or techniques during the operation of the equipment. (Ord. 4973 § 29, 1991: prior code § 11-75.3)

### **8.36.300 Violation—Injunction.**

---

As an additional remedy to misdemeanor prosecution as provided in this chapter, the operation or maintenance of any device, instrument, vehicle or machine in violation of any provision of this chapter and which causes discomfort or annoyance to reasonable persons of normal sensitiveness or which interferes with the comfort, peace, quiet, repose or endangers the health of residents in the area 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. 4973 § 30, 1991: prior code § 11-75.4)

### **8.36.310 Variance.**

---

A. Unless otherwise specified in this chapter, the variance procedure set forth in Title 30 of this code may be used by any person who desires to obtain a variance from these noise regulations. In addition to the grounds for granting a variance set forth in Title 30 of this code, a variance may be granted if it is not technically feasible for the activity, operation or noise to be brought into compliance with the requirements of this chapter, and no other reasonable alternatives are available to the applicant.

B. A separate application shall be filed for each noise source; provided, however, several mobile sources under common ownership, or several fixed sources on a single property may be combined into one (1) application. In addition to the contents of an application required to obtain a variance under Title 30 of this code, the application shall set forth all actions taken to comply, the reasons why compliance cannot be achieved, a proposed method achieving compliance as close as technically possible to the requirements of this chapter, the noise levels if the variance is granted, and a proposed time schedule.

C. A variance shall not exceed three hundred sixty-five (365) days from the date on which it was granted. (Ord. 4973 § 31, 1991: prior code § 11-75.5)

### **8.36.320 Appeals.**

---

Appeals may be made to the board of zoning appeal pursuant to Title 30 of this code and then to the city council pursuant to Chapter [2.88](#) of this code. (Ord. 5437 § 5, 2005: Ord. 4973 § 32, 1991: prior code § 11-75.6)

---

View the [mobile version](#).