

## Chapter 7.34 - NOISE CONTROL

Sections:

## FOOTNOTE(S):

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Prior ordinance history: Ord. 440.

## 7.34.010 - Declaration of policy.

Excessive noise levels are detrimental to the health and safety of individuals. Noise is considered a public nuisance, and the city discourages unnecessary, excessive or annoying noises from all sources. Creating, maintaining, causing, or allowing to be created, caused or maintained, any noise or vibration in a manner prohibited by the provisions of the ordinance codified in this chapter is a public nuisance and shall be punishable as a misdemeanor.

(Ord. 1082 § 2(part), 2000).

## 7.34.020 - Definitions.

- A. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this chapter except when the context clearly indicates a different meaning:
1. "Ambient noise" means the all-encompassing noise associated with a given environment usually being composed of sounds from many sources near and far. For the purpose of this chapter, ambient noise level is the level obtained when the noise level is averaged over a period of five minutes without inclusion of noise from isolated identifiable sources at the location and time of day near that at which a comparison is to be made.
  2. "Decibel (dB)" means an intensity unit which denotes the ratio between two quantities which are proportional to power; the number of decibels corresponding to the ratio is ten times the common logarithm of this ratio.
  3. "Person" means a person, firm, association, co-partnership, joint venture, corporation or any entity, public or private in nature.
  4. "Sound amplifying equipment" means any machine or device for the amplification of the human voice, music or any other sound. "Sound amplifying equipment" shall not include standard vehicle radios when used and heard only by the occupants of the vehicle in which the vehicle radio is installed. "Sound amplifying equipment," as used in this chapter, shall not include warning devices on any vehicle used only for traffic safety purposes and shall not include communications equipment used by public or private utilities when restoring utility service following a public emergency or when doing work required to protect person or property from an imminent exposure to danger.
  5. "Sound level" (noise level) in decibels is the value of a sound measurement using the "A" weighting network of a sound level meter. Slow response of the sound level meter needle shall be used except where the sound is impulsive or rapidly varying in nature, in which case, fast response shall be used.
  6. "Sound level meter" means an instrument, including a microphone, an amplifier, an output meter and frequency weighting networks, for the measurement of sound levels, which satisfies the pertinent requirements in American National Standards Institute's specification S1.4-1971 or the most recent revision for type S-2A general purpose sound level meters.

B.

Supplementary Definitions of Technical Terms. Definitions of technical terms not defined in this section shall be obtained from the American National Standards Institute's Acoustical Terminology S1-1971 or the most recent revision thereof.

(Ord. 1082 § 2(part), 2000).

7.34.030 - Measurement methods.

- A. Sound shall be measured with a sound level meter as defined in Section 7.34.020.
- B. Unless otherwise provided, outdoor measurements shall be taken with the microphone located at any point on the property line of the noise source but no closer than five feet from any wall or vertical obstruction and three to five feet above ground level whenever possible.
- C. Unless otherwise provided, indoor measurements shall be taken inside the structure with the microphone located at any point as follows: (1) no less than three feet above floor level; (2) no less than five feet from any wall or vertical obstruction; and (3) not under common possession and control with the building or portion of the building from which the sound is emanating.

(Ord. 1082 § 2(part), 2000).

7.34.040 - Sound amplification.

No person shall amplify sound using sound amplifying equipment contrary to any of the following:

- A. The only amplified sound permitted shall be either music or the human voice, or both.
- B. The volume of amplified sound shall not exceed the noise levels set forth in this subsection when measured outdoors at or beyond the property line of the property from which the sound emanates.

<u>Time Period</u>	<u>Maximum Noise Level</u>
10:01 p.m.—7:00 a.m.	60 dBA
7:01 a.m.—10:00 p.m.	80 dBA

(Ord. 1082 § 2(part), 2000).

7.34.050 - General prohibition.

- A. It unlawful for any person to willfully make, cause or suffer, or permit to be made or caused, any loud excessive or offensive noises or sounds which unreasonably disturb the peace and quiet of any residential neighborhood or which are physically annoying to persons of ordinary sensitivity or which are so harsh, prolonged or unnatural or unusual in their use, time or place as to occasion physical discomfort to the inhabitants of the city, or any section thereof. The standards for dBA noise level in Section 7.34.040 shall apply to this section. To the extent that the noise created causes the noise level at the property line to exceed the ambient noise level by more than 1.0 decibels, it shall be presumed that the noise being created also is in violation of this section.
- B. The characteristics and conditions which should be considered in determining whether a violation of the provisions of this section exists should include, but not be limited to, the following:
  1. The level of the noise;
  2. Whether the nature of the noise is usual or unusual;
  3. Whether the origin of the noise is natural or unnatural;
  4. The level of the ambient noise;
  5. The proximity of the noise to sleeping facilities;

6. The nature and zoning of the area from which the noise emanates and the area where it is received;
7. The time of day or night the noise occurs;
8. The duration of the noise; and
9. Whether the noise is recurrent, intermittent or constant.

(Ord. 1082 § 2(part), 2000).

#### 7.34.060 - Construction noise.

It is unlawful for any person between the hours of seven p.m. of any day and seven a.m. of the following day, or on a legal holiday, with the exception of Columbus Day and Washington's birthday, or on Sundays to erect, construct, demolish, excavate, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise. Construction activity shall not exceed eighty dBA in residential zones in the city.

(Ord. 1082 § 2(part), 2000).

#### 7.34.070 - Refuse vehicles and parking lot sweepers.

No person shall operate or permit to be operated a refuse compacting, processing or collection vehicle or parking lot sweeper between the hours of seven p.m. to seven a.m. in any residential area unless a permit has been applied for and granted by the city of Perris.

(Ord. 1082 § 2(part), 2000).

#### 7.34.080 - Disturbing, excessive, offensive noises—Declaration of certain acts constituting.

The following activities, among others, are declared to cause loud, disturbing, excessive or offensive noises in violation of this section and are unlawful, namely:

- A. Horns, Signaling Devices, etc. Unnecessary use or operation of horns, signaling devices or other similar devices on automobiles, motorcycles or any other vehicle;
- B. Radios, Television Sets, Phonographs, Loud Speaking Amplifiers and Similar Devices. The use or operation of any sound production or reproduction device, radio receiving set, musical instrument, drums, phonograph, television set, loud speakers, sound amplifier, or other similar machine or device for the producing or reproducing of sound, in such a manner as to disturb the peace, quiet or comfort of any reasonable person of normal sensitivity in any area of the city is prohibited. This provision shall not apply to any participant in a licensed parade or to any person who has been otherwise duly authorized by the city of Perris to engage in such conduct;
- C. Animals.
  1. The keeping or maintenance, or the permitting to be kept or maintained, upon any premises owned, occupied or controlled by any person of any animal or animals which by any frequent or long-continued noise shall cause annoyance or discomfort to a reasonable person of normal sensitiveness in the vicinity,
  2. The noise from any such animal or animals that disturbs two or more residents residing in separate residences adjacent to any part of the property on which the subject animal or animals are kept or maintained, or three or more residents residing in separate residences in close proximity to the property on which the subject animal or animals are kept or maintained, shall be prima facie evidence of a violation of this section;
- D. Hospitals, Schools, Libraries, Rest Homes, Long-Term Medical or Mental Care Facilities. To make loud, disturbing, excessive noises adjacent to a hospital, school, library, rest home or long-term medical or mental care facility, which noise unreasonably interferes with the workings of such institutions or which disturbs or unduly annoys occupants in said institutions;
- E.

Playing of Radios on Buses and Trolleys. The operation of any radio, phonograph or tape player on an urban transit bus or trolley so as to emit noise that is audible to any other person in the vehicle is prohibited;

- F. Playing of Radios, Phonographs and Other Sound Production or Reproduction Devices in Public Parks and Public Parking Lots and Streets Adjacent Thereto. The operation of any radio, phonograph, television set or any other sound production or reproduction device in any public park or any public parking lot, or street adjacent to such park or beach, without the prior written approval of the city manager or the administrator, in such a manner that such radio, phonograph, television set or sound production or reproduction device emits a sound level exceeding those found in the table in Section 7.34.040;
- G. Leaf Blowers.
  1. A "leaf blower" means any portable, hand-held or backpack, engine-powered device with a nozzle that creates a directable airstream which is capable of and intended for moving leaves and light materials.
  2. No person shall operate a leaf blower in any residential zoned area between the hours of seven p.m. and eight a.m. on weekdays and five p.m. and nine a.m. on weekends or on legal holidays.
  3. No person may operate any leaf blower at a sound level in excess of eighty decibels measured at a distance of fifty feet or greater from the point of noise origin.
  4. Leaf blowers shall be equipped with functional mufflers and an approved sound limiting device required to ensure that the leaf blower is not capable of generating a sound level exceeding any limit prescribed in this section.

(Ord. 1082 § 2(part), 2000).

7.34.090 - Burglar alarms.

- A. Audible burglar alarms for structures or motor vehicles are prohibited unless the operation of such burglar alarm can be terminated within twenty minutes of being activated.
- B. Notwithstanding the requirements of this provision, any member of the Riverside County sheriff's department, Perris Division, shall have the right to take such steps as may be reasonable and necessary to disconnect any such alarm installed in any building, dwelling or motor vehicle at any time during the period of its activation. On or after thirty days from the effective date of the ordinance codified in this chapter, any building, dwelling or motor vehicle upon which a burglar alarm has been installed shall prominently display the telephone number at which communication may be made with the owner of such building, dwelling or motor vehicle.

(Ord. 1082 § 2(part), 2000).

7.34.100 - Motor vehicles.

- A. Off-Highway.
  1. Except as otherwise provided for in this chapter, it shall be unlawful to operate any motor vehicle of any type on any site, other than on a public street or highway as defined in the California Vehicle Code, in any manner so as to cause noise in excess of those noise levels permitted for on-highway motor vehicles as specified in the table for "forty-five-mile-per-hour or less speed limits" contained in Section 23130 of the California Vehicle Code and as corrected for distances set forth in subsection (A)(2) below.
  2. The maximum noise level as the on-highway vehicle passes may be measured at a distance of other than fifty feet from the center line of travel, provided the measurement is further adjusted by adding algebraically the application correction as follows:

DISTANCE (FEET)	CORRECTION (DECIBELS)
25	-6

28	-5
32	-4
35	-3
40	-2
45	-1
50 (preferred distance)	0
56	+1
63	+2
70	+3
80	+4
90	+5
100	+6

B. Nothing in this section shall apply to authorized emergency vehicles when being used in emergency situations including the blowing of sirens and/or horns.

(Ord. 1082 § 2(part), 2000).