

## CHAPTER 5 NOISE CONTROL ORDINANCE

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### 5500 Adoption of Los Angeles County Noise Control Ordinance.

Except as hereinafter provided, Chapter 12.08 of Title 12 of the Los Angeles County Code, entitled "Noise Control Ordinance of the County of Los Angeles," as amended and in effect on August 1, 1995, is hereby adopted by reference and shall be known as the Noise Control Ordinance of the City of Carson.

A copy of said Chapter 12.08 of Title 12 of the Los Angeles County Code, as amended, is attached and has been deposited with the office of the City Clerk of the City of Carson and shall be at all times maintained by said Clerk for use and examination by the public. (Ord. 95-1068, § 1)

### 5501 Definitions.

Whenever any of the following names or terms are used in said Noise Control Ordinance, each such name or term shall be deemed and construed to have the meaning ascribed to it in this Section as follows:

"Board of Supervisors of the County" shall mean the City Council of the City of Carson.

"County of Los Angeles," "the County," "unincorporated areas of the County," and "unincorporated County" shall, except as provided in Section 12.08.108 as amended, mean the City of Carson.

"County Ordinance 1494, as amended" shall mean Article IX of the Carson Municipal Code. (Ord. 95- 1068, § 1)

### 5502 Amendments to Noise Control Ordinance.

Notwithstanding the provisions of CMC [5500](#), the Noise Control Ordinance is hereby amended as follows:

(a) By amending Section 12.08.180 to read:

12.08.180. "Health officer" means the Director of Public Safety of the City of Carson and shall be deemed to include the Director of the Department Health Services of the County of Los Angeles, or his duly authorized representatives, while performing public health services, including noise level measurements, under contract with the City.

(b) By amending subsection B of Section 12.08.390 to read:

12.08.390B. Unless otherwise herein provided, no person shall operate or cause to be operated, any source of sound at any location within the unincorporated county, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person which causes the noise level, when measured on any other property either incorporated or unincorporated, to exceed any of the following exterior noise standards:

Standard No. 1 shall be the exterior noise level which may not be exceeded for a cumulative period of more than 15 minutes in any 30 minute period. Standard No. 1 shall be the applicable noise level from subsection A of this Section; or, if the ambient L<sub>50</sub> exceeds the foregoing level, then the ambient L<sub>50</sub> becomes the exterior noise level for Standard No. 1.

Standard No. 2 shall be the exterior noise level which may not be exceeded for a cumulative period of more than 7.5 minutes in any 30 minute period. Standard No. 2 shall be the applicable noise level from subsection A of this Section plus 5dB; or, if the ambient L<sub>25</sub> exceeds the foregoing level, then the ambient L<sub>25</sub> becomes the exterior noise level for Standard No. 2.

Standard No. 3 shall be the exterior noise level which may not be exceeded for a cumulative period of more than 2.5 minutes in any 30 minute period. Standard No. 3 shall be the applicable noise level from subsection A of this Section plus 20dB; or, if the ambient L<sub>8.3</sub> exceeds the foregoing level, then the ambient L<sub>8.3</sub> becomes the exterior noise level for Standard No. 3.

Standard No. 4 shall be the exterior noise level which may not be exceeded for a cumulative period of more than 30 seconds in any 30 minute period. Standard No. 4 shall be the applicable noise level from subsection A of this Section plus 15dB; or, if the ambient L<sub>1.7</sub> exceeds the foregoing level, then the ambient L<sub>1.7</sub> becomes the exterior noise level for Standard No. 4.

Standard No. 5 shall be the exterior noise level which may not be exceeded for any period of time. Standard No. 5 shall be the applicable noise level from subsection A of this Section plus 20dB; or, if the ambient L<sub>0</sub> exceeds the foregoing level then the ambient L<sub>0</sub> becomes the exterior noise level for Standard No. 5.

(c) By amending subsection B1 of Section 12.08.440 to read:

12.08.440B1. Noise Restrictions at Affected Structures. The contractor shall conduct construction activities in such a manner that the maximum noise levels at the affected buildings will not exceed those listed in the following schedule:

1. At Residential Structures.

a. Mobile Equipment. Maximum noise levels for Non-scheduled, intermittent, short-term operation of twenty (20) days or less for construction equipment:

a) Maximum noise levels for non-scheduled, intermittent, short-term operations of twenty (20) days or less for construction equipment:

	Single-family Residential	Multi-family Residential
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	75dBA	80dBA
Daily, 8:00 p.m. to 7:00 a.m. and		

all day Sunday and legal holidays	60dBA	64dBA
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b) Maximum noise level for repetitively scheduled and relatively long-term operation of twenty-one (21) days or more for construction equipment:

	Single-family Residential	Multi-family Residential
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	65dBA	70dBA
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays	55dBA	60dBA

(d) By amending Section 12.08.460 to read:

12.08.460. **Loading and Unloading Operations. Loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans or similar objects between the hours of 9:00 p.m. and 7:00 a.m. in such a manner as to cause noise disturbance is prohibited.**

(e) By amending subsection C of Section 12.08.570 to read:

12.08.570C. Outdoor Activities. Nonproprietary activities conducted on public grounds under the direct authority of the public governing body, including, but not limited to (i) athletic events and (ii) entertainment or cultural events with a concurrent attendance not in excess of two thousand five hundred (2,500) persons; and the equivalent of the foregoing nonproprietary activities when conducted on private school grounds under the direct authority of the private school governing body.

(f) By amending subsection M.2 of Section 12.08.570 to read:

12.08.570M.2. Drilling or redrilling or redrilling work which is done in full compliance with Article IX of the Carson Municipal Code, including CMC [9148.2](#).

(g) By adding subsection N to Section 12.08.570 to read:

12.08.570.N. City Construction Activities. All construction activities and operations undertaken by the City.

(h) By amending Section 12.08.580 to read:

12.08.580. Variance procedures.

A. Variance from the requirements of this Chapter may be granted by the Planning Commission

("Commission") for a period not to exceed two (2) years, subject to such terms, conditions and requirements as may be reasonable under the circumstances.

B. Every applicant for a variance shall file with the Director of Community Development ("Director") a written application on a form prescribed by the Director. The application shall state the name and address of the applicant, the nature of the noise source involved, all actions taken to comply with the provisions of this Chapter, the reasons why immediate compliance cannot be achieved, a proposed method for achieving compliance, a proposed time schedule for its accomplishment, and such other information as the Director may require. The application shall be accompanied by a fee in the amount established by resolution of the City Council. Upon receipt of said application and fee, the Director shall refer it with the recommendations thereon within sixty (60) days to the Commission for action thereon in accordance with the provisions of this Chapter.

C. The Commission shall hold a public hearing within forty-five (45) days, if possible, following acceptance of the application. Notice of the hearing shall be given in the manner prescribed by CMC 9172.22C.

D. After the hearing, the Commission shall, by resolution, render its decision to approve or disapprove a variance. A variance from the terms of this Chapter may be granted only if the Commission makes the findings that:

1. Additional time is necessary for the applicant to alter or modify its activity, operation or noise source to comply with this Chapter; or
2. The activity, operation or noise source cannot feasibly be done in a manner that would comply with the provisions of this Chapter, and no reasonable alternative is available to the applicant.

E. In granting a variance, the Commission may prescribe any conditions or requirements as may be deemed reasonably necessary to minimize adverse effects upon the community or the surrounding neighborhood. In this regard, the Commission shall consider the magnitude of nuisance caused by the offensive noise, the uses of property within the area of impingement by the noise, operations carried on under existing nonconforming rights or conditional use permit or zone variances, the time factors related to study, design, financing and construction of remedial work, the economic factors related to age and useful life of the equipment, the general public interest, health and welfare, the feasibility of plans submitted for correction, and the effect on the community if the variance were refused.

F. Notice of the Commission decision shall be given as provided in CMC [9173.32](#).

G. The decision of the Commission shall become effective and final fifteen (15) days after the date of its action unless an appeal is filed in accordance with CMC [9173.4](#).

H. An appeal shall be considered by the Council as provided in CMC [9173.4](#), and the fees therefor shall be as specified in CMC [9173.9](#) thereof.

I. After a variance has been granted, the procedure for modification of the conditions of the variance shall be as set forth in CMC 9172.22G.

J. A variance shall become automatically null and void, unless otherwise provided in this Chapter, or unless extended as provided in subsection K hereof, if any of the following occurs:

1. The variance has not been used within the time specified in the variance or, if the time is not specified, within one hundred eighty (180) days of its effective date;

2. Circumstances which terminate the variance pursuant to any termination provision included as a condition of the variance;
  3. The use has been suspended or has ceased to exist for a period of one (1) year, or has been changed to another use in connection with which the variance is not required, or the deviation from the regulation which was authorized by the variance has ceased to exist for a period of one (1) year;
  4. Upon a change of ordinance provisions so as to automatically permit in all respects that which was permitted by variance.
- K. The procedure for extension of any variance granted hereunder shall be as set forth in CMC 9172.22H.2.
- L. The applicable statute of limitations for court actions or proceedings relating to decisions, proceedings, acts or determinations pursuant to this Chapter shall be as set forth in CMC [9173.5](#).

(i) By deleting therefrom Sections 12.08.590, 12.08.600, 12.08.610, 12.08.620, 12.08.630, 12.08.640, and 12.08.670. (Ord. 95-1068, § 1)

#### 5503 Violation – Penalty.

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Any person violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$1,000 or be imprisoned in the County Jail for a period not exceeding six (6) months or by both such fine and imprisonment. Each day such a violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. (Ord. 95-1068, § 1)

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The Carson Municipal Code is current through Ordinance 15-1549, passed March 4, 2015.

Disclaimer: The City Clerk's Office has the official version of the Carson Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.