

[Title 8 HEALTH AND SAFETY](#)

Chapter 8.40 NOISE

8.40.010 Unnecessary noises prohibited.

A. No person shall make, cause or suffer, or permit to be made, upon any premises owned, occupied or controlled by him, any unnecessary noises or sounds which are physically annoying to persons of ordinary sensitiveness, or which are so harsh or so prolonged or unnatural or unusual in their use, time or place as to occasion physical discomfort to the inhabitants of any neighborhood.

B. When any loud or unruly assemblage occurs or is held, and the city's law enforcement agency is required to respond to the scene in response to citizen complaints, and the senior peace officer at the scene determines that there is a threat to the public peace, health, safety or general welfare, then that senior peace officer shall notify the owner of the property and/or the person in charge of the property where the assemblage exists, and/or the person responsible for said assemblage, that such person or persons, or in the case of a minor, the parents and/or guardians of such minor, shall be held personally liable for the cost of providing additional law enforcement personnel on special security assignment over and above the normal services provided by the law enforcement agency in response to such assemblage. Such person or persons shall be given a first warning, in the form of notification by the senior peace officer that the first police response shall be deemed to be the normal police services provided. Such notice may include a written notice, receipt of which is signed by the owner, responsible person or person in charge. The police personnel necessarily utilized after such first warning to control the threat to the public peace, health, safety or general welfare shall be deemed to be on special security assignment over and above the normal services provided and the owner of the property and/or the person in charge of the property where such assemblage occurs, and/or the person responsible for the cost of such special security assignment in an amount determined upon a cost accounting basis by the city. The cost of such special security assignment shall include damage to city property and/or injuries to city personnel. A fee charged will not be in excess of five hundred dollars for a single incident. The city reserves its legal options to elect any other legal remedies when said costs or damage exceed five hundred dollars.

C. The city council declares that loud or unruly assemblages described in subsection B of this section are a public nuisance. The cost of abating such public nuisance, including police services, may be made a lien upon the property where the nuisance is located, and/or collected as a special assessment against the property at the same time and in the same manner as ordinary municipal taxes are collected. Prior to the recordation of the lien, or the collection of the charge in the manner of a municipal tax, the property owner shall be entitled to a hearing before the city council upon at least ten days prior written notice. Notice shall be given in accordance with Government Code Section 38773.1. (Ord. 873 § 1, 1995; prior code § 4201)

8.40.020 Motor vehicle operation—Restrictions.

A person shall not operate any motor vehicle (including any motorcycle, trail bike, dune buggy, motor scooter, go-cart or jeep), or the motor thereof, on any vacant lot, parking lot, vacant property or acreage so as to disturb the peace or quiet of any neighborhood by noise, dust, smoke or fumes caused by such motor vehicle. (Prior code § 4201.1)

8.40.030 Motor vehicle operation—Exceptions.

The provisions of Section 8.40.020 do not apply to any act prohibited by Section 372 of the Penal Code, or prohibited or expressly permitted by any statute of the state. (Prior code § 4201.2)

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