

CHAPTER XI

NOISE REGULATION

(Added by Ord. No. 144,331, Eff. 3/2/73.)

Article

- 1 General Provisions
- 2 Special Noise Sources
- 3 Sanitary Operations
- 4 Vehicles
- 5 Amplified Sounds
- 6 General Noise

ARTICLE 1

GENERAL PROVISIONS

Section

- 111.0 Declaration of Policy.
- 111.1 Definitions.
- 111.2 Sound Level Measurement Procedure and Criteria.
- 111.3 Minimum Ambient Noise Level.
- 111.4 Violations: Additional Remedies, Injunctions.
- 111.5 Enforcement, Citations.

SEC. 111.00. DECLARATION OF POLICY.

It is hereby declared to be the policy of the City to prohibit unnecessary, excessive and annoying noises from all sources subject to its police power. At certain levels noises are detrimental to the health and welfare of the citizenry and in the public interests shall be systematically proscribed.

SEC. 111.01. DEFINITIONS.

Unless the context otherwise clearly indicates, the words and phrases used in this chapter are defined as follows:

- (a) “**Ambient Noise**” is the composite of noise from all sources near and far in a given environment, exclusive of occasional and transient intrusive noise sources and of the particular noise source or sources to be measured. Ambient noise shall be averaged over a period of at least 15 minutes at a location and time of day comparable to that during which the measurement is taken of the particular noise source being measured. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**
- (b) “**Commercial Purpose**” is 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 of the public 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. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**
- (c) “**Decibel**” (dB) is a unit of level which denotes the ratio between two (2) quantities which are proportional to power; the number of decibels corresponding to the ratio of two (2) amounts of power is ten (10) times the logarithm to the base (10) of this ratio. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**
- (d) “**Emergency Work**” is work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger, or work by private or public utilities when restoring utility service. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**
- (e) “**Impulsive Sound**” is sound of short duration, usually less than one second, with an abrupt onset and rapid decay. By way of example “**impulsive sound**” shall include, but shall not be limited to, explosions, musical base drum beats, or the discharge of firearms. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**
- (f) “**Motor Vehicle**” includes, but shall not be limited to, automobiles, trucks, motorcycles, minibikes and go-carts. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**
- (g) “**Noncommercial Purpose**” is the use, operation, or maintenance

of any sound equipment for other than a “commercial purpose”. “Noncommercial purpose” shall mean and include, but shall not be limited to, philanthropic, political, patriotic, and charitable purposes. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**

(h) **“Octave Band Noise Analyzer”** is an instrument for measurement of sound levels in octave frequency bands which satisfies the pertinent requirements for Class II octave band analyzers of the American National Standard Specifications for Octave, Half-Octave, and Third-Octave Band Filters, S1.11-1966 or the most recent revision thereof. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**

(i) **“Person”** is a person, firm, association, co-partnership, joint venture, corporation, or any entity, private or public in nature. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**

(j) **“Sound Amplifying Equipment”** **(Amended by Ord. No. 156,363, Eff. 3/29/82.)** is any machine or device for the amplification of the human voice, music or any other sound, but shall not include:

1. Automobile radios, stereo players or television receivers when used and heard only by the occupants of the vehicle in which the same is installed.
2. Radio, stereo players, phonographs or television receivers used in any house or apartment within any residential zone or within 500 feet thereof.
3. Warning devices on emergency vehicles.
4. Horns or other warning devices authorized by law on any vehicle when used for traffic purposes.

(k) **“Sound Level”** (Noise level) in decibels (dB) is the sound measured with the “A” weighting and slow responses by a sound level meter; except for impulsive or rapidly varying sounds, the fast response shall be used. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**

(l) **“Sound Level Meter”** is an instrument including a microphone, an amplifier, an output meter, and “A” frequency weighting network for the measurement of sound levels which satisfies the pertinent requirements for Type S2A meters in American Standard Specifications for sound level meters in S1.4-1971 or the most recent revision thereof. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**

(m) **“Sound Truck”** is any motor vehicle, or any other vehicle regardless of motive power, whether in motion or stationary, which carries, is equipped with, or which has mounted thereon, or attached thereto, any sound amplifying equipment. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**

(n) **Supplementary Definitions of Technical Terms.** Definitions of technical terms not defined herein shall be obtained from American Standard Acoustical Terminology S1-1-1971 or the most recent revision thereof. **(Amended by Ord. No. 156,363, Eff. 3/29/82.)**

SEC. 111.02. SOUND LEVEL MEASUREMENT PROCEDURE AND CRITERIA.

(Title amended by Ord. No. 156,363, Eff. 3/29/82.)

(a) (Amended by Ord. No. 156,363, Eff. 3/29/82.) Any sound level measurement made pursuant to the provisions of this chapter shall be measured with a sound level meter using the “A” weighting and response as indicated in Section 111.01(k) of this article.

Except when impractical, the microphone shall be located four to five feet above the ground and ten feet or more from the nearest reflective surface. However, in those cases where another elevation is deemed appropriated, the latter shall be utilized.

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

Calibration of the sound level meter, utilizing an acoustic calibrator shall be performed immediately prior to recording any sound level data. The ambient noise level and the level of a particular noise being measured shall be the numerical average of noise measurements taken at a given location during a given time period.

(b) (Amended by Ord. No. 156,363, Eff. 3/29/82.) Where the sound alleged to be offending is of a type or character set forth below, the following values shall be added to the sound level measurement of the offending noise:

1.

Except for noise emanating from any electrical transformer or gas metering and pressure control equipment existing and installed prior to the effective date of the ordinance enacting this chapter, any steady tone with audible fundamental frequency or overtones have 200 Hz

+5

2. Repeated impulsive noise

+5

3.

Noise occurring more than 5 but less than 15 minutes in any period of 60 consecutive minutes between the hours of 7:00 a.m. and 10:00 p.m. of any day

-5

4. Noise occurring five minutes or less in any period of 60 consecutive minutes, between the hours of 7:00 a.m. and 10:00 p.m. of any day

-5

(Amended by Ord. No. 161,574, Eff. 9/8/86.)

(c) For those cases where an objectionable noise is clearly audible, but where the level of ambient noise does not permit direct quantitative sound level "A" measurements of the objectionable noise, sound measurements may be performed utilizing an octave band sound analyzer to determine sound level "A" limits as indicated in the Table I below. This table is used to convert the sound pressure level meter readings in dB for each band to SPL in dB(A) for each band.

TABLE I
OCTAVE BAND NOISE VALUES CORRESPONDING TO SOUND LEVEL "A" VALUES

Sound Level re .0002 dyne/cm ²					Octave Band Sound Pressure Level, dB				
"A"	31.5	63	125	250	500	1000	2000	4000	8000
35	58	50	42	35	32	29	26	23	20
40	61	54	46	40	37	34	31	28	25
45	64	58	51	45	42	39	36	33	30
50	67	61	55	50	47	44	41	38	35
55	70	64	60	55	52	49	46	43	40
60	73	68	64	60	57	54	51	48	45
65	76	72	68	65	62	59	56	53	50
70	79	76	73	70	67	64	61	58	55
75	84	81	78	75	72	69	66	63	60

(d) For those cases where a sound level measurement has been made pursuant

to the provisions of this chapter and two or more provisions of this chapter apply, the provision establishing the lower or lowest noise level, respectively, shall be used. (Added by Ord. No. 156,363, Eff. 3/29/82.)

SEC. 111.03. MINIMUM AMBIENT NOISE LEVEL.

(Amended by Ord. No. 156,363, Eff. 3/29/82.)

Where the ambient noise level is less than the presumed ambient noise level designated in this section, the presumed ambient noise level in this section shall be deemed to be the minimum ambient noise level for purposes of this chapter.

**TABLE II
SOUND LEVEL "A" DECIBELS**

(In this chart, daytime levels are to be used from 7:00 a.m. to 10:00 p.m. and nighttime levels from 10:00 p.m. to 7:00 a.m.)

ZONE	PRESUMED AMBIENT NOISE LEVEL (dB(A))	
	DAY	NIGHT
A1, A2, RA, RE, RS, RD, RW1, RW2, R1, R2, R3, R4, and R5	50	40
P, PB, CR, C1, C1.5, C2, C4, C5, and CM	60	55
M1, MR1, and MR2	60	55
M2 and M3	65	65

At the boundary line between two zones, the presumed ambient noise level of the quieter zone shall be used.

SEC. 111.04. VIOLATIONS: ADDITIONAL REMEDIES, INJUNCTIONS.

As an additional remedy, the operation or maintenance of any device, instrument, vehicle, or machinery in violation of any provision of this chapter, which operation or maintenance causes discomfort or annoyance to reasonable persons or which endangers the comfort, repose, health, or peace 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 order of competent jurisdiction. (Amended by Ord. No. 156,363, Eff. 3/29/82.)

SEC. 111.05. ENFORCEMENT, CITATIONS.

(Added by Ord. No. 156,363, Eff. 3/29/82.)

(a) The Department of Building and Safety shall have the power and duty to enforce the following noise control provisions of this Code: Section 12.14A-6(h), Section 12.19A-4(b)(1), Section 112.02 and Section 112.04(c). **(Amended by Ord. No. 172,086, Eff. 7/30/98.)**

(b) The Police Department shall have the power and duty to enforce the following noise control provisions of this Code: Section 41.32, Section 41.40, Section 41.42, Section 41.44, Section 41.57, Section 63.51(m), Section 112.01, Section 112.04, Section 112.05, Section 112.06, Section 113.01, Section 114.01 through Section 114.05, inclusive, Section 115.02, and Section 116.01. **(Amended by Ord. No. 161,574, Eff. 9/8/86.)**

(c) Any Building Mechanical Inspector assigned to noise enforcement inspection shall have the power, authority and immunity of a public officer and employee, as set forth in the Penal Code of the State of California, Section 836.5, to make arrests without a warrant whenever such employee has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his presence which is a violation of any provision set forth in Section 111.05(a) of this chapter. The provisions of said Penal Code section regarding issuance of a written promise to appear shall be applicable to arrests authorized herein.

**ARTICLE 2
SPECIAL NOISE SOURCES**

Section

- 112.1 Radios, Television Sets, and Similar Devices.
- 112.2 Air Conditioning, Refrigeration, Heating, Pumping, Filtering Equipment.
- 112.3 Construction Noise.
- 112.4 Powered Equipment Intended for Repetitive Use in Residential Areas and Other Machinery, Equipment, and Devices.
- 112.5 Maximum Noise Level of Powered Equipment or Powered Hand Tools.
- 112.6 Places of Public Entertainment.

SEC. 112.01. RADIOS, TELEVISION SETS, AND SIMILAR DEVICES.

(Amended by Ord. No. 156,363, Eff. 3/29/82.)

(a) It shall be unlawful for any person within any zone of the City to use or operate any radio, musical instrument, phonograph, television receiver, or other machine or device for the producing, reproducing or amplification of the human voice, music, or any other sound, in such a manner, **as to disturb the peace**, quiet, and comfort of neighbor occupants or any reasonable person residing or working in the area.

(b) Any noise level caused by such use or operation which is audible to the human ear at a distance in excess of 150 feet from the property line of the noise source, within any residential zone of the City or within 500 feet thereof, shall be a violation of the provisions of this section.

(c) Any noise level caused by such use or operation which exceeds the ambient noise level on the premises of any other occupied property, or if a condominium, apartment house, duplex, or attached business, within any adjoining unit, by more than five (5) decibels shall be a violation of the provisions of this section.

SEC. 112.02. AIR CONDITIONING, REFRIGERATION, HEATING, PUMPING, FILTERING EQUIPMENT.

(Amended by Ord. No. 156,363, Eff. 3/29/82.)

(a) It shall be unlawful for any person, within any zone of the city to operate any air conditioning, refrigeration or heating equipment for any residence or other structure or to operate any pumping, filtering or heating equipment for any pool or reservoir in such manner as to create any noise which would cause the noise level on the premises of any other occupied property or if a condominium, apartment house, duplex, or attached business, within any adjoining unit, to exceed the ambient noise level by more than five (5) decibels

(b) This section shall not be applicable to emergency work as defined in Section 111.01(c) of this chapter, or to periodic maintenance or testing of such equipment reasonably necessary to maintain such equipment in good working order.

SEC. 112.03. CONSTRUCTION NOISE.

Noise due to construction or repair work shall be regulated as provided by Section 41.40 of this Code. **(Amended by Ord. No. 161,574, Eff. 9/8/86.)**

SEC. 112.04. POWERED EQUIPMENT INTENDED FOR REPETITIVE USE IN RESIDENTIAL AREAS AND OTHER MACHINERY, EQUIPMENT, AND DEVICES.

(Title and Section Amended by Ord. No. 161,574, Eff 9/8/86.)

(a) Between the hours of 10:00 p.m. and 7:00 a.m. of the following day, no person shall operate any lawn mower, backpack blower, lawn edger, riding tractor, or any other machinery, equipment, or other mechanical or electrical device, or any hand tool which creates a loud, raucous or impulsive sound, within any residential zone or within 500 feet of a residence.

(b) Except as to the equipment and operations specifically mentioned and related elsewhere in this Chapter or for emergency work as that term is defined in Section 111.01(d), and except as to aircraft, tow tractors, aircraft auxiliary power units, trains and motor vehicles in their respective operations governed by State or federal regulations, no person shall operate or cause to be operated any machinery, equipment, tools, or other mechanical or electrical device, or engage in any other activity in such manner as to create any noise which would cause the noise level on the premises of any other occupied property, or, if a condominium, apartment house, duplex, or attached business, within any adjoining unit, to exceed the ambient noise level by more than five (5) decibels.

(c) Notwithstanding the provisions of Subsection (a) above, no gas powered blower shall be used within 500 feet of a residence at anytime. Both the user of such a blower as well as the individual who contracted for the services of the user, if any, shall be subject to the requirements of and penalty provisions for this ordinance. Violation of the provisions of this subsection shall be punishable as an infraction in an amount not to exceed One Hundred Dollars (\$100.00), notwithstanding the graduated fines set forth in L.A.M.C. § 11.00(m). (Amended by Ord. No. 171,890, Eff. 2/13/98.)

SEC. 112.05. MAXIMUM NOISE LEVEL OF POWERED EQUIPMENT OR POWERED HAND TOOLS.

(Amended by Ord. No. 161,574, Eff. 9/8/86.)

Between the hours of 7:00 a.m. and 10:00 p.m., in any residential zone of the City or within 500 feet thereof, no person shall operate or cause to be operated any powered equipment or powered hand tool that produces a maximum noise level exceeding the following noise limits at a distance of 50 feet therefrom:

(a) 75dB(A) for construction, industrial, and agricultural machinery including crawler-tractors, dozers, rotary drills and augers, loaders, power shovels, cranes, derricks, motor graders, paving machines, off-highway trucks, ditchers, trenchers, compactors, scrapers, wagons, pavement breakers, compressors and pneumatic or other powered equipment;

(b) 75dB(A) for powered equipment of 20 HP or less intended for infrequent use in residential areas, including chain saws, log chippers and

powered hand tools;

(c) 65dB(A) for powered equipment intended for repetitive use in residential areas, including lawn mowers, backpack blowers, small lawn and garden tools and riding tractors;

The noise limits for particular equipment listed above in (a), (b) and (c) shall be deemed to be superseded and replaced by noise limits for such equipment from and after their establishment by final regulations adopted by the Federal Environmental Protection Agency and published in the Federal Register.

Said noise limitations shall not apply where compliance therewith is technically infeasible. 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 said noise limitations cannot be complied with despite the use of mufflers, shields, sound barriers and/or other noise reduction device or techniques during the operation of the equipment.

SEC. 112.06. PLACES OF PUBLIC ENTERTAINMENT.

It shall be unlawful for any person to operate, play, or to permit the operation or playing of any radio, television receiver, phonograph, musical instrument, sound amplifying equipment, or similar device which produces, reproduces, or amplifies sound in any place of public entertainment at a sound level greater than 95dB(A) at any point that is normally occupied by a customer, unless a conspicuous and legible sign is located outside such place, near each public entrance, stating:

“WARNING: SOUND LEVELS WITHIN MAY CAUSE HEARING IMPAIRMENT.”

(Added by Ord. No. 156,363, Eff. 3/29/82.)

ARTICLE 3 SANITARY OPERATION

Section

113.1 Rubbish and Garbage Collection and Disposal.

SEC. 113.01. RUBBISH AND GARBAGE COLLECTION AND DISPOSAL.

(Amended by Ord. No. 161,574, Eff. 9/8/86.)

It shall be unlawful for any person engaged in the business of collecting or disposing of rubbish or garbage to operate any refuse disposal truck, parking lot sweeper, or vacuum truck, or to collect, load, pick up, transfer, unload, dump, discard, sweep, vacuum, or dispose of any rubbish or garbage, as such terms are defined in Section 66.00 of this Code, within 200 feet of any residential building between the hours of 9:00 p.m. and 6:00 a.m. of the following day, unless a permit therefore has been duly obtained beforehand from the Board of Police Commissioners.

The standards which shall be considered in determining whether a permit shall be granted are the following:

- (a) Whether the work to be done is in the public interest, or
- (b) Whether the applicant would suffer hardship, injustice or delay if the permit were not granted, or
- (c) Whether fuel conservation would result if the permit were issued.

No permit shall be required to perform emergency work as defined in Sec. 111.01(c) of this chapter.

ARTICLE 4 VEHICLES

Section

- 114.1 Vehicle Repairs.
- 114.2 Motor Driven Vehicles.
- 114.3 Vehicles – Loading and Unloading.
- 114.4 Audible Signaling Devices.
- 114.5 Audible Advertising Devices – Commercial Food Vendors.
- 114.6 Vehicle Theft Alarm Systems.
- 114.7 Audible Status Indicator

SEC. 114.01. VEHICLE REPAIRS.

(Amended by Ord. No. 156,363, Eff. 3/29/82.)

It shall be unlawful for any person, within any residential property located within

any residential zone of the City or within 500 feet thereof, to repair, rebuild, reconstruct or dismantle any motor vehicle between the hours of 8:00 p.m. of one day and 8:00 a.m. of the next day in such manner:

(a) That a reasonable person residing in the area is caused discomfort or annoyance;

(d) That such activity is audible to the human ear at a distance in excess of 150 feet from the property line of the noise source;

(c) As to create any noise which would cause the noise level on the premises of any occupied residential property, or if a condominium, apartment house or duplex, within any adjoining unit, to exceed the ambient noise level by more than five (5) decibels.

SEC. 114.02. MOTOR DRIVEN VEHICLES.

(Amended by Ord. No. 156,363, Eff. 3/29/82.)

(a) It shall be unlawful for any person to unreasonably operate any motor driven vehicle upon any property within the City or to unreasonably accelerate the engine of any vehicle, or unreasonably sound, blow or operate the horn or other warning device of such vehicle in such manner:

1. As to disturb the peace, quiet and comfort of any neighborhood or of any reasonable person residing in such area

2. That such activity is audible to the human ear at a distance in excess of 150 feet from the property line of the noise source;

3. As to create any noise which would cause the noise level on the premises of any occupied residential property, or if a condominium, apartment house or duplex, within any adjoining unit, to exceed the ambient noise level by more than five (5) decibels.

(b) This section shall not be applicable to any vehicle which is operated upon any public highway, street or right-of-way or to the operation of any off-highway vehicle to the extent it is regulated in the Vehicle Code.

SEC. 114.03. VEHICLES – LOADING AND UNLOADING.

(Amended by Ord. No. 166,514, Eff. 1/24/91.)

(a) It shall be unlawful for any person, between the hours of 10:00 p.m. and

7:00 a.m. of the following day, to load or unload any vehicle, or operate any dollies, carts, forklifts, or other wheeled equipment, which causes any impulsive sound, raucous or unnecessary noise within 200 feet of any residential building.

(b) Irrespective of the provisions of Subsection (a), loading or unloading of vehicles of the type of activity referred to in Subsection (a) may occur between the hours of 6:00 a.m. to 11:00 p.m. of the same day pursuant to a permit issued by the Department of Transportation in accordance with a business program as defined by said department.

This permit program would be limited to the area bounded by Western Avenue, Santa Monica Freeway, Central Avenue, and the San Diego Freeway, within the limits of the City of Los Angeles. Such permits will not be issued to high-noise businesses such as trash pickup.

SEC. 114.04. AUDIBLE SIGNALING DEVICES.

(Added by Ord. No. 161,574, Eff. 9/8/86.)

It shall be unlawful for any person, within any residential zone of the City or within 500 feet thereof, to sound, blow, or operate any audible signaling device, including sequential airhorns or electronically operated vehicular loud speaker music devices, which can be heard for a distance greater than 200 feet for any purpose. Violation of this section shall constitute an infraction This section does not address horn or warning devices regulated in Article 1 of Chapter 5 of Division 12 of the Vehicle Code of the State of California, commencing at Section 27000. **(Last sentence amended by Ord. No. 165.191, Eff. 10/23/89.)**

SEC. 114.05. AUDIBLE ADVERTISING DEVICES – COMMERCIAL FOOD VENDORS.

(Added by Ord. No. 164,532, Eff. 4/20/89.)

Notwithstanding the provisions of Section 114.04, it shall be unlawful for any person, to sound, blow or operate any music, chimes or bells, or any similar sound device, amplified or otherwise, within 200 feet of any residential building between the hours of 9:00 p.m. and 7:00 a.m. the next day while operating a catering truck, as that term is defined in Section 80.73 of the Municipal Code.

SEC. 114.06. VEHICLE THEFT ALARM SYSTEMS.

(Former Sec. 114.05, Renumbered by Ord. No. 164,532, Eff. 4/20/89.)

It shall be unlawful for any person to install, operate or use any vehicle theft alarm system that emits or causes the emission of an audible sound, which is not, or does not become, automatically and completely silenced within five minutes. The time period

shall be calculated based upon the emission of the first audible sound and shall end five minutes thereafter notwithstanding any variation or stoppage in the emissions of audible sound. Violation of this section shall constitute an infraction.

SEC. 114.07. AUDIBLE STATUS INDICATOR.

(Added by Ord. No. 169,785, Eff. 6/9/94.)

It shall be unlawful for any person to install, operate, use or maintain any vehicle theft alarm system which utilizes an audible status indicator emitting or causing the emission of an audible sound for a duration of more than one minute. The time period shall be calculated from the point in time of the emission of the first audible sound used in calculation and shall end one minute thereafter, notwithstanding any variation or temporary stoppage in the emission of audible sound.

As used in this section, an audible status indicator is a component of a vehicle theft alarm system which emits sound audible outside the vehicle for the purpose of warning that a vehicle theft alarm system is installed and armed or operational. The term “**audible status indicator**” shall include any device which emits a chirp, voice message or other sound when an approaching person is within a certain distance of the vehicle in which the device is installed.

In the event enforcement of a violation occurs under this section, no enforcement shall be taken under Section 80.75.1 of the Municipal Code for the same violation.

Violation of any provision of this section shall constitute an infraction.

ARTICLE 5 AMPLIFIED SOUND

Section

- | | |
|-------|------------------------------|
| 115.1 | Purpose. |
| 115.2 | Prohibition and Regulations. |

SEC. 115.01. PURPOSE.

The Council enacts this legislation for the sole purpose of securing and promoting the public health, comfort, safety, and welfare of its citizenry. While recognizing that certain uses of sound amplifying equipment are 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 correlative constitutional rights of the citizens of this community to privacy and freedom from public nuisance of loud and unnecessary noise.

SEC. 115.02. PROHIBITION AND REGULATIONS.

It shall be unlawful for any person, other than personnel of law enforcement or governmental agencies, or permittees duly authorized to use the same pursuant to Sec. 103.111 of this Code, 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 public street, alley, sidewalk, park or place, or other public property except when installed, used or operated in compliance with the following provisions:

(a) In all residential zones and within 500 feet thereof, no sound amplifying equipment shall be installed, operated or used for commercial purposes at any time.

(b) The operation or use of sound amplifying equipment for noncommercial purposes in all residential zones and within 500 feet thereof, except when used for regularly scheduled operative functions by any school or for the usual and customary purposes of any church, is prohibited between the hours of 4:30 p.m. and 9:00 a.m. of the following day.

(c) In all other zones, except such portions thereof as may be included within 500 feet of any residential zone, the operation or use of sound amplifying equipment for commercial purposes is prohibited between the hours of 9:00 p.m. and 8:00 a.m. of the following day.

(d) In all other zones, except such portions thereof as may be included within 500 feet of any residential zone, the operation or use of sound amplifying equipment for noncommercial purposes is prohibited between the hours of 10:00 p.m. and 7:00 a.m. of the following day.

(e) The only sounds permitted shall be either music, human speech, or both.

(f) Sound emanating from sound amplifying equipment shall be limited in volume, tone and intensity as follows:

1. The sound shall not be audible at a distance in excess of

200 feet from the sound equipment.

2. In no event shall the sound be loud and raucous or unreasonably jarring, disturbing, annoying or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.

(g) Except as provided in (b) above, no sound amplifying equipment shall be operated upon any property adjacent to and within 200 feet of any hospital grounds or any school or church building while in use.

(h) (Amended by Ord. No. 145,691, Eff. 5/2/74.) The operation or use of any sound amplifying equipment installed, mounted, attached or carried in or by any sound truck is further prohibited:

1. Within the Central Traffic district at any time;
2. Upon Hollywood Boulevard between Vermont Avenue and La Brea at any time;
3. Upon Wilshire Boulevard at any time;
4. Upon Sunset Boulevard at any time;
5. Upon Vine Street at any time;
6. Upon any street between the hours of 4:30 p.m. and 9:00 a.m. of the following day;
7. Upon any street on any Sunday.

ARTICLE 6 GENERAL NOISE

Section
116.1 Loud, Unnecessary and Unusual Noise.

SEC. 116.01. LOUD, UNNECESSARY AND UNUSUAL NOISE.

Notwithstanding any other provisions of this chapter and in addition thereto, it

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

- (a) The level of noise;
- (b) Whether the nature of the noise is usual or unusual;
- (c) Whether the origin of the noise is natural or unnatural;
- (d) The level and intensity of the background noise, if any;
- (e) The proximity 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 the day and 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.