

# City of Los Angeles Noise Enforcement Guidelines

## Introduction

Barking dogs, construction equipment, amplified musical instruments, trash trucks, and loud parties are all examples of noise found in major urban areas. Understandably, certain noise levels must be tolerated by all citizens in order for normal functions of urban life to continue. However, excessive, unnecessary, and/or annoying noise is subject to regulation. On March 29, 1982, the City Council adopted a new Noise Ordinance that established limits on noise pollution, set enforcement responsibilities, and provided penalties for violations.

## Noise Ordinance

On January 24, 1973, Ordinance No. 144.331 became effective, adding Chapter XI, entitled "Noise Regulation" to the Los Angeles Municipal Code. This chapter empowered the City to prohibit unnecessary, excessive, and annoying noise from all sources subject to its police powers. Enforcement responsibilities were divided between the Police Department and the Department of Building and Safety. During the intervening years, enforcement efforts revealed a need to further define the enforcement responsibilities, to incorporate new sound level measurement procedures, and to establish complaint enforcement expertise within the department. The City Council amended the Noise Ordinance on March 29, 1982, to include new sound level measurement procedures, reconcile conflicting noise level limits, and more clearly define enforcement responsibilities of concerned City departments.

## Enforcement Responsibility

The responsibility for enforcement of the Noise Ordinance is now delegated to the Police Department, Department of Building and Safety, and the Department of Animal Regulation.

The Police Department is responsible for the enforcement of Noise Ordinance violations involving people-generated or controlled noises--which are considered disturbances of the peace. The following is a list of Los Angeles Municipal Code (LAMC) sections of the Noise Ordinance and a summary of the elements that constitute a violation:

### *41.32 LAMC-Theatres and Sound Amplifiers*

- Operating any sound amplifying system;
- As a part of any show;
- In such a manner that is audible to the human ear;
- More than 50 feet from the property line or structure where the show is being conducted.

### *41.40 LAMC- Construction Noise*

- Engaging in construction, repair, or excavation work with any construction type device, or job-site delivering of construction materials without a Police Commission permit;
- Between the hours of 9:00 p.m. and 7:00 a.m.;
- In any residential zone, or within 500 feet of land so occupied, before 8:00 a.m. or after 6:00 p.m. on any Saturday, nor at any time on any Sunday;
- In a manner as to disturb the peace and quiet of neighboring residents or any reasonable person of normal sensitiveness residing in the area.

### *41.42 LAMC-Music Reproducing Devices*

- Every owner or operator of any public resort;
- Where phonograph, loud speaker, or any other device for the reproduction of sound is played for hire; Shall not allow the playing of such device;
- Between the hours of 2:00 a.m. and 5:00 a.m.

### *41.44 (c) LAMC- Miniature Golf (noise signs)*

- Every owner or operator of any miniature golf course;
- Shall display in a conspicuous place;
- At least 4 signs, in English, in letters at least 2 inches in height;
- Requesting patrons to refrain from unnecessary noise.

### *41.44 (4) e LAMC-Miniature Golf (sound devices)*

- Operating any radio, or Sound producing device;
- Upon any miniature golf course or driving range;
- Between the hours of 10:00 p.m. and 7:00 a.m.

#### *41.57 LAMC- Loud and Raucous Noise*

- Every person who allows, causes, or permits;
- Loud noises from any sound making or amplifying device;
- On any private property, public street, of any other public place;
- In such a manner as to interfere with the peace and quiet of any person within or upon any of such places.

Note: Need to consider hour, place, nature of noise, and any other circumstances.

#### *112.01 LAMC- Radios, Television Sets, and Similar Devices*

- Operating any radio, television, phonograph, musical instrument, or other sound producing device;
- Audible to the human ear at a distance in excess of 150 feet from the property line of the noise source;
- In a residential zone or within 500 feet thereof;
- In such a manner as to disturb the peace, quiet, and comfort of neighboring residents or any reasonable person of normal sensitiveness residing in the area.

#### *113.01 LAMC- Rubbish and Garbage Collection*

- Engaging in the commercial collection or disposing of rubbish or garbage;
- In a residential zone or within 200 feet thereof;
- Between the hours of 9:00 p.m. and 6:00 a.m.

#### *114.01 LAMC- Vehicle Repair*

- Engaging in the repair or rebuilding of a motor vehicle;
- In a residential zone or within 500 feet thereof;
- Between the hours of 8:00 p.m. and 8:00 a.m.;
- Audible to the human ear at a distance in excess of 150 feet from the property line of the noise source;
- In a manner which causes discomfort or annoyance to a reasonable person of normal sensitiveness residing in the area.

#### *114.02(a) LAMC- Vehicle Engine, Horn, and Vehicle Noise*

- Every person who unreasonably operates a motor vehicle, accelerates the engine, or sounds the horn;
- As to disturb the peace, quiet, and comfort of any neighborhood or of any reasonable person residing in such area;
- Audible to the human ear at a distance in excess of 150 feet from the property line of the noise source.

Note: 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.

#### *115.02 LAMC- Amplified Sound*

- Engaging in the installation, use, or operation of any loudspeaker or sound amplifying equipment in a fixed or movable position;
- For the purposes of giving instruction, directions, talks, addresses, lectures, or transmitting music to any persons 'in or on any public street, sidewalk, park, or other public place;
- For commercial purposes in a residential area or within 500 feet thereof at any time H 15.02 [a] L.A.M.C.);

OR

- For non-commercial purposes in a residential zone or within 500 feet thereof (except school and church purposes), between 4:30 p.m. and 9:00 a. m. (115.02 [ b I L. A. M. C. );

OR

- For commercial purposes in a nonresidential zone between 9:00 p.m. and 8:00 a.m. (115.02 [c] L.A.M.C.);

OR

- For non-commercial purposes more than 500 feet from residential zones between 10:00 p.m. and 7:00 a.m. (115.02 [d] L.A.M.C.);

OR

- Emitting sounds other than human speech and/or music (115.02 [e] L.A.M.C.);

OR

- Emitting sounds audible at a distance in excess of 200 feet, or sounds which are loud, raucous, or disturbing to reasonable persons of normal sensitiveness within the area of audibility ( 115.02 [f ] L.A.M.C.);

OR

- Within 200 feet of any hospital grounds or any school or church building while in use (115.02 [g] L.A.M.C.).

#### *116.01 LAMC- General Noise*

- Willfully making or causing 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.

Note: In determining whether or not a noise violates this section, officers should consider the following factors:

- Level of the noise;
- Nature of the noise (usual or unusual );
- Origin of the noise (natural or unnatural );
- Level and intensity of any background noise;
- Proximity of the noise to sleeping facilities;
- Nature and zoning of the area;
- Density of inhabitation in the area;
- Time of day or night the noise occurs;
- Duration of the noise;
- Whether the noise is recurrent, intermittent, or constant;
- Whether the noise is produced by commercial or non-commercial activity.

The Department of Building and Safety is responsible for the enforcement of Noise Ordinance violations involving noises from permanently installed mechanical equipment and similar sources which can only be measured through the use of electronic noise level meters. This equipment, such as an air conditioning unit, a Jacuzzi, or a generator at a construction site, may be operated manually or automatically.

The Department of Animal Regulation is responsible for the enforcement of Noise Ordinance violations involving animal-generated noises, such as barking dogs or crowing roosters.

While the new Noise Ordinance more clearly defines responsibilities for enforcement of specific noise violations, the Department may be called upon to respond to noise complaints involving violations that are the primary responsibility of another City department. Officers receiving a complaint that is within the purview of the Department of Building and Safety may directly notify that agency's Conservation Bureau at 485-7069. A person complaining of animal-generated noise should be advised to notify, in writing, the nearest Department of Animal Regulation facility for enforcement action. Officers may contact Traffic Coordination Section, Office of Operations, during normal business hours, for advice in resolving overlapping enforcement responsibilities.

#### **Enforcement Guidelines**

A violation of the Noise Ordinance is a misdemeanor. Officers responding to a complaint regarding a violation of the Noise Ordinance may:

- advise the concerned parties of the violation,
- seek to gain voluntary compliance,
- direct parties to other enforcement entities when appropriate,
- complete a crime report,
- accept a lawful citizen's arrest, or
- prepare a complaint application.

A complaint application is used when the violator is a corporation or other business entity. The name of the corporation or business should appear as the defendant on the complaint application, and the name and identification of any observed violator is placed in the narrative of the report.

Any enforcement action must be supported by a thorough investigation establishing all the elements of the violation in the required reports. As the Police Commission has authority to grant permits allowing deviation from the noise restrictions for those regulations within the purview of Department

responsibility, the investigation must document the absence of such permits or that the noise violation exceeds permit limitations.

### **Noise Enforcement Team (NET)**

The Noise Enforcement Team (NET) is a Department unit comprised of specially trained officers deployed Citywide to aggressively enforce the Los Angeles Noise Ordinance. These officers utilize specialized equipment to monitor noise complaints where the situation is ongoing, aggravated, or where voluntary compliance cannot be achieved.

Aggravated and ongoing noises are those that are generated or controlled by people, and have not been resolved through routine police enforcement. Usually they require special expertise and equipment to determine whether a violation exists or infringes upon constitutional guarantees, such as free speech.

In the event of an aggravated or on-going noise problem, officers should notify NET at Traffic Coordination Section, for enforcement advice. The following information will be needed when contacting NET:

- type of complaint (trash truck, rehearsal hall, bar),
- complaint location,
- hours of occurrence,
- days of the week,
- complaining party (name, address, and telephone number), and

reporting district.

All calls to NET should be made during normal business hours at 213-996-1250.

### **Gas Powered Leaf Blower Enforcement**

Gas powered leaf blowers increase the presence of airborne particles, which may cause problems for persons suffering from asthma, hay fever, or other upper respiratory ailments.

Los Angeles Municipal (LAMC) Section 112.04 (c) bans the use of the gas powered leaf blower device to minimize the nuisance and health related problems attributed to this type of equipment.

#### *112.04(c) LAMC*

The following ordinance became effective on February 13, 1998:

"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)."

This section does not preclude anyone from using other devices such as a gas powered vacuum device or electric leaf blower.

Officers enforce Los Angeles Municipal Code Section 112.04(c) in the same manner as any other infraction.

The Los Angeles Police Department has primary enforcement responsibility for this Ordinance. Community members may also register complaints with the Street Use Inspection Division, Department of Public Works, at 1-800-996-CITY (Leaf blower Complaint Line).

An officer who responds to a radio call and/or otherwise observes anyone operating a gas powered leaf blower within 500 feet of a residence within the City of Los Angeles, may take the following enforcement action:

\*Inform the operator of the leaf blower that they are in violation of Section 112.04(c) LAMC.

### **Phone Numbers**

Alarms (Residence and Business) Commission Investigation Unit  
213-996-1200

Animal Control  
419 South Spring Street, 14th floor  
888-452-7381

Air Quality Management District  
800-288-7664 or 800-288-7664  
(Emission problems, smoking vehicles, air health hazards)

Consumer Affairs  
213-897-2975

Cal OSHA  
626-966-1166

Department of Building and Safety  
888-524-2845 or 888-LA4BUILD  
500 Shatto Place  
Suite 520  
Los Angeles, CA 90020  
(Fixed machinery, Air Conditioning, Heating, Pumping, Filtering, Equipment)

Los Angeles Fire Department  
213- 485-5971

Los Angeles Department of Public Health  
213-881-4000 or 213-351-7786

Los Angeles Housing Department  
213-473-6700

Leaf Blower Hotline (City of LA)  
800-996-CITY

No Smoking Complaint Line  
213-485-2108

Public Utility Commission  
213-897-2973

Spanish Line  
213-485-4333

Postal Service  
213-301-1160

**Web reference:**

[http://www.lapdonline.org/special\\_operations\\_support\\_division/content\\_basic\\_view/1031](http://www.lapdonline.org/special_operations_support_division/content_basic_view/1031)