
APPENDIX A

**PLACER COUNTY SHERIFF'S DEPARTMENT
FIELD OPERATIONS DIVISION
POLICY MANUAL**

TITLE: NOISE ORDINANCE ENFORCEMENT

NO. 5-34

EFFECTIVE DATE: 04-01-03 Rev. 03-09-04 Rev. 03-30-04 Rev. 04-05-04

POLICY: To effectively respond to Noise Ordinance complaints.

**REFERENCES: 9.36 Placer County Code
 California Penal Code Section 415(2)
 California Penal Code Section 370 PC**

GENERAL INFORMATION

1. PURPOSE

To protect, preserve and promote the health, safety, welfare, peace and quiet for Placer County residents through control and prevention of unreasonable noise related disturbances.

2. PROCEDURE

Each deputy shall respond to noise ordinance complaints and identify the complaining individual, the source of the disturbance and the person or persons responsible for producing the disturbance with a priority 5 call response. Deputies may use a sound level meter to determine the intensity of the disturbance. The sound level readings can then be documented for later reference.

3. ENFORCEMENT

Article 9.36 Placer County Code

Reporting Procedures

Enforcement should be undertaken by a Deputy only upon receipt of a complaint from a reporting party. If the complaint requires documentation, an incident report will be completed in conjunction with an administrative warning or citation. If the noise complaint does not rise to the level of an ordinance violation, comments in the CAD call disposition will meet reporting requirements.

Dispatch will forward all related CAD inquiries and responses to the Planning Department for records purposes. Copies of all reports will be forwarded to Planning.

Original citation and the goldenrod copy will go to Sheriff Department Records division. The canary copy is to be given to the defendant. The pink copy will go to Planning for review and documentation. The green copy will go into the Deputy's Sound Log.

First Response: Verified Ordinance Violation

Warning Level: The responding Deputy will contact the reporting party to verify the identity and nature of the disturbance.

The responding Deputy will use a sound level meter to assist in determining if the disturbance exceeds a reasonable sound level. The Deputy should measure the sound level at the complainant's location and at their property line.

The sound levels are to be recorded on the complaint data form supplied with the sound meter. Deputies should take into consideration:

- A. The time of day.
- B. The characteristics of the area.
- C. The nature of the disturbance.

SOUND LEVEL STANDARDS (On Site) and HOURLY DISTRIBUTION:

Sound Level Descriptor	Daytime (0700 To 2200)	Nighttime (2200 To 0700)
Hourly Leq, dB	55	45
Maximum level, (Lmax) dB	70	65

The Deputy will then attempt to contact the responsible party and inform them that a complaint has been received. The Deputy will request voluntary compliance and identify the responsible party's name, address, and phone number. An Administrative Warning Citation may be issued for first time offenders.

Second Response: Verified Ordinance Violation

After a warning citation has been issued, and a second noise complaint has been received, Deputies shall issue an Administrative Citation under the authority of 9.36 Placer County Code. Deputies will prepare an incident report that will be forwarded to the Planning Department for review. The citation should be signed by the offender but is not mandatory if cooperation is absent during the enforcement contact. The Planning Department will send citation confirmation through the U.S. Mail if required and will also identify the APN parcel number on the completed citation.

Fee Schedule:

First Response	Warning
Second Response	\$100.00
Third Response	\$300.00
Fourth Response	\$500.00

If the responsible party remains uncooperative during the investigation or enforcement process, the Deputy will leave the scene, document the incident, and forward the completed report to the Planning Department as a chronic violation. No enforcement action will be required beyond that point by sworn department personnel.

Coverage Schedule

This call classification carries a Priority 5 response.

TYPE OF CALL	0800 – 1700 Monday - Friday	Nighttime & Weekends
Disturbing of the peace that may be noise related, for example:	Sheriff	Sheriff
Parties with or without loud noise	Sheriff	Sheriff
Existing residential noise complaints in general, for example:	Sheriff	Sheriff
Sound associated with property maintenance	Sheriff	Sheriff
Vehicle repair	Sheriff	Sheriff
Motorbike	Sheriff	Sheriff
Gunfire	Sheriff	Sheriff
Power Equipment on existing residential	Sheriff	Sheriff
Commercial business or non-profit operational noise, for example:	Code Enforcement	Sheriff
Businesses with or without Use Permits,		
Golf courses, loud music		
Construction noise associated with new home and commercial development	Code Enforcement	Sheriff
All chronic and repeating noise complaints	Code Enforcement	

Seizure of Evidence

9.36 of the Placer County Code is deemed an Administrative Infraction. The recorded noise levels will serve as the best evidence rule.

The ordinance violators will be addressed administratively and not through the Criminal Justice System. Seizure of the noise related evidence is not required in these instances unless Penal Code Sections 415.2 and 370 are enforced in lieu of the existing 9.36 County Code.

Exemptions

The following activities shall be exempt from the provision for this policy:

1. **Emergency Exemption.** The emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work. Emergency vehicles operated by fire, police or rescue personnel are exempt.

2. **Outdoor Activities.** Activities conducted on public playgrounds and public or private school grounds including, but not limited to, school athletic and school entertainment events.
3. **Construction.** Permitted within the hours of operation as specified on the permit.
4. **Emergency Repairs.** To buildings or vehicles.
5. **Special Events.** Permitted by Placer County.
6. **Agriculture.** Noise associated with agricultural activities as defined in Placer County Code Section 5.24.040 (Right to Farm).
7. **Gunfire.** Gunfire occurring while hunting, consistent with all State laws on private property shall be allowed.

Citation and Case Disposition

All citations and incident reports will be sent to the Planning Department for resolution. This will include the collection and levying of fines and the scheduling of any appeals of the citation process.

Criminal citations and reports involving 415(2) and 370 PC violations will continue to be filed with the District Attorney's Office.