

## Legislation Details (With Text)

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**Title:** Second Reading and Adoption of an Ordinance Amending the Code Related to Noise  
**Sponsors:** City Manager, Charles McClendon  
**Indexes:**  
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**Attachments:** 1. Cathedral City - Noise Ordinance

Date	Ver.	Action By	Action	Result
4/12/2017	1	City Council	approved	

*City Council***MEETING DATE: 4/12/2017****TITLE:****Second Reading and Adoption of an Ordinance Amending the Code Related to Noise****FROM:**

Charlie McClendon, City Manager

**RECOMMENDATION:**

Staff recommends the City Council provide second reading and adopt an ordinance amending the Municipal Code related to noise.

**BACKGROUND:**

In the summer/fall of 2016 staff from the Attorney's office and Code Enforcement began working on possible revisions to the noise ordinance. Enforcement of the existing code had proven to be problematic due to inconsistencies among various sections of the code leading to unrealistic expectations in the community as to what the City has the ability to enforce. Additionally, in September of 2016 Council directed staff to appoint an ad-hoc task force to study issues related to short term vacation rentals in Cathedral City, many of which proved to be related to noise, and to report back to Council with recommendations. Mayor Henry and Councilmember John Aguilar were assigned to work with the task force. The task force began meeting on October 19, 2016 and presented their recommendations to Council during study session on March 8, 2017. Proposed revisions to the noise ordinance, though not developed by the task force, were also presented at that time. Feedback from the community indicated that some felt the proposed decibel levels allowed under that draft ordinance were too permissive. Council indicated a willingness to reduce allowable levels somewhat in response to community feedback, but also felt the code revisions should reflect the nature of our community, which is younger with more children than many of our neighboring

communities, and thus requires a certain tolerance for the sounds associated with living in family-oriented neighborhoods. The ordinance was introduced and given first reading on March 22, 2017.

### **DISCUSSION:**

Staff has developed proposed revisions to the City noise ordinance to eliminate inconsistencies and provide more clarity. The noise ordinance was reviewed by the Short Term Vacation Rental Task Force and their comments were considered in the development of the recommended revisions. The proposed revisions to the ordinance include the following:

- Daytime and night hours are standardized throughout such that night hours are always 10:00 pm to 7:00 am.

- In most cases references to different sources of noise are eliminated in favor of decibel readings that apply regardless of the source of the noise

- Decibel levels are established as the indicator that a violation has occurred according to the following table:

Zone	Time	dB(A) Level
Residential - Exterior Noise	7am - 10pm	65
	10pm - 7am	50
Residential - Interior Noise	7am -10pm	50
	10pm - 7am	40
Commercial/Industrial - Exterior Noise	7am - 10pm	85
	10pm - 7am	55

- A discussion of the characteristics to be considered in evaluating noise issues is eliminated in favor of the decibel readings noted above.

- Other sections of the code that previously discussed noise issues are amended to instead point to the standards established in the noise ordinance.

- As suggested at study session language was added so that City sponsored or operated events or other properly permitted events on public property are exempted.

The ordinance was approved at first reading on March 22, 2017 and, if approved at second reading, will become effective on May 12, 2017.

### **FISCAL IMPACT:**

None. Enforcement of the amended code will be handled using existing staff in Code Enforcement and Police.

### **ATTACHMENTS:**

Proposed Noise Ordinance