



TRAINING BULLETIN

Los Angeles Police Department

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NOISE ENFORCEMENT

The sound of barking dogs, heavy-duty construction equipment, amplified musical instruments, trash trucks, and loud parties are all examples of noises (unwanted sound) found in major urban areas that impact the quality of life. Residents of a major metropolitan city must tolerate a certain level of noise if urban society is to function. However, excessive, unnecessary, and annoying noise is subject to regulation in the City of Los Angeles. Noise ordinances establish limits on noise pollution, set enforcement responsibilities, and provide penalties for violations.

COMMUNITY GOVERNMENT

Four City agencies that include the Los Angeles Police Department (LAPD), the Department of Building and Safety, the Bureau of Street Services, and Animal Services are responsible for enforcing noise ordinances. Animal Services responds to noise complaints regarding barking dogs or crowing roosters. Building and Safety is responsible for noise complaints regarding loud fixed machinery, including car wash businesses. Street Services handles complaints regarding gas leaf blowers. The LAPD Noise Enforcement Team (NET) investigates complaints of early trash pickups, early deliveries, early construction, and music emitting from night clubs.

LOS ANGELES POLICE DEPARTMENT RESPONSIBILITIES

The Department is responsible for the enforcement of violations involving people-generated or controlled noise, e.g., radios, stereos, which are considered disturbances of the peace. Patrol responsibility includes complaints about loud parties, automobile alarms, commercial food trucks using music or horns to attract business, and occasional spontaneous occurrences of loud televisions, stereos, or human voices.

The following is a list of Los Angeles Municipal Code (LAMC) noise sections that the Department has the responsibility to enforce:

- § 41.40 Construction Noise
- § 41.57 Loud and Raucous Noise
- § 112.01 Radios, Television Sets, and Similar Devices

- § 113.01 Rubbish and Garbage Collection
- § 114.01 Vehicle Repair
- § 114.02 Vehicle Engine, Horn, and Vehicle Noise
- § 114.03 Vehicles-Loading and Unloading
- § 114.04 Audible Signaling Devices
- § 114.05 Audible Advertising Devices
- § 115.02 Amplified Sound
- § 116.01 General Noise

ENFORCEMENT GUIDELINES

All of the violations of the Noise Ordinance are **misdemeanors**. Officers responding to a complaint regarding a violation of the Noise Ordinance may:

- Advise the concerned parties of the violation (alleged or observed).
- Seek to gain voluntary compliance.
- Direct parties to other enforcement entities when appropriate.
- Direct parties to the City Attorney's Dispute Resolution Program.
- Complete a crime report (i.e., Disturbing the Peace).
- If a violation is observed, officers should consider issuing an Administrative Citation, Form 05.40.00, as the primary enforcement action to address quality of life issues such as noise. Alternatively, a Non-Traffic Notice to Appear, Form 05.02.02, and a Release from Custody (RFC) Report Continuation, Form 05.02.08, may be used should a criminal filing be desired. In situations involving a corporation or business entity, a Complaint Application submitted to the City Attorney's Office may be the best course of action to a meaningful resolution. Examples of these include repeated violations of early rubbish pick up or deliveries, and after-hours construction without a permit. The name of the business or company should appear as the defendant on the application, while the name of the observed violator (delivery driver/construction foreman) is listed in the narrative.

ENFORCEMENT SECTIONS

Construction Noise (§ 41.40)

- Engaging in construction, repair, or excavation work with any construction device, or job-site delivering of construction materials without a Police Commission permit,
- After the hours of 9:00 p.m. and before 7:00 a.m., Monday through Friday.
- 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 or national holiday, nor at any time on any Sunday.

Anyone involved in after-hours construction including all City services, must be in possession of a standard or tentative approval letter issued by the Police Commission. If construction personnel are unable to produce a copy, patrol officers shall have the construction activity stopped, and direct the violator to contact the NET during normal business hours. Officers should consider issuing the person in charge an Administrative Citation, Form 05.40.00, for Section 41.40 (a) LAMC, Performing Night Work Without a Permit.

In the event the construction company does have a valid Police Commission permit and valid citizen complaints have been established, refer the citizen to NET to make an official noise complaint.

Loud and Raucous Noise (§ 41.57)

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

- Every person who allows, causes, or permits;
- Loud noises from any sound making or amplifying device;
- On any private property, public street, or 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.

Radios, Television Sets, and Similar Devices (§ 112.01)

This Section can be used for loud party violations.

- 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 of a residential zone within the City of Los Angeles, shall be a violation of this Section.

It is not required to issue a warning or to have a supervisor present during the issuance of a citation for the LAMC Section 112.01.

Rubbish and Garbage Collection (§ 113.01)

- 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.

Vehicle Repair (§ 114.01)

- 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.

Vehicle Engine, Horn, and Vehicle Noise (§ 114.02)

Under the Vehicle Code, this is citable as an infraction. Example: A motorist who honks horn to pick up carpool passenger.

- 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.

Vehicles-Loading and Unloading (§ 114.03)

- Between the hours of 10:00 p.m. and 7:00 a.m.;
- Any person who loads or unloads any vehicle, or operates any dollies, carts, forklifts, or other wheeled equipment;
- Which causes any impulsive sound, raucous or unnecessary noise within 200 feet of any residential building.

Audible Signaling Devices (§ 114.04)

- Within a residential zone or 500 feet thereof;
- Any person who sounds, blows or operates 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.

Audible Advertising Devices (§ 114.05)

- It shall be unlawful for any person to sound, blow or operate any music, chimes, or bells, or any similar sound device 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.

Amplified Sound (§ 115.02)

- To install, use, or operate a 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 (§ 115.02 [a]); 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]); or
- For commercial purposes in a nonresidential zone between 9:00 p.m. and 8:00 a.m. (§ 115.02 [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]); or
- Emitting sounds other than human speech and/or music (§ 115.02 [e]); or
- Emitting sounds audible at a distance in excess of 200 feet, or sounds which are loud, raucous, or disturbing to a reasonable person of normal sensitiveness within the area of audibility (§ 115.02 [f]); or
- Within 200 feet of any hospital grounds or any school or church building while in use (§ 115.02 [g]).

General Noise (§ 116.01)

- 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.

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

- Level of the noise;
- Nature of the noise (Is it unusual?);
- Origin of the noise (Is it 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; and/or
- Whether the noise is produced by commercial or non-commercial activity.

RESOURCES AND REFERRALS

Patrol officers may be called upon to respond to noise complaints involving violations that are the primary responsibility of another City department. A person complaining of animal-generated noise should be advised to notify the nearest Los Angeles Animal Services facility for enforcement action. Noise complaints regarding gas leaf blowers should be referred to the Leaf Blower Complaint Line. A person complaining of noise related to fixed machinery should be referred to Building and Safety, Code Enforcement. In addition, NET serves as an information resource for patrol.

The following are appropriate NET referrals; however, these violations can be handled by patrol officers and may be mitigated much sooner than a NET response:

- Late night and early morning construction between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, and on Saturdays and national holidays between the hours of 6:00 p.m. to 8:00 a.m. (Construction work on Sundays within City limits is prohibited except by the individual homeowner.)
- Trash collection within 200 feet of a residence is prohibited between the hours of 9:00 p.m. to 6:00 a.m.
- Bars where loud music or amplified sounds disturb the neighborhood.

Additional Resources

LA Animal Services	(888) 452-7381	laanimalservices.com
Department of Building and Safety	(213) 252-3900	ladbs.org
Bureau of Street Services	(213) 847-6000	bss.lacity.org
LAPD Noise Enforcement Team	(213) 996-1250	
Leaf Blower Complaint Line	(800) 996-2489	

This Bulletin cancels and supersedes Volume XLI, Issue 2, Noise Enforcement, November 2010

Field Training Services Unit
Police Training and Education

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