

Chapter 7.45 Noise Disturbances

§ 7.45.005 Prohibition.

A. No person shall willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise that disturbs the peace or quiet of any neighborhood or that causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.

B. The standards that may be considered in determining whether a violation of the provisions of this section exists include without limitation the following:

1. The level of noise.
2. Whether the nature of the noise is usual or unusual.
3. Whether the origin of the noise is natural or unnatural.
4. The level and intensity of the background noise, if any.
5. The proximity of the noise to residential sleeping facilities.
6. The nature and zoning of the area within which the noise emanates.
7. The density of the inhabitation of the area within which the noise emanates.
8. The time of the day or night the noise occurs.
9. The duration of the noise.
10. Whether the noise is recurrent, intermittent, or constant.
11. Whether the noise is produced by a commercial or noncommercial activity.

§ 7.45.010 Liability for Costs of Subsequent Responses.

Upon the initial response of the police department to any disturbance involving loud, unnecessary and unusual noise, the chief of police may, in lieu of or in addition to taking other action authorized by law, give notice to the person or persons in actual or apparent control of the activity creating the disturbance, or to

the person or persons in actual or apparent control of the property or premises wherein the disturbance has occurred, or both, that liability may be imposed upon the person or persons receiving such notice for the costs to the city of any subsequent response by the police department in connection with any continuation or resumption of such disturbance. Such notification shall be in such form as may be approved by the chief of police. The costs of any subsequent response shall be assessed to the person or persons receiving such notice and shall include all costs reasonably incurred by the city in providing law enforcement services and equipment at the scene of the disturbance, including the cost or value of the time expended by police department personnel in making any subsequent response. The method of computing such costs shall be established by the chief of police and approved by the city council. The finance department shall invoice such costs to the person or persons liable therefor under this chapter, and such costs shall constitute a debt to the city and be collectible by the city in the same manner as in the case of an obligation under a contract; provided, however, that in no event shall a person's liability hereunder exceed \$1,000 for any single subsequent response.

§ 7.45.015 Liability of Parents and Guardians.

If a minor is in actual or apparent control of the activity creating the disturbance, or is in actual or apparent control of the property or premises wherein the disturbance has occurred, and, following notification, a subsequent response by the police department is made in connection with any continuation or resumption of such disturbance, then the acts or omissions of such minor shall be imputed to the parent or guardian having custody and control of the minor for all purposes of imposing liability for costs hereunder, and the parent or guardian shall be jointly and severally liable with the minor for all costs resulting there from. The liability imposed by this section shall be in addition to any other liability imposed by law.

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