

*Appendix F*  
*Noise Appendix*



# Roadway Construction Noise Model (RCNM), Version 1.1

Report date: 7/27/2009  
 Case Description: Michael White Adobe - demolition

---- Receptor #1 ----							
Description	Land Use	Baselines (dBA)			Equipment Spec Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
		Daytime	Evening	Night			
<b>Single-Family Residential</b>	Residential	55	45	45			
Description		Impact Device	Usage(%)		Actual Lmax (dBA)		
Backhoe		No	40		77.6	305	5
Front End Loader		No	40		79.1	305	5
Calculated (dBA)							
Equipment		*Lmax	Leq				
Backhoe		56.9	52.9				
Front End Loader		58.4	54.4				
	<b>Total</b>	58.4	56.7				

\*Calculated Lmax is the Loudest value.

---- Receptor #2 ----							
Description	Land Use	Baselines (dBA)			Equipment Spec Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
		Daytime	Evening	Night			
On-Site Classrooms	Residential	55	45	45			
Description		Impact Device	Usage(%)		Actual Lmax (dBA)		
Backhoe		No	40		77.6	170	0
Front End Loader		No	40		79.1	170	0
Calculated (dBA)							
Equipment		*Lmax	Leq				
Backhoe		66.9	63.0				
Front End Loader		68.5	64.5				
	<b>Total</b>	68.5	66.8				

\*Calculated Lmax is the Loudest value.

# Roadway Construction Noise Model (RCNM), Version 1.1

Report date: 7/23/2009  
 Case Description: Michael White Adobe - relocation

---- Receptor #1 ----				
Description	Land Use	Baselines (dBA)		
		Daytime	Evening	Night
<b>Off-site from School</b>	Residential	55	45	45

Description	Impact Device	Usage(%)	Equipment		Receptor Distance (feet)	Estimated Shielding (dBA)
			Spec Lmax (dBA)	Actual Lmax (dBA)		
Pneumatic Tools	No	50		85.2	305	5
Man Lift	No	20		74.7	305	5
Front End Loader	No	40		79.1	305	5

Calculated (dBA)		
Equipment	*Lmax	Leq
Pneumatic Tools	64.5	61.5
Man Lift	54.0	47.0
Front End Loader	58.4	54.4
<b>Total</b>	<b>64.5</b>	<b>62.4</b>

\*Calculated Lmax is the Loudest value.

---- Receptor #2 ----				
Description	Land Use	Baselines (dBA)		
		Daytime	Evening	Night
<b>Off-site from Lacy Park</b>	Residential	55	45	45

Description	Impact Device	Usage(%)	Equipment		Receptor Distance (feet)	Estimated Shielding (dBA)
			Spec Lmax (dBA)	Actual Lmax (dBA)		
Pneumatic Tools	No	50		85.2	115	5
Man Lift	No	20		74.7	115	5
Front End Loader	No	40		79.1	115	5

Calculated (dBA)		
Equipment	*Lmax	Leq
Pneumatic Tools	72.9	69.9
Man Lift	62.5	55.5
Front End Loader	66.9	62.9
<b>Total</b>	<b>72.9</b>	<b>70.8</b>

\*Calculated Lmax is the Loudest value.

# Roadway Construction Noise Model (RCNM), Version 1.1

Report date: 7/23/2009  
 Case Description: Michael White Adobe - relocation

---- Receptor #3 ----								
Description	Land Use	Baselines (dBA)			Equipment			
		Daytime	Evening	Night	Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
<b>On-site Classrooms</b>	Residential	55	45	45				
		Impact Device	Usage(%)		Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Description								
Pneumatic Tools		No	50			85.2	170	0
Man Lift		No	20			74.7	170	0
Front End Loader		No	40			79.1	170	0
Calculated (dBA)								
Equipment		*Lmax	Leq					
Pneumatic Tools		74.6	71.5					
Man Lift		64.1	57.1					
Front End Loader		68.5	64.5					
	Total	74.6	72.5					

\*Calculated Lmax is the Loudest value.

---- Receptor #4 ----								
Description	Land Use	Baselines (dBA)			Equipment			
		Daytime	Evening	Night	Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
<b>Thurnher Picnic Area</b>	Residential	55	45	45				
		Impact Device	Usage(%)		Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Description								
Pneumatic Tools		No	50			85.2	100	0
Man Lift		No	20			74.7	100	0
Front End Loader		No	40			79.1	100	0
Calculated (dBA)								
Equipment		*Lmax	Leq					
Pneumatic Tools		79.2	76.1					
Man Lift		68.7	61.7					
Front End Loader		73.1	69.1					
	Total	79.2	77.1					

\*Calculated Lmax is the Loudest value.

## Construction Generated Vibration at Lacy Park

	Small Bulldozer	Closest Distance
<b>Receptor Location: Off-Site Single-Family Residential</b>		<b>115</b>
<b>Vibration Annoyance Assessment</b>		
Approximate Velocity at 25 ft (VdB)	58	
Approximate Velocity (VdB) at Receptor (Closest)	45	
Approximate Velocity (VdB) at Receptor (Average)	45	
<b>Criteria</b>	<b>78</b>	
<b>Structural Damage Assessment</b>		
Approximate RMS Velocity at 25 feet (inch per second)	0.003	
Approximate Velocity (inch/sec) at Receptor (Closest)	0.000	
<b>Criteria</b>	<b>0.2</b>	
<b>Receptor Location: On-Site Buildings at Lacy Park</b>		<b>5</b>
<b>Structural Damage Assessment</b>		
Approximate RMS Velocity at 25 feet (inch per second)	0.003	
Approximate Velocity (inch/sec) at Receptor (Closest)	0.034	
<b>Criteria</b>	<b>0.2</b>	

Notes: RMS velocity calculated from vibration level (VdB) using the reference of one microinch/second.

Source: Based on methodology from the United States Department of Transportation Federal Transit Administration, *Transit Noise and Vibration Impact Assessment* (2006).

ARTICLE 04 – [Back to top](#)

## **NOISE CONTROL**

### SECTION:

- 14.04.01: Declaration Of Policy
- 14.04.02: Definitions
- 14.04.03: Noise Level Enforcement Criteria
- 14.04.04: Ambient Base Noise Level
- 14.04.05: Noise Level Restrictions
- 14.04.06: Special Noise Sources
- 14.04.07: Construction Of Buildings And Projects
- 14.04.08: Vehicles
- 14.04.09: Sound Trucks
- 14.04.10: Excessive Noise Prohibited
- 14.04.11: Standards
- 14.04.12: Excessive Noise Near Schools Prohibited
- 14.04.13: Exclusions
- 14.04.14: Violations And Penalties
- 14.04.15: Effect Of Provisions

#### 14.04.01: DECLARATION OF POLICY:

It is hereby declared to be the policy of the City to prohibit unnecessary, excessive and annoying noises from all sources subject to its police power and contrary to the public interest. At certain levels, noises are detrimental to the health and welfare of the citizenry and in the public interest, should be systematically proscribed. (1954 Code §14.7.101)

#### 14.04.02: DEFINITIONS:

As used in this Article, unless the context otherwise clearly indicates, the words and phrases used in this Article are defined as follows:

**AMBIENT BASE NOISE LEVEL:** Reasonable and representative ambient noise levels in various land use categories in the City and at various times as established by the City's Technical Background Study for Noise, of March 1975.

**AMBIENT NOISE LEVEL:** The all-encompassing noise associated with a given environment, usually being a composite of sounds with many sources excluding the alleged offensive noise at the location and approximate time at which a comparison with the alleged offensive noise is to be made.

**COMMERCIAL PURPOSE:** Means and includes the use, operation or maintenance of any sound-amplifying equipment for the purpose of advertising any business or any goods or any services or for the purpose of attracting the attention of the public to or advertising for or soliciting patronage or customers to or for any performance, show, entertainment, exhibition or event or for the purpose of demonstrating any such sound equipment.

**DECIBEL (dB):** A unit of level which denotes the ratio between two (2) quantities which are proportional to power; the number of decibels corresponding to the ratio of two (2) amounts of power is ten (10) times the logarithm to the base ten (10) of this ratio.

**EMERGENCY WORK:** Work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger.

**MOTOR VEHICLES:** Includes, but is not limited to, off-road vehicles, mini-bikes and go-carts.

**NOISE LEVEL:** The "A" weighted sound pressure level in decibels obtained by using a sound level meter at slow response with a reference pressure of twenty (20) micronewtons per square meter. The unit of measure is the dBA.

**NONCOMMERCIAL PURPOSE:** The use, operation or maintenance of any sound-amplifying equipment for other than a "commercial purpose". Noncommercial purpose shall mean and include, but shall not be limited to, philanthropic, political, patriotic and charitable purposes.

**PERSON:** A person, firm, association, co-partnership, joint venture, corporation or any entity, public or private in nature.

**SOUND-AMPLIFYING EQUIPMENT:** Any machine or device for the amplification of the human voice, music or any other sound.

**SOUND LEVEL METER:** An instrument meeting American National Standard Institute's Standard S1.4-1971 for Type 1 or Type 2 sound level meters or an instrument and the associated recording and

analyzing equipment which will provide equivalent data.

**SOUND PRESSURE LEVEL:** Sound pressure level, in decibels, of a sound shall mean twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of this sound to the reference pressure, which reference pressure shall be explicitly stated.

**SOUND TRUCK:** Any motor vehicle, or any other vehicle regardless of motive power, whether in motion or stationary, having mounted thereon, attached thereto or used on or within any sound-amplifying equipment. "Sound trucks" shall not include standard automobile radios or tape decks when used and heard only by the occupants of the vehicle in which the automobile radio is installed. "Sound trucks" shall not include warning devices on authorized emergency vehicles or horns or other warning devices on any City-owned vehicle used only for traffic safety purposes. (1954 Code §14.7.102)

**14.04.03: NOISE LEVEL ENFORCEMENT CRITERIA:**

Enforcement of the provisions of this Article shall be based on a noise level measurement to establish the noise level. Said measurement shall be taken in accordance with court-accepted practices or as indicated in the noise element of the General Plan concerning noise level measurement procedures. (1954 Code §14.7.103)

**14.04.04: AMBIENT BASE NOISE LEVEL:**

Where the ambient noise level is less than designated in this Section, the ambient base noise level in this Section shall govern.

**AMBIENT BASE NOISE LEVEL**

10:00 P.M. To 7:00 A.M. To

Zone 7:00 A.M. 10:00 P.M.

R-1 Residential 45 55

R-1 Residential corridor\* 45 60

Commercial 50 65

Any noise at a level which exceeds the ambient base level as set forth in this Section by more than ten (10) dB, when measured at any adjacent privately owned residential property line, shall constitute proof of a violation of Section 14.04.05 of this Article.

\* Residential corridor shall mean any residential property located within one hundred fifty feet (150') of a commercial zone or from any portion of Huntington Drive not abutting a commercial area. (1954 Code §14.7.104)

**14.04.05: NOISE LEVEL RESTRICTIONS:**

It shall be unlawful for any person to wilfully make or continue or wilfully cause to be made or continued any noise from any source or place at a level which exceeds a decibel level measured at any adjacent residential property line of:

65 dB from any parcel in an R-1 Zone.

75 dB from any parcel in a C-1 Zone, Park and Recreational Zone or Historical and Cultural Zone.

A violation of this Section shall be a misdemeanor or an infraction, as determined by the City Prosecutor. (Ord. 937, 1-25-1988; amd. 1994 Code)

**14.04.06: SPECIAL NOISE SOURCES:**

**A. Radios, Television Sets And Similar Devices:** It shall be unlawful for any person within any residential zone of the City to use or operate any radio receiving set, musical instrument, phonograph, television set or other machine or any sound-amplifying equipment in a manner which constitutes a violation of Section 14.04.05 of this Article. (1954 Code §14.7.201)

**B. Hawkers And Peddlers:**

1. It shall be unlawful for any person within the City to sell anything by outcry within any area of the City zoned for residential uses. (1954 Code §14.7.202)

2. It is hereby declared to be a nuisance and it shall be unlawful for any person vending, advertising or soliciting the sale of or assisting in vending, advertising or soliciting the sale of any kind of notions, merchandise or medicines in the City to use a musical instrument or device or to sing or call out to make any noise to attract persons for the purpose of vending, advertising or soliciting the sale of notions, medicines or merchandise. (1954 Code §14.6)

**C. Drums:** It shall be unlawful for any person to use any drum or other instrument or device of any kind for the purpose of attracting attention for commercial purposes by the creation of noise within the City. This subsection shall not apply to any person who is a participant in a school band or duly authorized

parade or who has been otherwise duly authorized to engage in such conduct by the City Manager.  
(1954 Code §14.7.203)

D. Schools And Churches: It shall be unlawful for any person to create any noise on any street, sidewalk or public place adjacent to any school, institution of learning or church while the same is in use if such noise unreasonably interferes with the workings of such institution or which would constitute a violation of Section 14.04.05 of this Article. (1954 Code, §14.7.204)

E. Animals And Fowl:

1. No person shall keep or maintain or permit the keeping of, upon any premises owned, occupied or controlled by such person, any animal or fowl otherwise permitted to be kept which, by any loud or continuous cry, bark, howl or other sound shall violate Section 14.04.05 of this Article.
2. No person shall keep or maintain, or permit the keeping of, upon any premises owned, occupied, or controlled by such person, any dog or other animal or fowl otherwise permitted to be kept which, by any loud or continuous cry, bark, howl, or other sound unreasonably disturbs other persons.
3. Violations of subsection E1 and E2 of this Section may be enforced as provided in Section 14.04.14 of this Article and shall also constitute a nuisance which may be abated pursuant to Chapter VIII, Article 03 of this Code. (Ord. 096-1102, 11-13-1996)

F. Portable Engine Or Motor-Powered Blowers:

1. Definition: For the purposes of this subsection, a "portable blower" shall mean any mechanically powered device, regardless of the source of power, which is not stationary and used for the purpose of blowing leaves, dirt or other debris off sidewalks, driveways, lawns or other surfaces.

2. Permitted Hours Of Use: No portable blower shall be used within the City except during the following hours:

Monday through Friday 8:00 A.M. to 5:00 P.M.

Saturday 9:00 A.M. to 4:00 P.M.

3. Number Of Permitted Portable Blowers:

- a. No more than one portable blower shall be used in operation at a given time on any parcel in Area Districts III, IV, V, VI, VII of the R-1 Zones.
- b. No more than two (2) portable blowers shall be used in operation at a given time on any parcel in Area Districts I, IE and II of the R-1 Zones, the Park and Recreational Zone, the Historical and Cultural Zone or the C-1 Zone.

4. Extension Nozzle Required: No portable blower shall be operated in the City unless it is equipped with an extension nozzle at least three feet (3') in length. The extension shall be used at all times the portable blower is in operation.

5. Prohibited Acts:

- a. No portable blower shall be operated in a manner which will permit leaves, dust or debris to be blown onto neighboring property.
- b. No portable blower shall be operated in a manner which will permit leaves or debris to be blown onto public streets or alleyways.

6. Effect Of Repeated Violations: No person who operates a portable blower in violation of this subsection or Section 14.04.05 of this Article a total of more than three (3) times during any twelve (12) month period may use any portable blower within the City until said person has:

- a. Attended a course of instruction approved by the City Manager on the proper use of portable blowers; and
- b. Obtained a permit from the City Manager for each portable blower used or to be used by the person within the City during the subsequent twelve (12) months certifying that the portable blower is incapable of producing sound exceeding sixty (60) decibels (dBA) when measured at a point fifty feet (50') from the portable blower.

7. Violation: A violation of this subsection shall be a misdemeanor or an infraction, as determined by the City Prosecutor. Each and every day on which there is a violation of this subsection at any parcel shall be a separate infraction. (Ord. 937, 1-25-1988; amd. 1994 Code)

14.04.07: CONSTRUCTION OF BUILDINGS AND PROJECTS:

It shall be unlawful for any person within a residential zone, or within a radius of five hundred feet (500') therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures or projects or to operate any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other construction-type device on construction requiring a building, plumbing, electrical or grading permit in such a manner that noise is produced which would constitute a violation of Section 14.04.05 of this Article unless, beforehand, an additional permit therefor has

been duly obtained from the Planning and Building Director. (Ord. 096-1098, 9-11-1996)

14.04.08: VEHICLES:

A. Vehicle Repairs: It shall be unlawful for any person within any residential zone of the City to repair, rebuild or test any motor vehicle, thereby producing noise which would constitute a violation of Section 14.04.05 of this Article. (1954 Code §14.7.401)

B. Motor-Driven Vehicles: It shall be unlawful for any person to operate any motor-driven vehicle within the City in such a manner producing noise which would constitute a violation of Section 14.04.05 of this Article. (The mechanical equipment of motor vehicles driving on public streets shall be controlled by applicable provisions of the Vehicle Code.) (1954 Code §14.7.402)

14.04.09: SOUND TRUCKS:

A. Purpose: The Council enacts this Section for the sole purpose of securing and promoting the public health, comfort, safety and welfare for its citizenry. While recognizing that the use of sound-amplifying equipment for certain purposes is protected by the constitutional rights of freedom of speech and assembly, the Council nevertheless feels obligated to reasonably regulate the use of sound-amplifying equipment in order to protect the correlative constitutional rights of the citizens of this community to privacy and freedom from public nuisance of loud and unnecessary noise. (1954 Code §14.7.501)

B. Commercial Use Prohibited: It shall be unlawful for any person to install, use or operate within the City for commercial purposes a sound truck in a fixed or movable position or upon any sound truck. (1954 Code §14.7.502)

C. Noncommercial Use:

1. Registration Requirements: It shall be unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use or operate within the City for noncommercial purposes any sound truck for the purposes of giving instructions, directions, talks, addresses, lectures or transmitting music to any persons or assemblages of persons in or upon any street, alley, sidewalk, park or other public property without first filing a registration statement and obtaining approval thereof as hereinafter set forth:

a. Registration Statement: Every user of a sound truck for noncommercial purposes shall file a registration statement with the Chief of Police ten (10) days prior to the date on which the sound-amplifying equipment is intended to be used, which statement shall contain the following information:

- (1) The name, address and telephone number of both the owner and user of the sound-amplifying equipment;

- (2) The maximum sound-producing power of the sound-amplifying equipment which shall include the wattage to be used, the volume in decibels of sound which will be produced and the approximate distance for which sound will be audible from the sound-amplifying equipment;

- (3) The license and motor number if a sound truck is to be used;

- (4) A general description of the sound-amplifying equipment which is to be used; and

- (5) The nature of the use of the sound-amplifying equipment proposed to be used for noncommercial purposes.

b. Approval Of Statement: The Chief of Police shall return to the applicant an approved, certified copy of the registration statement unless he/she finds that:

- (1) The conditions of the motor vehicle movement are such that, in the opinion of the Chief of Police, use of the equipment would constitute a detriment to traffic safety; or

- (2) The conditions of pedestrian movement are such that use of the equipment would constitute a detriment to traffic safety; or

- (3) The registration statement required reveals that the applicant would violate the provisions set forth in Section 14.04.11 of this Article or any other provisions of this Code.

c. Disapproval: In the event the registration statement is disapproved, the Chief of Police shall endorse upon the statement his/her reasons for disapproval and return it forthwith to applicant.

d. Revocation: Any such permit may be revoked for violation of this Article. (1954 Code §14.7.503)

2. Appeals: Any person aggrieved by disapproval of a registration statement may file an appeal to the City Council within ten (10) days of the date of disapproval. The City Council shall hear and decide such appeal at its next regular meeting. (1954 Code §14.7.504)

3. Regulations: The noncommercial use of sound trucks shall be subject to the following regulations:

- a. The only sound permitted shall be either music or human speech or both.

- b. The operation of sound trucks shall only occur between the hours of eight o'clock (8:00) A.M. and

six o'clock (6:00) P.M. each day, except on Sundays and legal holidays. The operation of sound trucks on Sundays and legal holidays shall only occur between the hours of ten o'clock (10:00) A.M. and six o'clock (6:00) P.M.

c. No sound emanating from sound trucks shall exceed fifteen (15) dB above the ambient, as measured at any property line, for more than three (3) minutes in any three (3) hour period.

d. Notwithstanding the provisions of subsection C3c of this Section, sound trucks shall not be operated within two hundred feet (200') of churches, schools or City or County buildings.

e. In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing or a nuisance to reasonable persons of normal sensitiveness within the area of audibility. (1954 Code §14.7.505)

#### 14.04.10: EXCESSIVE NOISE PROHIBITED:

Notwithstanding any other provisions of this Article, and as a separate flexible standard to the rigid requirements of Section 14.04.05 hereof, it shall be unlawful for any person to wilfully make or continue or wilfully cause to be made or continued any loud, unnecessary or unusual noise which disturbs the peace or quiet of any neighborhood. (1954 Code §14.7.601)

#### 14.04.11: STANDARDS:

The standards which may be considered in determining whether a violation of the provisions of this Article exists shall include, but not be limited to, the following:

- A. The loudness of the noise;
- B. The intensity of the noise;
- C. Whether the nature of the noise is usual or unusual;
- D. Whether the origin of the noise is natural or unnatural;
- E. The loudness and intensity of the background noise, if any;
- F. The proximity of the noise to residential sleeping facilities;
- G. The nature and zoning of the area within which the noise emanates;
- H. The density of the inhabitation of the area within which the noise emanates;
- I. The time of the day or night the noise occurs;
- J. The duration of the noise;
- K. Whether the noise is recurrent, intermittent or continuous; and
- L. Whether the noise is produced by a commercial or residential activity. (1954 Code §14.7.602)

#### 14.04.12: EXCESSIVE NOISE NEAR SCHOOLS PROHIBITED:

Notwithstanding any other provision of this Article, it shall be unlawful for any person to wilfully make or continue or wilfully cause to be made or continued any noise in excess of fifty two (52) dB when measured within any classroom in a public or private school during hours that said classroom is being used for instruction. (Ord. 096-1101, 10-25-1996)

#### 14.04.13: EXCLUSIONS:

The provisions of this Article shall not apply to:

- A. Sound produced by motor vehicles as regulated by sound limitation provisions of the California Vehicle Code when such vehicle is located or operated on any public street or highway.
- B. Aircraft operated in conformity with Federal law.
- C. Public and private school organized activities, including sports, carnivals, assemblies and other related activities.
- D. Intermittent noise continuing for less than thirty (30) seconds at intervals greater than once every three (3) hours.
- E. Noise as to which there is specific consent from all affected persons. (Ord. 096-1101, 10-25-1996)

#### 14.04.14: VIOLATIONS AND PENALTIES:

Any person violating any of the provisions of this Article shall be deemed guilty of a misdemeanor or infraction as determined by the City Prosecutor and punishable as provided in subsection 01.04.03A of this Code. (1994 Code; amd. Ord. 096-1101, 10-25-1996)

#### 14.04.15: EFFECT OF PROVISIONS:

Nothing in this Article shall authorize any use otherwise prohibited or regulated by this City Code. (1954 Code §14.7.804; amd. Ord. 096-1101, 10-25-1996)