

ORDINANCE NO. 93-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON  
AMENDING NAPA COUNTY CODE §5810-5820  
COMMUNITY NOISE ORDINANCE

The City Council of the City of American Canyon does ordain as follows:

Section 1.            Declaration of Intent

The City Council hereby determines that certain revisions and additional provisions to the Napa County Code, Community Noise Ordinance set forth in §5810-5820, as adopted by the City upon its incorporation, are necessary to facilitate implementation of the ordinance based on the City's organizational structure, available resources and noise enforcement issues within the City.

Section 2.            Revisions

- A. Amend Section 5811(r) of the Municipal Code to read as follows:

Section 5811

(r) Noise Control Officer means the Director of Planning or the designated representative of the Director.

- B. Delete the existing text of Section 5811(s) in its entirety and replace with the following text:

Section 5811

(s) Noise disturbance means any sound which endangers or injures the safety or health of humans or animals; disturbs the peace and quiet of any neighborhood; annoys or disturbs a reasonable person of normal sensibilities; or endangers or damages personal or real property.

- C. Amend Sections 5812(a) and 5812(b) of the Municipal Code to read as follows:

Section 5812.            Authority and duties of the Noise Control Officer.

(a) Administration. The noise control program established by this ordinance shall be administered and enforced by the Planning Director and by his designated representatives, unless otherwise expressly provided herein.

(b) Powers. In order to implement and enforce this ordinance, and for the general purpose of noise abatement and control, the Planning Director, as City Noise Control Officer (hereinafter NCO), shall have, in addition to any other authority vested in him, the power to:

D. Amend Section 5820(i) to read as follows:

Section 5820


- (i) Applicability Of Multiple Sections. In the event that more than one section of this chapter applies generally and simultaneously to a given noise, source or incident, the least restrictive regulation or standard shall be in effect, and the most restrictive limit shall not be invoked, except as noise sources and incidents are specifically identified in the most restrictive limit which is applicable.

E. Amend Section 5821(j) to read as follows:

Section 5821

- (j) Authorization To Enforce. Notwithstanding, and in addition to, the enforcement procedures contained in Section 5820, the law enforcement officer of the City is authorized to enforce the provisions of Section 5813 entitled "General Noise Regulations" and Section 5817 entitled "Prohibited Acts" where the violation involves a noise disturbance as defined in this chapter. The law enforcement officer of the City may, after a verbal or written warning, issue a citation to any person who continues to violate the provisions of Section 5813 or Section 5817.

APPROVED AND ADOPTED this 17th day of June, 1993.



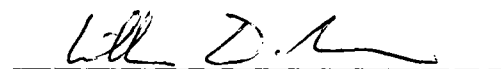
Tom Orlando  
Mayor

ATTEST:

APPROVED AS TO FORM:



Ronald L. Kiedrowski  
City Clerk



William D. Ross  
City Attorney