

6-2-09

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The Donelson Company

City of Long Beach
Mayor and City Council
333 W. Ocean Blvd.
Long Beach, Ca. 90802

June 9, 2009

Re: Proposed changes to noise ordinance

Dear Mayor Foster and Council Members,

I was very surprised at the proposed changes to the Long Beach noise ordinance that was before the Council last Tuesday. I follow you guys pretty close and had no idea this was coming and appeared to be headed towards a hasty approval. Some were disappointed at the tone of my recent letter in the Press Telegram. Not being involved or aware of the process I do what I can to slow a fast moving train. Especially when it will have an impact on my livelihood and my ability to enjoy family and friends on Sunday afternoons.

I pulled all the documentation from the internet on the issue since 2006. The other items that were considered was noise from special events, boat slip noise(power boats), vessels in Long Beach Harbor, loud mufflers, bars, police helicopters hovering at crime scenes to long, buses at bus stops, street sweepers, trash trucks, motor cycle noises and other issues. I have attached a copy of residents concerns taken from the 2nd. District Town Hall meeting at the Aquarium. Obviously no one attended from Districts 4,5,7 and 8 because no one mentioned Long Beach Airport and the fact we have noise pollution 365 days a year from 6am till 11am.

What grieves me most is that most all the issues were addressed by City staff at Police, Special events, Harbor, Planning and Health(noise control officer) and not one representative from the construction industry until last Tuesday when 4 council members recognized the process was not all inclusive. Not to mention the fact that testimony was taken from only four residents of the 2nd District.

In my many years in the construction business the first thing all the subs ask when we start a residential job is, "what's the start time". This ordinance will make Long Beach the most strict in Southern California with the exception of Santa Monica. It will cause great hardship on contractors that typically rent larger tools in the evening to be used early the next day. We now will have a piece of equipment and an operator sitting on rent time and payroll till 9am.

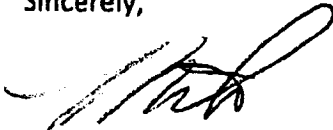
Most residents like to enjoy family on Sunday afternoons. Most get started on yard work and chores early to free their afternoon for family and fun. Restricting power tools, lawn mowers, etc. till 11am on Sunday will certainly ruin my Sundays with family and friends.

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While I applaud the Councils effort to reduce pollution, whether it be noise, air or water, this proposal will have a huge economic impact on contractors and residents alike. Contractors will simply charge more for the down time in Long Beach. It is my hopes the Council will receive and file the report when it returns to Council. Great cause, bad solution.

I am submitting this letter for the record and will be happy to help in any way I can.

Sincerely,



Mike Donelon, Owner
The Donelon Company

cc

City Manager Patrick West
City Attorney Robert Shannon

- Deputy Chief Steve Lewis commented on the need for sirens to ensure the safe and efficient transit of fire and paramedics responding to calls and transporting victims to the hospital. Once on the scene of a call, Fire re-evaluates the need for sirens. The Fire Department can use an "Opticom" system for changing lights in certain intersections when a Code 3 has been called. The use of sirens for emergencies is codified by State of California Vehicle Code 21055. Deputy Chief Lewis also commented that the Magnolia Fire Station uses Ocean Blvd. and Walnut for many of its calls.

Special Events on filming, Events Park and the Queen Mary:

- Dave Ashman commented on noise originating from concerts at Events Park and the Queen Mary. Special Events office staff will be requiring future events at Events Park turn their speakers and stage to face the port, rather than the marina.
- Filming in the city requires staff to determine a walk through, signature surveys or notices to the film area will be necessary depending on the scope and impact of the production.
- Queen Mary's entertainment permit has conditions that restrict the hours, noise levels, alcohol, parking and public advertising. Those conditions become more restrictive if the Special Events office concludes that a particular event or concert broke the terms of the permit.

Commentary from attendees:

- Limit the time frame during the day that motorcycles are allowed on the road, particularly along Shoreline Drive.
- Provide noise decibel level equipment for police.
- Ensure the City Prosecutor pursues cases with "willing complainants".
- Enforce noise emanating from boats in the marinas and open water, particularly "cigarette boats" with their load engines and stereos. (Marine Boat Patrol and LBPD)
- Regulate the set up and break down operations of the convention center – large trucks, forklifts and other equipment arrive early in the morning (5:00 am), impacting residents along Ocean.
- Provide LBPD officers with information and briefing about noise and proactive measures for reducing noise in neighborhoods.
- The quality of life for a person and neighborhood is relative to their environment and experiences.
- Place police checkpoints on main corridors to enforce illegally modified mufflers on motorcycles and cars.
- Residents need to work with their neighborhood associations and homeowner associations to reach solutions to minor concerns between neighbors.
- Bars and lounges such as The Basement Lounge on Linden Avenue and those along Pine Avenue are doing a poor job of ensuring their patrons leave the establishment quietly. Councilmember Lowenthal pointed out that it is also the city's responsibility to work with business for a successful solution to concerns and requested LBPD send a patrol car to the Basement Lounge just prior to closing to monitor their procedures for controlling loud or unruly patrons and assist when appropriate.
- Idling buses on 1st Street and Broadway should be required to turn off their engines if they must sit for extended periods of time.
- Construction in downtown is negatively impacting current residents – morning start times should be modified and delays in construction need to be curbed.
- Police helicopters hover over a scene too long.

- **Street sweepers should only sweep in business corridors and commercial districts in the early morning (5:00 am) and residential at later times.**
- **Old trash trucks use the "over-the-top" method for emptying trash, which is very noisy. These trucks should be converted.**
- **Review the routes selected for "heavy equipment" movement from 12:00 am to 3:00 am.**
- **LBPD's non-emergency line (435-6711) is not logged like 911.**