

“LET’S TALK ABOUT NOISE” TOWN HALL

**Hosted by Councilmember Suja Lowenthal
at the Aquarium of the Pacific
September 28, 2006**

MEETING NOTES

Attendees:

City Councilmembers present:

Vice Mayor Bonnie Lowenthal, Councilmember Suja Lowenthal

City Staff:

Commander Torben Beith (LBPD), Deputy Chief Steve Lewis (LBFD), Robert Hunt (Environmental Health Bureau), Dave Ashman (Special Events), Blair Cohn (Special Events), Lt. Dave Hendricks (LBPD).

Presentations:

Police enforcement of noise:

- Commander Beith discussed the State Penal code (415 & 415.5) concerned with “disturbing the peace” and the need for residents to be “willing victims”; meaning residents must be willing to report the noise disturbance, provide their name to police and serve as a witness in a court of law. Due to the nature of noise disturbances, neighbors may be pitted against neighbors when filing complaints and therefore may be unwilling to go beyond their initial phone call to police – making long term enforcement a challenge for police. Residents are encouraged to record the time and day of noise disturbance for police follow up.
- Car Alarms fall under the “excessive use” ordinance (City Ordinance 8.8 & Vehicle Code 22651.5)
- Loud motorcycles are being enforced by police using outreach to businesses frequented by motorcyclists, enforcement of illegally modified mufflers and placing a “sign board” on main thoroughfares to warn motorcyclists of police intent to enforce illegally modified mufflers.
- Patrons leaving nightclubs and bars pose a challenge for police particularly along Pine Avenue at 2:00 am, in part because of their sheer numbers.
- Barking dogs are enforced by the Animal Control Bureau.
- Police use their judgment rather than a noise decibel device to assess noisy situations.
- Residents that are dissatisfied with a police officer response should ask for a Supervisor.

Environmental Health Bureau enforcement of noise:

- Robert Hunt discussed the city’s Noise Ordinance (Health and Safety, Chapter 8.80) and how the “noise control office” enforced noise coming from static sources such as construction and power equipment.
- Mr. Hunt also explained the “allowable exterior/interior noise levels” or decibel levels enforced throughout the city and found in the Health and Safety ordinance, Chapter 8.8.

Councilmember Lowenthal requested additional commentary from the following staff at the town hall:

Fire Department sirens:

- 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 LBPB)
- 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 LBPB 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 LBPB 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.