

City of San Luis Obispo Noise Ordinance Modifications

Disturbances caused by loud noises, music and parties are a significant problem in San Luis Obispo, especially in neighborhoods where students reside near long term residents. Due to continuing issues related to noise and parties in City neighborhoods the San Luis Obispo City Council on February 2, 2010, adopted several amendments to the City's Noise Ordinance contained in section 9.12.050 of the City of San Luis Obispo Municipal Code, and the San Luis Obispo Police Department (SLOPD) procedures for enforcing the noise ordinance.

The modifications take effect on **March 5th, 2010** and the significant changes include:

- **Violators are only eligible to receive one warning before receiving a citation.**
Previously violators of the noise ordinance were eligible to receive several warnings each year before receiving a citation since they were only put on the Police Department's No Warning (Premise) list if they received more than two violations in a 60-day period. After March 5, 2010, violators will be eligible to receive only one warning in any nine-month period. After March 5, when a Student Neighborhood Assistance Program (SNAP) employee or a SLOPD officer issues a Disturbance Advisement Card warning (DAC) or a citation for a noise violation, the residence will be immediately placed on the No Warning (Premise) list and will remain there for 9 months from the date of the most recent violation. Any further noise complaints received for the residence while it is on the No Warning list will result in officers being dispatched to the call instead of SNAP and citations may be issued.

Violations of the Noise Ordinance are still subject to the same administrative fines:

First violation: \$350.

Second violation: \$700. for a second violation within a 12 month period

Third violation: \$1000. for a third or subsequent violation within a 12 month period.

- **Property Owners can also be issued a citation.**
The new ordinance modifications allow the issuance of an administrative citation to property owners who allow noise violations to repeatedly occur at their property. When a tenant is issued a warning or a citation for a noise violation, SLOPD will send a letter to the property owner notifying them of the violation. If subsequent violations are allowed to occur after a reasonable period of time has passed for the owner to address the problem (at least two weeks), the owner may receive an administrative citation (in addition to any citation issued to the tenants). Fines for administrative citations issued to property owners are:
First violation: \$350.
Second violation: \$700. for a second violation within a 12 month period
Third violation: \$1000. for a third or subsequent violation within a 12 month period.

- **Community Service Option for first time violators.**
First time violators of the noise ordinance will be allowed to apply for community service in lieu of paying some or the entire fine, at a rate of \$10.00 for each hour of service completed. The total 35 hours of community service will be required to be completed within 3 months or any remaining time will be due and payable as a monetary fine. To request community service for noise citations **received after March 5, 2010** appellants must contact the City's Finance Dept. at 990 Palm St. and fill out the application within 10 days of receiving a citation (as indicated on the citation).
- **Petition for Early Removal from Premise List.**
If a complete turnover in tenants occurs at a property that is on the No Warning list, the property owner or manager may apply to the Police Department for early removal from the No Warning list. Proof of complete tenant turnover and lease language containing noise violation language will be required for the residence to be removed from the No Warning list. Affidavit petitions for Request For Early Removal from the No Warning list will be available in the SLOPD lobby and on line at the SLOPD website www.slopd.org