

ATTACHMENT A

ORDINANCE NO. _____

AN ORDINANCE OF THE YOLO COUNTY BOARD OF SUPERVISORS ADDING CHAPTER 20 TO TITLE 5 OF THE YOLO COUNTY CODE TO ADDRESS AMPLIFIED SOUND NUISANCES

The Board of Supervisors of the County of Yolo ordains as follows:

SECTION 1. PURPOSE

This Ordinance regulates the nighttime use of sound-amplifying equipment in the unincorporated area of Yolo County.

SECTION 2. ADDITION OF CHAPTER 20 TO TITLE 5

Title 5 (Public Welfare, Morals, and Conduct) of the Yolo County Code of Ordinances is hereby amended to add Chapter 20, which shall read as follows:

Chapter 20 AMPLIFIED SOUND

Sec. 5-20.01. Regulation of Amplified Sound.

- A. It is unlawful for any person to make or cause to be made any sound using sound-amplifying equipment that disturbs the peace or quiet within the unincorporated area of the County between the hours of 10:00 p.m. and 7:00 a.m., except as provided in this Ordinance or otherwise specifically authorized by law. Any such sound during said hours is declared to be a public nuisance unless the making or continuing of said sound is necessary for the preservation of the public health, safety, or welfare or falls within an exemption identified in this Chapter.
- B. Examples of sounds that are necessary for the preservation of health, safety, or welfare include, but are not limited to, law enforcement, fire, and ambulance sirens, flood warning alarms, burglar and fire alarms, and orders given through a voice amplifier by law enforcement, fire department, or utility agency personnel.
- C. Sound emanating from sound-amplifying equipment between 10:00 p.m. and 7:00 a.m. the following morning and not otherwise authorized by law shall not be audible at the property line of the nearest residence or facility which accommodates sleeping quarters or overnight residential use.
- D. Nothing contained in this Ordinance shall be deemed to permit or authorize any activity or sound level which is otherwise a nuisance or prohibited by any provision of State law.

Sec. 5-20.02. Definitions.

- A. "Sound-amplifying equipment" shall mean any electronic device for the amplification of the human voice, music, or any other sound, including but not limited to amplifiers, radio loudspeakers, phonographs, tape amplifiers, electronically operated or acoustic musical instruments, or other device of like design used for producing and amplifying sound.

Sec. 5-20.03. Exemptions.

The following uses of sound-amplifying equipment shall be exempt from this Ordinance:

- A. Vehicle sound systems, radios, and similar devices located within or upon any vehicle, to the extent the sound from such devices is not audible beyond the vehicle and as regulated by the provisions of the State of California Vehicle Code.
- B. Sound-amplifying equipment when used and heard only by occupants of the premises in which the devices are located.
- C. Horns or other warning devices on vehicles used for traffic safety purposes.
- D. Warning devices on authorized emergency vehicles or any other device when used by a public safety officer for official purposes.
- E. Equipment authorized as part of any operation or project operating under the conditions of a Use Permit, Outdoor Festival License, or other County approval.
- F. Noise emanating from agricultural farming activities and operations, including but not limited to bird/wildlife deterring devices and use of amplified sound equipment for issuing instructions to farmworker crews.
- G. Authorized activities and operations at the County Airport or a County Park.

Sec. 5-20.04. Violations.

Violations of this Ordinance shall be enforced by any Enforcement Agency in accordance with Title 1, Chapter 5 (Code Enforcement) or by any authorized law enforcement officer, provided, however, that provisions of this Chapter and the remedies contained herein shall be cumulative and are not intended to replace any otherwise available remedies for public or private nuisances, nor any other civil or criminal remedies otherwise available.

SECTION 3. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Ordinance is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance, and each section, sub-section, sentence, clause, and phrase hereof, irrespective of the fact that one or more sections, sub-sections, sentences, clauses, and phrases be declared invalid.

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect and be in force within 30 days of enactment. Prior to expiration of fifteen (15) days after its passage of this Ordinance, it shall be published by title and summary only in a newspaper of general circulation together with the names of members of the Board of Supervisors voting for and against the same.

I HEREBY CERTIFY that the foregoing Ordinance was introduced before the Board of Supervisors of the County of Yolo on October 10, 2023, and adopted by the Board of Supervisors at its regular meeting on _____, 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

By _____
Oscar E. Villegas, Chair
Yolo County Board of Supervisors

ATTEST:
Julie Dachtler, Senior Deputy Clerk
Board of Supervisors

By _____
Deputy (Seal)

APPROVED AS TO FORM
Philip J. Pogledich, County Counsel

By  _____
Eric May, Senior Deputy County Counsel