

ORDINANCE NO. _____

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

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

SECTION 1. PURPOSE

This Ordinance establishes an enforcement program and authorizes administrative fines for violations of nuisance related to nighttime use of amplified sound.

SECTION 2. ADDITION OF CHAPTER 20 TO TITLE 5

Title 5 (Public Welfare, Morals, and Conduct) 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, continue or cause to be made or continued, any electronically amplified sound within the unincorporated area of the County between the hours of 10:00 p.m. and 7:00 a.m. the following morning, except as provided in this ordinance or otherwise specifically authorized by law. Any such sound during said hours is declared to be a nuisance unless the making or continuing of said sound is necessary for the preservation of the public health, safety, or welfare.
- B. Examples of sound which is necessary for the preservation of health, safety, or welfare include 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, including from a County Service Area or District.
- C. Examples of sound which is unnecessary for the preservation of health, safety, or welfare include electronically amplified music or electronically amplified speech other than by a law enforcement officer, member of a fire department, or utility agency personnel.
- D. Sound emanating from sound-amplifying equipment between 10:00 p.m. and 7:00 a.m. the following morning or otherwise authorized by law shall not be audible at a distance in excess of 200 hundred feet from the sound-amplifying equipment.
- E. The Board of Supervisors will consider requests for partial waiver of these restrictions for an event for which the organizers wish to use electronically amplified produced sound after the hour of 10:00 p.m. or before the hour of 7:00 a.m., so long as such requests are made 60 days in advance of the event. After hearing all who wish to speak for or against the request, the Board of Supervisors shall determine whether the granting of the waiver will unduly disturb the neighborhood in which the event is to take place.

The Board of Supervisors will also consider the measures proposed by the applicant to mitigate the effect of the proposed amplified or mechanically produced sound upon the public.

- F. Nothing contained in this ordinance shall be deemed to permit or authorize any activity or sound level which is otherwise 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.

Sec. 5-20.03. Exemptions.

The following uses of sound-amplifying equipment and activities 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. Warning devices on authorized emergency vehicles, or horns or other warning devices on other vehicles when used for traffic safety purposes, or any other device when used by a public safety officer for official purposes.
- D. Equipment used by any duly authorized facility operator as an integral part of any event operating under the conditions of a Use Permit or other County approval.
- E. The electronic amplification of sound from a special event for which an Outdoor Festival License or Use Permit has been issued.
- 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. Approvals issued for 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 the County Code Enforcement Division in accordance with Title 1, Chapter 5 (Code Enforcement) or by any authorized law enforcement officer.

SECTION 3. SEVERABILITY

If any section, sub-section, 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 the Davis Enterprise or other 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 and, at a further public hearing, said Board adopted this Ordinance on the ___ day of _____, 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 _____
Kimberly Hood, Assistant County Counsel