

Noise, Host, Guest, Owners or Managers Responsibility Ordinance
Provisions and Highlights – May 2009

	Provisions	Highlights
Excessive Noise	<ul style="list-style-type: none"> • More specific definition to what constitutes unreasonable noise • Establishes the property line as a reference point to measure noise as excessive • Defines factors for officers to consider when determining whether noise is excessive • Specifies sources of excessive noise 	<ul style="list-style-type: none"> • Excessive noise means noise that can be heard across property lines or enters a residence other than the residence from which the noise originated • Factors to be considered include but are not limited to: <ul style="list-style-type: none"> ○ Time of day ○ Size of gathering of persons making or contributing to the noise ○ Use of noise amplification equipment ○ The magnitude or disruptive effect of the noise ○ The duration of the noise, or ○ Whether the noise would tend to cause distress, discomfort, annoyance, or injury to a person of ordinary sensibility • Sources of excessive noise may include but are not limited to: <ul style="list-style-type: none"> ○ Live or recorded human voices or ○ Sounds produced by radio, stereo, television, musical instruments or other devices
Responsibilities of Host	<ul style="list-style-type: none"> • Adds responsibility to prevent a party from becoming an unruly gathering 	<p>Host Responsibilities:</p> <ul style="list-style-type: none"> • Ensure that excessive noise is not produced from the host's party • Ensure that alcoholic beverages provided or served at the host's party are controlled in a manner that ensures the alcoholic beverage laws are not violated • To advise guests that streets and driveways cannot be blocked by vehicles or persons attending the host's party • Ensure that litter related to the host's party is properly disposed of by 10:00am of the morning after the party started; or • Prevent the party from becoming an unruly gathering
Responsibility of Guests	<ul style="list-style-type: none"> • Guest means any person who attends a party other than the host, whether invited or not 	<p>Guest Responsibilities:</p> <ul style="list-style-type: none"> • Prohibits guests to engage in conduct that results in one or more of the following conditions or events on public or private property: rioting; the unlawful sale, furnishing, possession or consumption of alcoholic beverages; the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive noise; disturbances, brawls, fights, or quarrels; public urination or defecation; or indecent or obscene conduct or exposure
Responsibility of Owners/ Managers Common Areas of Apt. Complexes	<ul style="list-style-type: none"> • It is unlawful for the owner or manager of an apartment complex to knowingly allow an unruly gathering to occur or continue in a common area 	<p>Owner/Manager Responsibilities:</p> <ul style="list-style-type: none"> • To provide oversight of common areas such as pools, hot tubs, volleyball courts, etc.

Unruly Gathering	<ul style="list-style-type: none"> • Defines an unruly gathering as a gathering of more than one person and by reason of the conduct of those persons in attendance, results in the occurrence of more than one of the following conditions or events on public or private property: rioting; the unlawful sale, furnishing, possession or consumption of alcoholic beverages; the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive noise; disturbances, brawls, fights, or quarrels; public urination or defecation; or indecent or obscene conduct or exposure 	<ul style="list-style-type: none"> • Host's lack of responsible planning or supervision results in conditions or events for an unsafe and unruly gathering and/or guest's conduct results in events for an unsafe and unruly gathering
Dispersing an Unruly Gathering	<ul style="list-style-type: none"> • Authorizes officers to disperse an unruly gathering 	<ul style="list-style-type: none"> • Any person who fails or refuses to abide by such an order commits an offense
Notification of Property Owners	<ul style="list-style-type: none"> • Written notification by Police Department to property owner or manager if two verified excessive noise complaints, host or guest responsibility violations or unruly gathering violations occur within a 60 day time period 	<ul style="list-style-type: none"> • Property owner, property owner's designee or the property manager shall contact the Police Department within ten (10) days of the date of the notice in order to reach agreement on strategies to prevent further violations from occurring on the property
Abatement Strategies	<ul style="list-style-type: none"> • Specifies strategies to prevent further violations from occurring on the property 	<ul style="list-style-type: none"> • Strategies include: <ul style="list-style-type: none"> ○ Education ○ Mediation ○ Enforcement of lease violations against tenants ○ Refusal to renew lease of particular tenants ○ Tenant eviction
Remedies	<ul style="list-style-type: none"> • If an agreement is reached • If an agreement is not reached or if a citation is issued for an excessive noise violation, host or guest responsibility violation, or unruly gathering violation within 90 days of the most recent complaint, citation, or violation, then the property owner or property manager may be assessed a fee of \$100 for each of the two prior police responses to the property for such verified complaints and violations within six months from the date of the last verified complaint or violation 	<ul style="list-style-type: none"> • Matter deemed resolved unless there is another verified excessive noise complaint, host or guest responsibility violation, or unruly gathering within 90 days of the most recent complaint or violation • If an agreement included non-renewal of the lease or eviction, there will be no charge for police responses to the property if the lease termination or eviction occurs within 60 days of the execution of the agreement