

AN ORDINANCE OF THE CITY OF CHULA VISTA, CALIFORNIA
PROHIBITING UNNECESSARY NOISES AND PROVIDING
PENALTIES FOR THE VIOLATION THEREOF

THE CITY COUNCIL OF THE CITY OF CHULA VISTA DOES ORDAIN AS FOLLOWS:

Section 1: It shall be unlawful for any person in any R-1, R-2, or R-3 residential zones to make, or cause to be made or continued, any unnecessary or unreasonable noise which by its degree of intensity of length of time continued, disturbs the comfort or repose of others, or endangers the health of others in any R-1, R-2, or R-3 residential zones within the limits of the City.

Section 2: The following acts, among others, are declared to be disturbing and unnecessary noises in violation of this ordinance, but said enumeration shall not be deemed to be exclusive, namely:

(a) Radios, Phonographs, Amplifiers, etc.

The using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, television or other machine or device for the producing or reproducing of sound in such manner as to disturb the comfort and repose of any person residing or working in the vicinity, or at any time with louder volume than is necessary for convenient hearing by the person or persons who are in the room, place, vehicle or premises in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 12:00 o'clock midnight and 8:00 o'clock A.M. in such manner as to be plainly audible at a distance of fifty feet (50') from the building, structure, vehicle or premises in which it is located shall be prima-facie evidence of a violation of this ordinance.

(b) Animals, birds, etc.

The keeping of any animal or bird which by frequent or long continued noise shall disturb the comfort or repose of any person residing or working in the vicinity.

(c) Vehicles in disrepair or improperly loaded

The use of any vehicle in such a state of disrepair or so loaded as to unnecessarily create loud grating, grinding or rattling noises.

(d) Noises near schools, courts, churches and hospitals.

The creation of any unnecessary noise on the street adjacent to any school, church or court so as to disturb or unnecessarily interfere with the workings of such institution; or the creation of any unnecessary noise on the street adjacent to a hospital so as to unnecessarily or unreasonably disturb the patients in such hospital.

(e) Power machinery, tools and equipment.

The use of any tools, power machinery or equipment so as to cause noises disturbing to the comfort and repose of any person residing or working in the vicinity, between the hours of 10:00 o'clock P.M. and 8: o'clock A.M. except when the same is necessary for emergency repairs required for the health and safety of any member of the community.

Section 3: Any person who violates any provision of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not exceeding \$500, or be imprisoned for not more than six (6) months in the City or County jail, or suffer both fine and imprisonment.

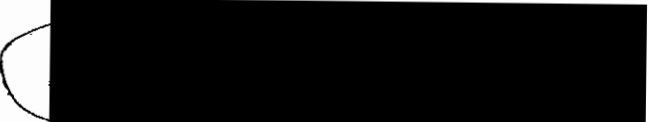
Section 4: It is the intention of the City Council that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provisions of this ordinance be declared to be invalid, all other provisions thereof shall remain valid and enforceable.


ADOPTED AND APPROVED by the CITY COUNCIL of the CITY OF
CHULA VISTA, CALIFORNIA, this 4th day of April 1961
by the following vote, to-wit:

AYES: COUNCILMEN DeGraaf, Menzel, McMains, Smith, McAllister

NAYS: COUNCILMEN _____ None _____

ABSENT: COUNCILMEN _____ None _____


Mayor of the City of Chula Vista

ATTEST 
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, KENNETH P. CAMPBELL, City Clerk of the City of Chula Vista,
California, DO HEREBY CERTIFY that the above and foregoing is a full,
true and correct copy of _____, and
that the same has not been amended or repealed.

DATED _____

City Clerk

00755