

# Noise Standards in San Luis Obispo

## What are the City noise laws?

The noise ordinance for the City of San Luis Obispo is a 24/7 regulation. It is a violation to make or allow noise between 7:00 am and 10:00 pm that can be heard 50 feet from your property line; between 10:00 pm and 7:00 am, it is a violation to make or allow noise that can be heard across your property line. Noise is not limited to music; it could be a TV turned up loud, voices, power tools, and so forth. For a full description of the noise ordinance, visit the San Luis Obispo municipal code website at <http://www.codepublishing.com/ca/sanluisobispo/> and select Title 9.12. Prohibited acts are detailed in 9.12.050.

## What does a noise citation cost?

The fines for noise violations are:

\$350 for the first citation

\$700 for the second citation

\$1,000 for the third and subsequent citations

In addition, if the noise is not stopped after a warning and officers are required to return anytime within 24 hours, the resident will also be responsible for paying the cost of the officers' response time in addition to the citation.

## Who enforces the Noise Ordinance?

Violations are enforced by the San Luis Obispo Police Department. Violators receive either a warning or a citation and may also be responsible for paying the cost of officers responding to the call. If the property is rented, violations are reported to the property owner who many choose to enforce lease agreements regarding noise.

Either police officer or Student Neighborhood Assistance Program (SNAP) employees respond to noise complaints. SNAP employees are Cuesta and Cal Poly students employed by SLOPD that act as first responders to noise complaints. If SNAP verifies a noise violation, they can issue a Disturbance Advisement Card (DAC) which is a formal warning. **SNAP do not issue noise citations.** If SNAP employees are met with verbal abuse or uncooperative behavior by the residents or guests, police officers will then respond and most likely issue a citation.

## Are you entitled to a warning first?

No. Police officers may respond to noise complaints without SNAP being sent first, and warnings are not guaranteed. Noise citations can be issued on the first contact if officers observe a noise violation.

## What happens if you get a DAC?

Residences that receive a DAC are put on the No Warning List for 9 months. During the nine month period, if a noise complaint is received and verified, warnings are not an option and a citation will be issued by an officer.

A DAC notification letter is also sent to the property owner (and property manager if applicable) informing them of the warning. NOTE: some property management companies are charging their tenants for DACs so please be aware of your lease terms when securing housing.

### **What happens if you get a citation?**

If you receive a citation, your landlord will also be getting a citation and the fine schedule is the same: \$350 for the first, \$700 for the second and \$100 for the third and subsequent. If the property is already on the “no warning” list, an additional 9 months is added. If the property wasn’t on the “no warning” list, it will be added. Many landlords have included language in the lease that passes fines back to the tenants. An invoice will be sent to you from the City Finance Department with a due date of 30 days from the date of the invoice.

### **Can more than one citation be given at one party?**

**YES.** Officers can write noise citations to multiple people at a single gathering.

### **Can you appeal a citation?**

Yes. If you feel the citation was issued in error, you can request an appeal hearing. Requests must be made in writing within **10 calendar days** of receiving the citation and must be submitted to the City of San Luis Obispo, 990 Palm Street, San Luis Obispo (City Hall, across from the City/County Library.) Appeals are made before a Hearing Officer. The Hearing Officer cannot reduce fines, they can only dismiss or uphold a citation.

Tenant and property owner citations are **TOTALLY SEPARATE**. If a tenant appeals a citation and it is dismissed, that does not automatically dismiss the property owner citation. **Property owners must appeal their citations in the same manner as the tenant, within 10 calendar days of receiving it.**

If a tenant’s noise citation is dismissed, the 9 month addition to the “no warning” list will be removed. If a citation is upheld, the person will be granted 30 days to pay the fine. If the fine is not paid in full by that time, late fees will be added. If the fine is not paid within 90 days, it will be sent to collections (which in turn can negatively affect the persons credit rating.)

### **Can community service be done instead of paying the fine?**

No, community service may not be done in lieu of fines.

### **Can fines be paid using a payment plan?**

Yes, but late fees will be attached to each payment increasing the total due.

### **What if you’re having on-going conflicts with neighbors, housemates or landlords?**

There is a **FREE** conflict resolution and mediation service called **SLO Solutions** available to all City residents. For more information on the services they provide, log on to [www.creativemediation.net/slo-solutions](http://www.creativemediation.net/slo-solutions) or contact them by phone at 805-549-0442.

Still have questions or need clarification? Contact Neighborhood Outreach Manager Christine Wallace at 805-781-7186 or at [cwallace@slocity.org](mailto:cwallace@slocity.org).