

Article 9.5: Noise Abatement and Control

Division 2: Administration

(“Administration” added 9-18-1973 by O-11122 N.S.)

§59.5.0201 Establishment of Noise Abatement and Control Administrator

There is hereby established within the Neighborhood Code Compliance Department of The City of San Diego the function of Noise Abatement and Control Administration which shall be administered by the Director of the Neighborhood Code Compliance Department (hereinafter referred to as the “Administrator”).
(Amended 7-25-1994 by O-18088 N.S.)

§59.5.0202 Duties and Responsibilities of the Noise Abatement Administrator

- (a) The Administrator and his staff have the responsibility of regulating and controlling the emission of all excessive or offensive noises within the City of San Diego and shall take such action, subject to the provisions of this article, as is reasonable and necessary to abate noise. The Administrator shall coordinate the activities of all City departments relating to noise control and reduction in those activities carried out by the various departments, including the Environmental Impact Report review process relating to noise pollution. The Administrator may exercise or delegate any of the functions, powers and duties vested in his office or in the administration of his office.
- (b) The Administrator is expressly charged:
 - (1) To make any necessary investigations, inspections, or studies which, in his opinion, are necessary for the purpose of enforcing the provisions of this article or controlling or abating a disturbing, excessive or offensive noise. Information derived from noise studies shall be made available to the public upon request.
 - (2) To institute necessary proceedings to prosecute violations of this article and to compel the prevention and abatement of disturbing, excessive, or offensive noise, and as further set forth in Division 6 of this article.
 - (3) To allow exceptions to the requirements of this article, subject to conditions, when practical difficulties or unnecessary hardship involved in carrying out this article exist, if the exception will not be contrary to the purpose and intent of this article or detrimental to the public health, safety, and general welfare of the citizens of the City of San Diego.

- 4) To do any and all other acts which may be necessary for the successful prosecution of the purposes of this article and such other acts as may be specifically enumerated herein as duties.

(“Duties and Responsibilities of the Administrator Noise Abatement” retitled and amended 11-18-1997 by O-18439 N.S.)

(Retitled to “Duties and Responsibilities of the Noise Abatement Administrator“ and amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)

§59.5.0205 Inspection by Administrator

- (a) The Administrator may inspect, at any reasonable time and in a reasonable manner, any device or mechanism (1) which is intended to, or which actually does produce sound and (2) which creates or may create any disturbing noise, including, but not limited to, the premises where such device or mechanism is used.

- (b) If entry to premises is denied or refused, the Administrator shall obtain an inspection warrant from a court of a competent jurisdiction.

(Amended 9-22-1976 by O-11916 N.S.)