

**ORDINANCE NO. 9621 (NEW SERIES)**

**AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO NOISE ABATEMENT AND CONTROL**

The Board of Supervisors of the County of San Diego ordains as follows:

**Section 1.** The Board of Supervisors finds and determines that the following amendments of the San Diego County Code of Regulatory Ordinances will provide for the pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare, prosperity, peace and quite of the County of San Diego and the community of Fallbrook and its inhabitants.

**Section 2.** Title 3, Chapter 4, Section 36.404 of the San Diego County Code of Regulatory Ordinances is hereby amended to read as follows:

Section 36.404 SOUND LEVEL LIMITS.

<u>ZONE</u>	<u>TIME</u>	<u>APPLICABLE LIMIT ONE-HOUR AVERAGE SOUND LEVEL</u>	<u>(DECIBELS)</u>
RS, RD, RR, RMH, A70, A72, 50	7 a.m. to 10 p.m.		
S80, S81, S87, S88, S90, S92, RV, and RU. Use Regulations with a density of less than 11 dwelling units per acre.	10 p.m. to 7 a.m.		45
RRO, RC, RM, C30, S86, RV, RU and V5. Use Regulations with a density of 11 or more dwelling units per acre.	7 a.m. to 10 p.m. 10 p.m. to 7 a.m.		55 50
S94, V4, and all other commercial zones.	7 a.m. to 10 p.m. 10 p.m. to 7 a.m.		60 55
V1, V2	7 a.m. to 7 p.m.		60
V1, V2	7 p.m. to 10 p.m.		55
V1	10 p.m. to 7 a.m.		55
V2	10 p.m. to 7 a.m.		50
V3	7 a.m. to 10 p.m.		70
	10 p.m. to 7 a.m.		65

M50, M52, M54	Anytime	70
S82, M58, and all other industrial zones	Anytime	75

If the measured ambient level exceeds the applicable limit noted above, the allowable one hour average sound level shall be the ambient noise level. The ambient noise level shall be measured when the alleged noise violation source is not operating.

The sound level limit at a location on a boundary between two (2) zoning districts is the arithmetic mean of the respective limits for the two districts; provided however, that the one-hour average sound level limit applicable to extractive industries, including but not limited to borrow pits and mines, shall be 75 decibels at the property line regardless of the zone where the extractive industry is actually located.

Fixed-location public utility distribution or transmission facilities located on or adjacent to a property line shall be subject to the noise level limits of this section, measured at or beyond six (6) feet from the boundary of the easement upon which the equipment is located.

**Section 3. Effective Date.** This ordinance shall take effect thirty (30) days after its adoption. Within fifteen (15) days after the date of adoption of this ordinance, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED this 10th day of December, 2003.

12/10/03 (2)