

June 9, 2005

Honorable Mayor and Members of
the Hermosa Beach City Council

Regular Meeting of
June 14, 2005

**ORDINANCE AMENDING THE MUNICIPAL CODE REGARDING NOISE
FROM COMMERCIAL ESTABLISHMENTS ON PIER PLAZA**

Recommendation:

That the City Council review and introduce the proposed ordinance amending the municipal code to regulate noise from commercial establishments on Pier Plaza.

Background:

The City Council, at the meeting of May 24, 2005, directed staff to return with a ordinance amending the municipal code by adding a new section setting an 80 foot rule and adding a section requiring all exterior doors and windows shall be closed while amplified music is being played in any establishment on Pier Plaza.

There was some concern expressed by business operators following the meeting regarding daytime noise. This was in part answered at the May 24th meeting when one of the business owners asked could the windows and doors be open when there is no entertainment. The answer is yes. The existing CUP requirements and the proposed ordinance change provide for the closing windows and doors only while amplified music is being played. There were also some comments regarding setting an evening time frame for the restrictions such as 10:00pm to 8:00am. Staff considered recommending a time frame for the noise restrictions but considering that the CUP's already cover this issue and the fact that staff has been made aware of complaints during weekend afternoons where the noise was very loud and was impacting the enjoyment of the Plaza by others in other businesses, time frame is not recommended for consideration at this time.

These changes in combination with the CUP's, will provide clear, fair, simple rules for the businesses to follow and will be easily enforceable should that be necessary.

Respectfully submitted,

Stephen R. Burrell
City Manager

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF HERMOSA
BEACH REGARDING NOISE FROM COMMERCIAL
ESTABLISHMENTS AND AMENDING
THE HERMOSA BEACH MUNICIPAL CODE

The City Council of the City of Hermosa Beach does ordain as follows:

Section 1. Section 8.24.040 of Title 8, Chapter 8.24 of the Hermosa Beach Municipal Code is amended by adding new paragraph J to read as follows:

J. Commercial establishments on Pier Plaza. Sustained amplified music from the premises of any commercial establishment on Pier Plaza that is plainly audible eighty (80) feet from the property line of the establishment.

Section 2. Title 8, Chapter 8.24 of the Hermosa Beach Municipal Code is amended by adding thereto a new Section 8.24.045 to read as follows:

8.24.045 Amplified music on Pier Plaza.

All exterior doors and windows of a business establishment located on Pier Plaza shall be closed while amplified music is being played in the establishment.

PASSED, APPROVED AND ADOPTED this ____ day of _____,
2005.

MAYOR

ATTEST:

City Clerk