

## **HOW TO FILE A NOISE COMPLAINT IN THE CITY OF LONG BEACH**

To file a noise complaint effectively, you must first know what noise can be addressed by the Long Beach City Noise Ordinance (Long Beach Municipal Code, Chapter 8.80). Loud music, amplified sound, loud birds, air conditioners and other equipment, leaf blowers, power tools, construction and delivery noise all qualify as noise disturbances about which you can file complaints.

Loud talking/screaming/yelling, unamplified voices, people walking, doors slamming, vehicle noise, etc., are considered to be under control of the Police Department as disturbing the peace. This requires the complainant to make a "citizen's arrest" and then the Police will file the misdemeanor complaint.

Barking dogs and crowing fowl (roosters) are handled by Long Beach Animal Control. You may contact them by calling 562/570-PETS or 562/570-7387.

Long Beach Municipal Code (LBMC) Chapter 8.80.370 states that "enforcement of noise control regulations shall be undertaken only upon receipt of a written sworn complaint made by a person who resides or owns property in the noise district into which the alleged noise intrudes". What this means is that noise complaints are NOT ANONYMOUS, but the identity of the complainant is kept CONFIDENTIAL. Complaints may be filed by residents of the area (homeowners and tenants) and by non-resident property owners on behalf of their tenants.

The procedure is:

1. A noise complaint is filed with the Noise Control Officer by phone, letter or in person. You must provide the following information.
  - a. Address of the noise source, what noise is disturbing you, and the time of day or night, and day(s) of the week it happens.
  - b. Your name, address where the noise bothers you or your tenants, your mailing address (if different) and a daytime phone number.
2. A letter is sent to the noise source, advising that the complaint has been filed, requesting their cooperation, and telling them that an investigation will occur if further complaints are received. This letter DOES NOT give the complainant's name.
3. The complainant also receives a letter, advising that the letter was sent to the noise source, and instructing the complainant to wait for at least two weeks. This allows ample time for the problem to be corrected. After two weeks have passed and if the noise continues, the complainant must sign the complaint form or the petition (for multiple complainants) and return it to the Noise Control Officer. THE COMPLAINT IS VALID FOR ONE YEAR. Please send the form back anytime after the two weeks has passed.
4. If the noise continues and the complaint form or petition is returned, an Inspector from the Noise Control Office will make arrangements to observe the noise disturbance at the time that it usually disturbs you (24 hours a day, 7 days a week). You may be asked to page the Inspector to allow a quick response.
5. Once the Inspector determines that a violation exists, the responsible party will receive a Noise Abatement Order from the Inspector, requiring them to eliminate the problem immediately. A two-week period, in which to do so, is usually given.
6. If the problem continues, the Inspector comes out again, observes the violation, and issues a second letter which includes the warning that failure to comply WILL result in referral to the City Prosecutor for further action. Again, there is a two-week waiting period.
7. If the problem still persists, the Inspector observes the violation again, and refers it to the City Prosecutor for a misdemeanor complaint. If the complaint is accepted, the Prosecutor will schedule an office hearing in order to gain compliance. Failure to show or failure to correct the problem at this point will result in the complaint being filed in Municipal Court. The potential penalty is \$500 fine and/or six months in jail.

This process is very useful for eliminating neighborhood problems. It is also useful as an additional tool in nuisance actions. The files are public record and are available for review, for copying, and for legal subpoena purposes.

The most important part of the noise complaint procedure is to stay in communication with the Inspector if YOU still have a problem and want to pursue it. If we do not hear from you, we assume that the problem has been corrected.