

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

In order to file a noise complaint effectively, there are specific noise disturbances that may be reported and are addressed by the City of Long Beach Noise Ordinance (***Long Beach Municipal Code, Chapter 8.80***), such as (but not limited to): loud music, amplified sound, loud birds, air conditioners and other powered equipment, leaf blowers, power tools, construction, delivery noise, etc.

Disturbing the peace and other noises such as: loud talking/screaming/yelling, unamplified voices, doors slamming, vehicle noise, etc., are under control of the Long Beach Police Department (LBPD). You may contact LBPD's Non-Emergency line to report your complaint by calling (562) 435-6711. Barking dogs and crowing fowl (roosters) are under the control of Long Beach Animal Control and a complaint may be reported to them by calling (562) 570-PETS (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". Accordingly, noise complaints are not anonymous, but the **identity of the complainant is kept CONFIDENTIAL**. Homeowners/tenants and non-resident property owners reporting on behalf of their tenants, may file noise complaints with the Noise Control Program.

THE PROCEDURE IS AS FOLLOWS:

1. A *noise complaint* is filed with the Noise Control Program using the *Noise Complaint Form* by phone, letter, or in person. The following information must be provided:
 - a. Complaint Info: address of the noise source, what noise disturbance is occurring, and the date and time of occurrence.
 - b. Complainant Info: first and last name of complainant, address of complainant, and a phone number and/or email of the complainant.
2. A *letter* is sent to the noise source, advising that a complaint has been filed, requesting their cooperation, and telling them that an investigation will occur if further complaints are received. Again, the complainant's anonymity is protected.
3. The complainant also receives a *letter* advising that the noise source has been notified and instructing the complainant to wait for at least two weeks for the disturbance to be corrected. If after two weeks have passed, and the noise disturbance persists, the complainant must complete the *Noise Complaint Form* (check box "second complaint") and return it to the Noise Control Program within 30 days.
4. If the noise persists (after two weeks have passed) and *Noise Complaint Form* is returned, an *Inspector* from the Noise Control Program will be assigned to the complaint. Either a Sound Level Measurement (SLM) and/or observation will take place during the time the noise disturbance occurs and a report will be generated.
5. After the observation or measurement is conducted the following may occur:
 - a. If it is determined that a violation exists, the noise source will receive a *first violation letter* requiring them to eliminate the problem immediately. Another two-week period is allotted for the noise disturbance to be corrected.
 - b. If it is determined that a violation does not exist, the noise source and complainant will receive a *second letter* advising them that there will be no further action and the noise complaint will be closed.
6. If the noise persists (after two weeks have passed), a final observation or SLM will be conducted, a citation of \$250.00 will be issued, a *final violation letter* will be mailed, and the noise complaint will be referred to the *City Prosecutor's Office* for further action.
7. Upon receipt of the noise complaint, the City Prosecutor's Office will determine if the misdemeanor complaint is acceptable and will schedule an office hearing to gain compliance. Failure to show or failure to correct the problem with their office will result in the complaint being filed in Municipal Court. The potential penalty is \$500.00 fine and/or six months in jail.

The goal of the Noise Control Program is to eliminate neighborhood problems and nuisances. Communication between the complainant and the Noise Control Program is vital in order to pursue and resolve any noise disturbance; should communication cease, **the complaint will be closed**. Files generated regarding the noise complaint are public record and are available for review, copy, and for legal subpoena purposes.