

## Chapter 12.56 - SOUND AMPLIFICATION EQUIPMENT

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### 12.56.010 - Definitions.

As used in this chapter:

"Sound amplifying equipment" means any machine or device for or to facilitate the amplification of the human voice, music or any other sound. Sound amplifying equipment includes but is not limited to radios, televisions, portable and nonportable cassette tape players, record players, laser disc players, and compact disc players. Sound amplifying equipment shall not be construed as including any equipment used on authorized emergency vehicles or horns or to hear warning devices on other vehicles used only for traffic safety purposes.

"Unreasonably loud manner" means the volume of sound in the use or operation of any sound amplification equipment if such sound can be heard by a person from fifty (50) or more feet from the source of the amplification.

(Prior code § 3-6.09(A))

### 12.56.020 - Activity prohibited.

It is unlawful for any person to use or operate or permit the use or operation in an unreasonably loud manner of any sound amplifying equipment out-of-doors or indoors when used or operated to reach persons out-of-doors without first obtaining a written permit from the City Manager by submitting an application at least ten working days prior to the date of intended use; provided, however, that permits for the use or operation of sound amplifying equipment in a manner other than that prescribed by this chapter in public parks or playgrounds shall be obtained from the Director of Parks and Recreation. Such permit shall be issued unless the permit requested is prohibited by [Section 12.56.030](#), or is for a location within a zone of quiet which has been established as hereinafter provided. The use or operation of sound amplifying equipment for which a permit is issued shall be subject to the limitations and regulations set forth in [Section 12.56.030](#).

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(Prior code § 3-6.09(B))

**12.56.030 - Permit issuance conditions.**

No permit shall issue to permit operation of sound amplification equipment in a manner other than that prescribed by this chapter if:

- A. The equipment is to be used or operated out-of-doors or indoors but used or operated to reach persons out-of-doors between the hours of ten p.m. and nine-thirty a.m.
- B. The operation of such equipment is to be in those areas of the city which are designated as residential districts by the zoning ordinance of the city.
- C. The operation of such equipment is to be in the business district of the city where such use or operation is so loud as to disturb the operations or meetings of businesses, a governmental entity or any public hearing conducted by such governmental entity or at a location where such use or operation would impede the flow of pedestrian or vehicular traffic to such an extent that it would create a dangerous traffic situation or would constitute a detriment to traffic safety.
- D. Use or operation of the sound amplification equipment would interfere with another permit or event previously granted.

(Prior code § 3-6.09(C))

**12.56.040 - Use restrictions.**

All the provisions of this chapter shall apply to the use or operation of sound amplifying equipment by a hospital, church, school, educational institution or private enterprise when used or operated upon property owned or controlled by said hospital, church, school, educational institution or private enterprise when such amplification is audible outside the boundaries of such property.

(Prior code § 3-6.09(D))

**12.56.050 - Exemption.**

No restrictions exist and no permit shall be required for sound amplification equipment used by a governmental agency when engaged in duties requiring such amplification for the benefit of the general health and welfare of the community.

(Prior code § 3-6.09(E))

**12.56.060 - Revocation or denial of permit.**

The City Manager shall deny a permit allowing sound amplifying equipment to be operated in a manner other than that prescribed by this chapter where it is determined that:

- A. Any use restriction as specified in [Section 12.56.030](#) will occur; or
- B. The facts contained in the application are found to be false or nonexistent in any material detail; or
- C. The applicant refuses to agree in writing to abide by or comply with all conditions of the permit.

(Prior code § 3-6.09(F))

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**12.56.070 - Appeal from revocation or denial of permit.**

Any person aggrieved by a denial or revocation of a permit considered or issued under this chapter shall have the right to appeal to the City Manager by filing with the City Clerk, within five days from and after the date of denial or revocation, a written notice of appeal which shall set forth the grounds for such appeal. The City Manager shall act upon such appeal as expeditiously as possible and advise the appellant of the results.

(Prior code § 3-6.09(G))

**12.56.080 - Quiet zones—City Council establishment authority.**

The City Council, for the purpose of preventing disturbances to the occupants of churches, hospitals, institutions reserved for the sick, schools, or educational institutions, or the students or faculties of said schools or educational institutions, may establish by resolution, zones of quiet adjacent to churches, hospitals, or institutions, when the superintendent or chief executive officer of such church or institution requests the establishment of such zones.

(Prior code § 3-6.09(H))

**12.56.090 - Quiet zones—Extent—Signs installed.**

The resolution establishing a zone of quiet shall describe the extent of said zone of quiet, and upon the establishment thereof, the Department of Public Works is authorized to install and maintain appropriate signs to indicate the existence of said zone, provided that the expense of such installation and maintenance is paid by the institution making such request prior to such installation.

(Prior code § 3-6.09(I))

**12.56.100 - Quiet zones—Use of sound amplifying equipment prohibited.**

It is unlawful for any person to use or operate or permit the use of or operation of any sound amplifying equipment out-of-doors or indoors when used or operated to reach persons out-of-doors within any zone of quiet established by resolution of the City Council, provided that signs indicating the existence of such zone of quiet have been erected and are in place.

(Prior code § 3-6.09(J))

**12.56.110 - Violation—Penalty.**

Violation of any provision of this chapter constitutes an infraction. This chapter may be enforced by the method provided for in [Chapter 1.28](#) of the Oakland Municipal Code and Section 853.5 of the Penal Code of the state of California. This chapter shall be enforced by member of the Oakland Police Department.

(Prior code § 3-6.09(L))