



Mesa Police Department

City of Mesa Noise Ordinance

May 10, 2018

Noise Ordinance – Mesa City Code 6-12



- Certain noise levels must be tolerated – code does not apply to ordinary every day noise
- Standard is based on reasonableness
- Loud noise that is excessive or disruptive is prohibited



Mesa City Code 6-12-2

Prohibited Noises Standard

Noise that is loud, excessive, or disruptive is prohibited from:

- **Electronic devices**
- **Vehicles**
- **Animals**
- **People**

and is intermittent or continuous for a period of at least 15 minutes **or** is after 10:00 p.m. but before 6:00 a.m.

If it exceeds the property line **and** disturbs the peace and quiet of the neighborhood



Officers may act by:

- Advise the concerned parties of the violation,
- Seek to gain voluntary compliance,
or
- Issue a civil citation and complete the appropriate Department Report



Levels of Responsibility

All of the following are eligible to receive a civil citation:

(Should be cited according to this hierarchy in most circumstances)

- 1st Noise Maker
- 2nd Event Sponsor
- 3rd Home Owner / Property Manager
- 4th Any person in attendance



Penalty

- Graduated Fine:
 - 1st violation - \$250.00
 - 2nd violation - \$500.00
 - 3rd violation - \$2,500.00
- Recovery costs for law enforcement are at the discretion of the Court



Mesa Police Noise Disturbance Statistics

January 2015 to March 2018

Calls for Service

Year	Count
2015	6,720
2016	6,269
2017	5,932
2018 (Jan- Mar)	1,603

Citations for Noise Violations

Year	Count
2015	33
2016	33
2017	25
2018 (Jan-Mar)	8

Policy and Training



- MPD Policy DPM 2.8.95 – Unruly Gathering & Disruptive Party Enforcement
- Training PowerPoint for Members
- Education - Noise Disturbance Ordinance Brochure
- Legal Bulletin – Provides Guidance to Members



Officer's Observations must include:

- Level of noise;
- Nature of noise (usual or unusual);
- Origin of noise (natural or unnatural);
- Level and intensity of any background noise;
- Proximity of the noise to sleeping facilities;
- Nature and zoning of the area;
- Time of day or night the noise occurs;
- Duration of the noise;
- Whether the noise is recurrent, intermittent or constant;
- Whether the noise is produced by commercial or non-commercial activity.



Noise Disturbance Ordinance Brochure

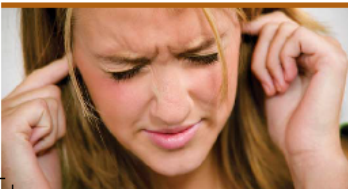
The Mesa City Council passed a new noise ordinance on August 24, 2009. This ordinance was created to increase neighborhood safety and reduce threats to the public peace, health, safety or general welfare. The ordinance addresses many types of noise, including parties and social gatherings or events, which result in disturbing the peace and quiet enjoyment of our community.

WHAT DOES THE NOISE ORDINANCE INCLUDE?

The standard is based on reasonableness and applies to noise that is loud, excessive or disruptive, and includes, but is not limited to, electronic devices, vehicles, animals and people.

If the noise is intermittent or continuous for a period of at least 15 minutes, OR if it is after 10:00 p.m. but before 6:00 a.m., AND exceeds the property line, AND disturbs the peace and order of the neighborhood or a person of ordinary sensibilities, it can be considered a violation of the ordinance.

This ordinance does not apply to every day noise that allows for normal functions of city life to continue. Exemptions can be made on a temporary basis and granted on a case-by-case basis by the City.

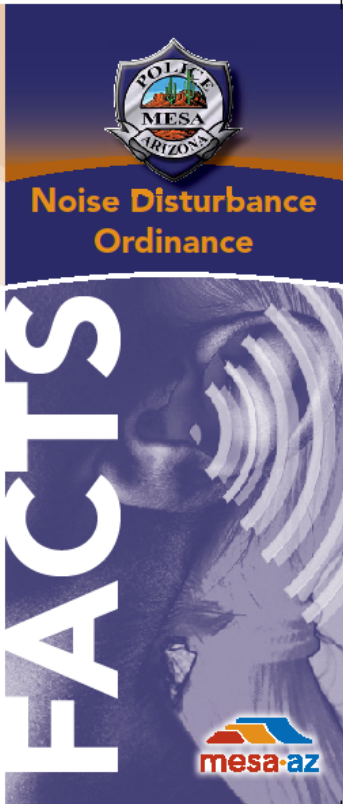


All infractions can include cost recovery for law enforcement at the discretion of the court.

Any noise disturbances should be reported to the Mesa Police Department's non-emergency number at 480-644-2211.



Mesa Police Department
130 North Robson
Mesa, AZ 85201
mesaaz.gov/police



DISRUPTIVE PARTY NOISE

A "disruptive party, gathering or event" means a group of two or more persons who have assembled or are assembling on any private property, including property used to conduct business, in a manner which disturbs the peace and quiet of the neighborhood, or a reasonable person of normal sensibilities, and/or creates noise as described in the ordinance.

WHAT HAPPENS IF A CITIZEN CALLS THE POLICE?

You can remain anonymous when you call. If the activity is determined to be a threat to the peace, health, safety or general welfare of the public, an officer will respond to the gathering and will issue an order to the responsible party or parties

to immediately disperse the gathering. In addition to the order of dispersal, the officer(s) can arrest the offenders for violations of state law or local ordinance. Responsible parties can include the home owner, property manager, the person making the noise, a sponsor or sponsors of an event, and any person in attendance. They can all receive a violation. The first violation includes a fine of \$250.00 for each individual or entity responsible.

WHAT HAPPENS IF POLICE RESPOND A SECOND OR SUBSEQUENT TIME?

If police respond a second or subsequent time, the responsible parties will receive a second violation of \$500.00. A third call resulting in a violation has a fee of \$2,500.00.



ANY NOISE DISTURBANCES SHOULD BE REPORTED TO THE MESA POLICE DEPARTMENT'S NON-EMERGENCY NUMBER AT

480-644-2211

