

**CONTINUATION SHEET**

Los Angeles Police Department

PAGE NO. 2		TYPE OF REPORT <b>LOUD MUSIC ORDINANCE</b>				BOOKING NO.	DR NO.
ITEM NO.	QU AN	ARTICLE	SERIAL NO	BRAND	MODEL NO.	MISC DESCRIPTION (EG. COLOR, SIZE, INSCRIPTIONS, CALIBER, REVOLVER, ETC)	DOLLAR VALUE

**SEC. 41.57. LOUD AND RAUCOUS NOISE PROHIBITED.**

(Added by Ord. No. 140,731, Eff. 8/24/70.)

(a) It is unlawful for any person to cause, allow or permit the emission or transmission of any loud or raucous noise from any sound making or sound amplifying device in his possession or under his control.

- (1) upon any private property, or
- (2) upon any public street alley, sidewalk or thoroughfare, or
- (3) in or upon any public park or other public place or property.

(b) The words "loud and raucous noise" as used herein shall mean any sound or any recording thereof when amplified or increased by any electrical, mechanical, or other device to such volume, intensity or carrying power as to unreasonably interfere with the peace and quiet of other persons within or upon any one or more of such places or areas, or as to unreasonably annoy, disturb, impair or endanger the comfort, repose, health, or safety of other persons within or upon any one or more of such places or areas.

The word "unreasonably" as used herein shall include but not be limited to, consideration of the hour, place, nature, and circumstances of the emission or transmission of any such loud and raucous noise.

**SEC. 41.58. LOUD PARTY SECOND RESPONSE FEE.**

(Title and Section amended by Ord. No. 167,133, Eff. 9/1/91.)

(a) **Definitions.**

Unless the context or subject matter otherwise requires, terms defined herein shall have the following meaning when used in this section:

- 1. **Board.** The Board of Police Commissioners.
- 2. **Office of Finance.** (Amended by Ord. No. 173,298, Eff. 6/30/00, Oper. 7/1/00.) The Office of Finance of the City of Los Angeles.
- 3. **Department.** The Los Angeles Police Department.
- 4. **First Response Notice.** A notice issued by a police officer pursuant to this section advising a Responsible Person that a Loud Party is taking place and that the disturbance must cease.

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**5. Loud Party.** Any party, gathering or event where a police officer at the scene determines that there is a threat to the public peace, health, safety or general welfare.

**6. Responsible Person.** The person or persons who own, lease, reside or is in charge of the premises where the Loud Party, takes place; or the person or persons who organized the Loud Party. If the Responsible Person is a minor, then the parents or guardians will also be considered a Responsible Party and be jointly and severally liable for the Second Response Service Fee imposed by this section.

**7. Second Response Notice.** A notice issued by a police officer pursuant to this section assessing a Second Response Services Fee for a second, or subsequent, response to a Loud Party.

**8. Second Response Service Fee.** A fee imposed pursuant to this section to recover Special Security Costs.

**9. Special Security Assignment.** The assignment of Department personnel and equipment during a second, or subsequent, response to a Loud Party after the issuing of a First Response Notice.

**10. Special Security Costs.** Costs of services provided by the Department associated with a Special Security Assignment which may include personnel and equipment costs, damage to City property and injuries to City personnel.

**(b) Authorization to Assess a Second Response Service Fee.**

Whenever a Loud Party occurs, a police officer may issue a First Response Notice to a Responsible Person that the disturbance must cease. A second, or subsequent, response by a police officer, upon the issuing of a Second Response Notice, may result in the imposition of a Second Response Service Fee to recover Special Security Costs.

**(c) Duties of Board.**

**1. The Board shall determine a Second Response Service Fee schedule, subject to approval by the City Council by order or resolution, which shall be based upon the existing Special Security Costs incurred by the Department.**

**2. The Board shall revise the Second Response Service Fee, subject to approval by the City Council by order of resolution, whenever Special Security Cost data developed by the Department requires adjustment in the Second Response Service Fee.**

**3. No fee imposed pursuant to this section is authorized until the Board has approved the Department's implementation procedures, notices, and appeals procedures**

**(d) Duties of the Department.**

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- 1. The Department shall develop written procedures to provide for training and the uniform implementation of the Loud Party Second Response Fee Ordinance.**
  - 2. The Department shall develop a First Response Notice, a Second Response Notice, and any other form or document necessary to carry out the purposes of this section.**
  - 3. The Department shall develop a post Second Response Notice administrative appeal hearing procedure to determine whether the Second Response Service Fee was assessed to the proper Responsible Person or was properly issued. The hearing shall be held in the Division where the Second Response Notice was issued.**
- (e) Duties of the Office of Finance. (Amended by Ord. No. 173,298, Eff. 6/30/00, Oper. 7/1/00.)**
- 1. The Office of Finance shall bill the Second Response Service Fee as reported by the Department. The bill shall be due and payable to the Office of Finance within fifteen days of the billing date.**
  - 2. If the Office of Finance determines for any billing that a discrepancy exists between the service fee paid and the amount billed which results in an underpayment or overpayment in an amount of three dollars or less, the Office of Finance may accept and record the billing as paid in full without other notification to the person billed.**
  - 3. If the Office of Finance determines that any amount of the service fee billed hereunder cannot be collected or that efforts to collect would be disproportionately costly in relation to the probable outcome of the collection efforts, the Office of Finance may prepare a report setting forth the findings and reasons therefor and request that the Board of Review authorize the removal of any unpaid amount from the active accounts receivable of the Department pursuant to Section 11.04 of this Code. Upon unanimous approval of the Board of Review, the Office of Finance may remove from the active accounts receivable any service fee owing. If the Board of Review does not unanimously approve the findings, the matter shall be returned to the Office of Finance. Any removal, however, shall not preclude the Office of Finance from collecting or attempting to collect any such sum that later proves to be collectible as provided by Section 11.04.**
  - 4. At least monthly the Office of Finance shall report to the Department the outstanding accounts receivable, collections and service fee(s) written off.**

