



ORDINANCE AMENDING RMC 7.35.010 TO INCLUDE A “PLAINLY AUDIBLE” STANDARD

City Attorney’s Office

CITY COUNCIL MEETING
February 25, 2025

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BACKGROUND

- **Residents have been complaining about the noise coming from the Downtown area and unpermitted house parties.**
 - Bars and nightclubs within the Downtown area have seen growth in popularity, and the noise generated as increased over time.
 - Corresponds with increased calls for service and violent activity.



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BACKGROUND

- **RPD has also seen an increase in unpermitted house parties (“flyer parties”).**
 - Promoters will advertise a party on social media 24 to 48 hours prior to the event, typically held at a vacant house or building.
 - These parties will have a DJ, fully functional bar, and charge admission.
 - Unlicensed security.
 - Often armed.
 - Increase in litter, drug activity, noise complaints, vehicle/pedestrian traffic, violent altercations between homeowners and party goers.



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EXAMPLES

- **The Downtown Experiment**
 - Wednesday 11/27/24 RPD observed the bar full of customers after 10 p.m.
 - Noise and music projected outdoors through outdoor speakers and the business not keeping doors closed.
 - Sunday 10/27/24 RPD responded to PC664/187 inside the bar.
- **July 28, 2024 Flyer Party Shooting**
 - RPD responded to another PC664/187 inside a “flyer party” which occurred between two groups of individuals.
 - RPD Robbery/Homicide and Gang units are investigating.
 - Left at least one partygoer in the hospital with serious injuries.



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SIMILAR ORDINANCES IN OTHER JURISDICTIONS

- **Municipalities that have Adopted “Plainly Audible” or “Reasonable Person” Standards in Ordinances:**
 - City of Corona (CMC 9.24.010)
 - County of Riverside (RCO 9.52.060(C))
 - City of Fontana (FMC 18-63(b))
 - County of San Bernardino (SBCO 24.0705, 24.0706)
- **Each Ordinance Addresses:**
 - Licensing requirements for special events;
 - Noise or sound that is “plainly audible” from a given distance; and
 - Includes a reasonable person standard.



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RIVERSIDE MUNICIPAL CODE

- **Section 7.35.010 – General Noise Regulations**
 - Subds. A and B currently restricts “any noise disturbance”.
 - Subd. C’s plainly audible standard only includes transmission of sound through walls of adjoining units within a building.
- **Section 7.10.125 – “Noise Disturbance” Defined**
 - “Noise disturbance” means any sound which, as judged by a City police officer or code enforcement officer, annoys or disturbs a reasonable person of normal sensitivities or exceeds a standard set forth in this title.
 - Does not include “plainly audible.”
 - Reasonable person standard should be included in 7.35.010 or cross-referenced within that section, along with the other factors.
- **Existing law accounts for variances and permitted activities**
 - Chapter 7.40 includes a permitting process for variances.
 - Chapter 19.250 addresses entertainment permits.



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RIVERSIDE MUNICIPAL CODE

• Section 7.35.010 – Fines and Penalties

- Currently limits administrative fines for a violation of this chapter to the \$100, \$200, \$500 amounts in Section 1.17.230.
 - These fine limits were originally set by state statute in 1983.
- This amendment would increase the fine amounts to **\$500** upon a first violation, **\$750** upon a second violation, and **\$1000** upon a third or subsequent violation.
 - Would now account for over 40 years of inflation and rapid population growth in the downtown area.



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STRATEGIC PLAN ALIGNMENT

Strategic Priority #2 Community Well-Being, Goal 2.4



Community Well-Being

Ensure safe and inclusive neighborhoods
where everyone can thrive.

Cross-Cutting Threads



Community Trust



Fiscal Responsibility

Sustainability &
Resiliency

Equity



Innovation



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RECOMMENDATIONS

That the City Council:

1. Receive the following report and presentation proposing amendments to Riverside Municipal Code sections 7.15.010 and 7.35.010;
2. Amend Municipal Code Section 7.15.010 to increase the fine amounts for violations of the noise ordinance;
3. Amend Municipal Code section 7.35.010 to cross-reference and include the reasonable person standard listed in section 7.10.125;
4. Amend Municipal Code section 7.35.010 to add Subdivision D, which includes a plainly audible standard of 25 feet.



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