

# CITY OF PALM DESERT STAFF REPORT

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MEETING DATE: June 26, 2025

PREPARED BY: Pedro Rodriguez, Code Compliance Supervisor

SUBJECT: INTRODUCTION OF AN ORDINANCE AMENDING PALM DESERT MUNICIPAL CODE CHAPTER 9.24, NOISE CONTROL, TO ESTABLISH UNIFORM PROPERTY MAINTENANCE OPERATING HOURS – CEQA DETERMINATION

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## **RECOMMENDATION:**

Introduce an ordinance entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING PALM DESERT MUNICIPAL CODE CHAPTER 9.24, NOISE CONTROL, TO ESTABLISH UNIFORM PROPERTY MAINTENANCE OPERATING HOURS AND MAKE A FINDING OF EXEMPTION UNDER CEQA.”

## **BACKGROUND/ANALYSIS:**

During City Council Study Sessions held on April 24 and May 22, 2025, the City Council directed staff to evaluate property maintenance start times and return with recommendations to improve enforceability and align with public contracts and industry standards. In response, staff has drafted an Ordinance amendment (Attachment 1) to streamline the existing code, eliminate outdated provisions, simplify compliance requirements, and establish uniform enforcement practices.

The proposed amendment clarifies that the restrictions apply exclusively to the start times for using power equipment associated with property maintenance activities. This includes, but is not limited to, lawn mowers, leaf blowers, chainsaws, hedge trimmers, and edgers. Manual labor is exempt from the proposed start time restrictions.

Key changes to the ordinance include:

- Removal of outdated language regarding agricultural operations and Carillon Chimes.
- Establishment of uniform starting times for property maintenance using powered equipment.
- Exemption for property owners performing maintenance on their property.

These proposed starting times align with those established for City-hired contractors and reflect standard industry practices for property maintenance operations. Adoption of these changes will promote operational consistency and improve the overall efficiency of code enforcement efforts.

## **PROPOSED AMENDMENT**

### **PDMC 9.24.075: Property Maintenance Activities**

**A.** Noise sources associated with property maintenance activity, including all portable blowers, lawnmowers, edgers, or similar powered devices, shall be prohibited except during the following hours:

Monday through Sunday:	7 a.m. to 5:30 p.m.
Government code holidays:	Not allowed

### **PDMC 9.24.060: Special Provisions-Exemptions**

The following activities shall be exempt from the provisions of this chapter:

- A. School bands, school athletic and school entertainment events.
- B. Outdoor gatherings, public dances, shows and sporting and entertainment events; provided, the events are authorized by the city.
- C. Activities conducted in public parks and public playgrounds.
- D. Any mechanical device, apparatus or equipment used, related to or connected with emergency machinery, vehicle or work.
- E. Mobile noise sources associated with pest control through pesticide application.
- F. The provisions of this regulation shall not preclude the construction, operation, maintenance and repairs of equipment, apparatus or facilities of park and recreation departments, public work projects or essential public services and facilities, including those of public utilities subject to the regulatory jurisdiction of the California Public Utilities Commission.
- G. Noise sources associated with construction activities. Refer to 9.24.070, Construction activities.
- H. **Property owners/tenants of residential dwellings conducting non-commercial property maintenance Monday through Sunday between the hours of 7 am to 5:30 pm, including government code holidays.**

#### **Legal Review:**

The City Attorney's Office has reviewed this report.

#### **FINANCIAL IMPACT:**

There is no financial impact related to this action.

#### **ATTACHMENT:**

1. Draft Ordinance