

ORDINANCE NO. 2025-

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 MAKING A FINDING OF EXEMPTION UNDER CEQA.

The purpose of this ordinance is to amend Palm Desert Municipal Code Chapter 9.24 Noise Control to align and update the operating hours for property maintenance activities, remove outdated language pertaining to noise related to agricultural operations, and exempt homeowners from the operating hours restrictions.

THE CITY COUNCIL OF THE CITY OF PALM DESERT DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Amendment to Municipal Code. Section 9.24.060 *Special Provisions- Exemptions* of Chapter 9.24 *Noise Control* of the Palm Desert Municipal Code is amended to read as follows:

“9.24.060 Special Provisions-Exemptions.

The following activities shall be exempted 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.”

SECTION 2. Amendment to Municipal Code. Section 9.24.075 *Property Maintenance Activities* of Chapter 9.24 *Noise Control* of the Palm Desert Municipal Code is amended to read as follows:

“9.24.075 Property Maintenance Activities.

A. Noise sources associated with property maintenance activity and all portable blowers, lawnmowers, edgers or similar 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

Notwithstanding the hours of permitted operations, such equipment that constitutes a public nuisance may be abated as otherwise provided in this code.

With the exception of blowers, all maintenance activities associated with golf courses and/or tennis courts can operate from five-thirty a.m. to seven p.m., seven days a week.

B. All municipal maintenance activities are not subject to subsection **A**.

C. No person shall willfully make or continue, or willfully cause to be made or continued, any noise from any portable powered blower at a level which exceeds seventy decibels (dBA) measured at the midpoint of a wall area twenty feet long and ten feet high and at the horizontal distance fifty feet away from the midpoint of the wall, or not more than seventy-six decibels (dBA) at a horizontal distance of twenty-four feet using a sound level meter.

D. No portable powered blower shall be operated in a manner which will permit dirt, dust, debris, leaves, grass clippings, cuttings, or trimmings from trees or shrubs to be blown or deposited onto neighboring property or public right-of-way. All waste shall be removed and disposed of in a sanitary manner by the use or property occupant.”

SECTION 3. CEQA Exemption. The City Council finds that this ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines

Section 15061(b)(3), known as the “common sense” exemption. This determination is based on the clear assessment that there is no possibility the ordinance may have a significant effect on the environment. The ordinance provides administrative clarifications regarding operating hours for the use of power equipment associated with property maintenance activities without expanding land use or initiating new developments, thereby maintaining existing environmental baselines. It ensures operational continuity for operating hours related to property maintenance. The amendments are administrative in nature and do not involve construction, physical alterations, or increases in development intensity, thus qualifying for the CEQA “common sense” exemption.

SECTION 4. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 5. Posting and Publication. The City Clerk of the City of Palm Desert, California, is hereby directed to publish a summary of this Ordinance in the *Desert Sun*, a newspaper of general circulation, published and circulated in the City of Palm Desert, California, and shall be in full force and effective thirty (30) days after its adoption.

ADOPTED ON _____, 2025.

JAN HARNIK
MAYOR

ATTEST:

ANTHONY J. MEJIA
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, California, do hereby certify that Ordinance No. _____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Desert City Council on _____, 2025, and adopted at a regular meeting of the City Council held on _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on _____.

ANTHONY J. MEJIA
CITY CLERK

