



## LAW DEPARTMENT

### MEMORANDUM

**TO:** Mayor Pro Tem Mike Martinez

**FROM:** Brent D. Lloyd *BDL*  
Assistant City Attorney

**DATE:** February 14, 2011

**SUBJECT:** Corrective Ordinance for Temporary Events & Outdoor Music

Per your request, attached for your consideration is an ordinance amending the new Temporary Events & Outdoor Music Ordinance to eliminate the requirement that decibel limits be measured from the source of the sound equipment, rather than at the property line.

This language was included in the initial drafts of the ordinance provided for review by staff and stakeholders, beginning in December 2010. Shortly before last week's council meeting, however, a decision was made not to proceed with most of the substantive changes previously discussed and instead limit the ordinance to new requirements for temporary events and a few non-substantive clarifications to existing code requirements.

Due to a miscommunication, those of us working to finalize the ordinance inadvertently left the language on decibel limits in place. The attached ordinance corrects this error, thus allowing staff and venue operators to measure decibel limits at the property line in accordance with existing practice.

BDL:mr

Attachment

cc: Mayor & Council  
City Manager Marc Ott  
Assistant City Manager Sue Edwards