

ORDINANCE NO. 3290-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING MUNICIPAL CODE ARTICLE 5 OF CHAPTER 24 TO TITLE 4 REGARDING SOUND AMPLIFYING EQUIPMENT AND MUNICIPAL CODE CHAPTER 2 TO TITLE 1 REGARDING INFRACTIONS.

WHEREAS, prohibition of sound amplifying equipment in the entire City of Redondo Beach at all hours would be a violation of the First Amendment of the United States Constitution; and

WHEREAS, the City Council is mindful of the legal principles relating to regulation of activity in public forums and does not intend to unconstitutionally suppress or infringe expressive activities protected by the First Amendment of the United State Constitution or the Liberty of Speech Clause of the California Constitution, but instead is enacting reasonable content-neutral time, place, and manner regulations that address the need to promote the safety and welfare of the public and preserve residential privacy and tranquility; and

WHEREAS, in issuing this Ordinance, the City Council takes notice of the principles and decisions regarding the regulation of public assemblies, including but not limited to the following:

1. Public streets, sidewalks, and parks are the archetypes of a traditional public forum where the government cannot favor one speaker over another based on the viewpoint of the speaker. (See *Frisby v. Schultz* (1988) 487 U.S. 474, 480-481; see also *Rosenberger v. Rector & Visitors of the University of Virginia* (1995) 515 U.S. 819, 828.) The government may regulate First Amendment activities in traditional public fora, such as streets, sidewalks, and parks when such restrictions are reasonable time, place, and manner restrictions that are: content neutral; narrowly tailored to serve a significant government interest; and leave open ample alternative channels of communication. (See *Cornelius v. NAACP Legal Defense and Educational Fund* (1985) 473 U.S. 788, 799-800; see also *Klein v. San Diego County* (2006) 463 F.3d 1029, 1037; *Bay Area Peace Navy v. United States* (1990) 914 F.2d 1224.)
2. The City has a substantial interest in protecting residential privacy and tranquility. (See *Frisby v. Schultz, supra*, 487 U.S. at pp. 483-484; *Klein v. San Diego County, supra*, 463 F.3d at p. 1034; see also *Cuviello v. City of Vallejo* (2019) 944 F.3d 816, 828 (government interest in protecting its citizens from unwelcome noise “is at its zenith in residential areas, where citizens have substantial privacy interests.”) While the right to residential privacy and tranquility does not encompass a right to remain blissfully unaware of the presence of protestors, it does support a significant government interest in preventing protesting that renders the targeted resident a captive audience to the protestors’ message, thus residential protest ordinances must carefully balance two valid and competing interests, the right of residents not to be captive audiences to unwanted speech and the right of protestors to convey their message. (*Frisby v. Schultz, supra*, 486 U.S. at p. 487; *Klein v. San Diego County, supra*, 463 F.3d at p. 1035.)
3. Time, place, and manner limitations on the use of amplified sound must be content neutral; narrowly tailored to serve a significant government interest such as a City’s interests in peace and tranquility, maintenance of public safety, and protecting individuals from unwanted speech; and leave open ample alternative channels for communication of information. (See *Klein v. Laguna Beach* (2010) 381 Fed.Appx. 723, 725-727 (“there was no evidence to support the district court’s finding that a blanket prohibition on amplified

sound after 5 p.m. is narrowly tailored to a significant government interest in public tranquility, particularly in light of the significant protections for speech in a public forum”); see also *Cuviello v. City of Vallejo, supra*, 944 F.3d at p. 825 (recognizing that sound amplifying device “can produce noise that is unpleasant” and that municipalities can regulate use of such devices but “must ensure that even a well-intentioned restriction does not give way to suppression of speech.”)

WHEREAS, the City Council supports peaceful protests, demonstrations, and events, but some individuals have used amplified noise in connection with recurring protests and other public assembly events that unreasonably disturbs the privacy and tranquility of residents in their homes during morning hours; and

WHEREAS, the Redondo Beach Police Department received twenty-nine (29) calls for service between October 15, 2024 to January 29, 2025 regarding disturbances in front of the Sonesta Hotel; and

WHEREAS, of the twenty-nine (29) calls for service at the Sonesta Hotel, seventeen (17) calls occurred between 7:00 a.m. and 8:00 a.m.; and

WHEREAS, the other twelve (12) calls occurred at noon or later, demonstrating that the use of sound amplifying equipment as a form of expression may be used at times during the day other than early in the morning or late in the evening without the requirement of a variance; and

WHEREAS, on February 4, 2025, the City Council directed City staff to return with a draft ordinance to allow for time limitations on the use of amplified sound equipment; and

WHEREAS, this Ordinance provides a narrowly tailored content-neutral mechanism to permit protests and other public assembly events to be conducted in ways that permit those assembling to engage in expressive activities intended to convey their message to the public while at the same time ensuring that the protests and other public assembly events do not result in unwelcome noise that will unreasonably harass and disturb the privacy and tranquility of residents in their homes; and

WHEREAS, providing a narrowly tailored content-neutral mechanism to address the purposes set forth above requires that the outdated and superseded provision of the Redondo Beach Municipal Code regrading sound amplifying equipment be modified.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 4-24.512 of the Redondo Beach Municipal Code is hereby amended to read in its entirety as follows:

4-24.512 Sound amplifying equipment.

It is unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use, or operate within the City a loudspeaker or sound amplifying equipment in a fixed or movable position or mounted upon any sound truck for the purpose of giving instructions, directions, talks, addresses, or lectures or transmitting music to any person or assemblage of persons in or upon any street, alley, sidewalk, park, place, or public property between the hours

of 10:00 p.m. and 9:00 a.m. without first filing an application for a variance and obtaining approval thereof as set forth in Article 7 of this chapter.

SECTION 2. Section 1-2.03 of the Redondo Beach Municipal Code is hereby amended to read in its entirety as follows:

§ 1-2.03 Infractions.

A violation of any of the following provisions of this Code shall constitute an infraction and not a misdemeanor:

Title 3	
Section	Description
3-1.01	Bicycles: Licenses Required
3-1.04	Skateboards/Roller Skates: Riding on Sidewalks Prohibited
3-1.05	Bicycles, Skateboards, and Wheeled Toys: Parking Restricted
3-1.06	Skateboards/Roller Skates on Streets or Alleys
3-1.07	Skateboards/Roller Skates on Bicycle Paths
3-1.08	Blocking Bicycle Paths
3-4.105	Fireworks: Possession, Use, and the Like Without a Permit
3-6.05	Overtime Parking
3-6.06	Parking Position in Space
3-6.07	Limitation on Number of Vehicles per Marked Parking Space
3-6.12	Restriction of Parking by Signs
3-7.303	Persons Other Than Police Officers or Firemen Directing Traffic
3-7.406	Obedience to Traffic Control Devices
3-7.501	Signal Controlled Intersections: Right Turns
3-7.505	Left and Right Turns: Prohibited Where Signed
3-7.507	U Turns
3-7.801	Stops Required at Designated Intersections
3-7.802	Emerging from Alleys and Private Driveways
3-7.803	Following Emergency Vehicles
3-7.804	Driving Through Funeral Processions
3-7.805	Motorcycles and Bicycles on Vacant Lots/Acreage: Noise/Dust
3-7.806	Clinging to Moving Vehicles
3-7.807	Driving Vehicles on Sidewalks
3-7.808	Driving on New Pavement
3-7.810	Trains Blocking Streets
3-7.811	Boarding and Alighting from Vehicles
3-7.812	Unlawful Riding on Vehicles
3-7.813	Railway Gates
3-7.902	Commercial Vehicles: Driving on Prohibited Streets
3-7.903	Commercial Vehicles on Certain Streets (Truck Routes)

3-7.1002	Crossing Streets in the Central Traffic District
3-7.1003	Crossing Streets at Right Angles
3-7.1004	Standing in Streets
3-7.1005	Pedestrians Standing on Sidewalks
3-7.1006	Places Closed to Pedestrian Travel
3-7.1101	Curb Parking: Exceptions
3-7.1103	Parking on Left Side of Street
3-7.1202	Parkways
3-7.1203	No Parking Zones: Designated
3-7.1204	No Parking Zones: Authorization to Establish
3-7.1205	Curb Zones: Time Limits: Markings
3-7.1208	Alley Parking
3-7.1209	Bus Zones
3-7.1210	Taxicab Stands
3-7.1301	Prohibited Outside Central Traffic District
3-7.1304	Authority of Signs
3-7.1305	Prohibited Between 7:00 a.m. and 9:00 a.m.
3-7.1306	Prohibited Between 7:00 a.m. and 6:00 p.m.
3-7.1307	Prohibited
3-7.1308	Prohibited During Various Hours
3-7.1309	Parking on Public and Private Property
3-7.1310	All Night Parking
3-7.1311	All Night Parking: Central Traffic District
3-7.1313	Storage of Vehicles on Streets and Alleys
3-7.1314	Temporary Parking
3-7.1315(c)	Obedience to Emergency Rules and Signs
3-7.1318	Parking of Trailers, Semitrailers, Motor Homes, Campers and Recreational Trailers
3-7.1319	No Overnight Parking or Storage
3-7.1320	Restricted Parking Due to Weight
3-7.1321	Restricted Parking Due to Height
3-7.1403	Removal of Debris
3-7.1404	Damaging Traffic Signs
3-7.1503	Permits Required to Operate Advertising Vehicles
3-7.1506	Searchlights, Generators, and Floodlights
3-7.1705	Parking in a Preferential Parking Zone Prohibited Except by Permit
3-7.2102	Overnight Parking Prohibited
3-7.2114	Overnight Parking Permit in City Parking Lots
3-10.03	Parking in Designated Stalls

3-10.04	Speed Control
Title 4	
Section	Description
4-7.02(b)	Alcoholic Beverages: Possession of Open Container in Public Places and on Beaches
4-8.02	Curfew Detention: Loitering After 10:00 p.m.
4-9.701	Hang Gliders Prohibited
4-9.703	Flying Powered Model Aircraft and Gliders
4-9.707	Reckless Operation of Model Aircraft
4-9.802	Prohibited Activities on Piers
4-10.10 — 4-10.14	Commercial Exploitation of Sexual and Lewd Conduct
4-24.502 — 4-24.511	Noise Regulation
4-25.01	Ball Games and Hunting
4-35.05	Stopping or Parking Vehicles During Non-Designated Hours of Use
4-35.07(c)(1) — (4), (c)(6) — (9)	Dogs in Parks
4-35.08(a)	Animals in Parks
4-35.09(c)	Alcoholic Beverages: Possession of Open Container in Parks
4-35.13	Skateboard Riding in Parks
4-35.14	Roller Skating, In-Line Skating and Bicycle Riding in Parks
4-35.15	Golfing in Parks
4-35.16	Operating Powered Model Aircraft and Boats in Parks
4-35.17	Erecting Barriers in Parks
Title 5	
Section	Description
5-1.103	Dogs at Large (Dogs on Beaches)
5-1.501	Defecation by Dogs/Animals
5-1.711	Violation—Beekeeping Penalties
Title 10	
Section	Description
10-2.1700—10-2.1708	Parking Regulations
10-2.1524(d)	Visibility at Intersections
Title 12	
Section	Description
12-1.203	Boat Races and Special Events
12-1.204	Vessels: Reverse Gears
12-1.302	Launching, Recovering, and Mooring of Vessels
12-1.305	Damages to Harbor, Waterways, Maritime Facilities, or Other Property
12-1.307	Obstruction of Harbor Facilities

12-1.308	Places of Abode
12-1.310	Obedience to Authorized Signs, Notices, Signals, and Buoys
12-1.311	Securing Permission for Debarkation
12-1.312	Protected Swimming Areas
12-1.314	Underwater Diving
12-1.315	Prohibitions: Swimming, Fishing, Surfboarding, and the Like
12-1.401	Mooring to Navigation Aids
12-1.402	Placement and Care of Private Buoys and Moorings
12-1.405	Making Vessels Fast
12-1.411	Obstructions to Fairways, Channels, or Berthing Spaces and Removal of Sunken Vessels
12-1.412	Dangerous or Disabled Vessels
12-1.413	Unseaworthy Vessels
12-1.506	Transfer of Bait
12-1.507	Sale of Live Bait
12-1.508	Commercial Vessels: Permits
12-1.513	Bait Disposal
12-1.702	Walkways to Be Kept Clear
12-1.703	Boarding Steps and Stairs
12-1.705	Hazardous Lights
12-1.706	Welding, Burning, and Cutting
12-1.707	Access Service Routes to Be Kept Clear
12-2.04	Tampering with Lighting Systems on Piers and Wharves
12-2.05	Sale of Merchandise on Piers and Wharves
12-2.09	Fishing from Piers and Wharves
12-3.01	Beach Tents and Umbrellas
12-3.02	Beach Fires
12-3.05	Removal of Stones, Gravel, and Sand from Beaches
12-3.06	Littering Beaches
12-3.07	Littering Waters
12-3.08	Littering Public Places
12-3.09	Littering from Vehicles

SECTION 3. INCONSISTENT PROVISIONS. Any provisions of the Redondo Beach Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 4. SEVERANCE. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the 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 or unconstitutional.

SECTION 5. PUBLICATION AND EFFECTIVE DATE. This ordinance shall be published by one insertion in the official newspaper of said city, and same shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

PASSED, APPROVED AND ADOPTED this 11TH day of March, 2025.

James A. Light, Mayor

APPROVED AS TO FORM:

ATTEST:

Michael W. Webb, City Attorney

Eleanor Manzano, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF REDONDO BEACH)

I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that Ordinance No. 3290-25 was introduced at a regular meeting of the City Council held on the 18th day of February, 2025, and approved and adopted by the City Council of the City of Redondo Beach, California, at a regular meeting of said City Council held on the 11th day of March, 2025, and there after signed and approved by the Mayor and attested by the City Clerk, and that said Ordinance was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eleanor Manzano, CMC
City Clerk