



Santa Clara Police Department

NURC Meeting

February 10th 2020



Strict Enforcement Model

Since noise is a main concern the PD is taking a tough stance

- In the past often times first offenses were warnings.
- NSU Officers are still using a progressive enforcement model but at time we are issuing citations on first offense when noise is late or excessive.
 - Common citation is **\$300** for disturbing the peace and amplified music.
 - Fines increase based on additional responses and can rise to the level of **\$1000+**



Strict Enforcement Model

Property Owners Cited

- In an effort to keep property owners in the loop on what is occurring at their property.
- Many property owners tack on administrative fees before passing the citations onto residents.
- This allows property owners to take action if necessary.



Strict Enforcement Model

<p>9.05.060 (b)(1) Amplified Music</p>	<p>Outdoor Amplification of Music. Except in accordance with the terms and conditions of a valid permit issued pursuant to this section, it shall be unlawful for any person to operate any sound system outdoors or to cause amplified music, including music from a live performance, to be projected outdoors in the City for a period of more than five minutes in any one day for any purpose.</p>	<p>Fine Increases If Recur within One Year Period: (1) \$150 (2) \$300</p>
<p>9.05.010(c) Making Loud Noise at Night</p>	<p>Make, cause, suffer or permit to be made any loud and unreasonable noise within two hundred fifty (250) feet of any building or place regularly used for sleeping purposes between the hours of 10:00 pm and 7:00 am.</p>	<p>(3) \$600 (4) \$900</p>
<p>9.05.020(f)(1) Special Response Fee Enforcement</p>	<p>Each violation in a rolling 365-day year is punishable by a fee of:</p> <p>(A) 2nd response within 72 hours after a written warning has been issued</p> <p>(B) 2nd response occurring more than 72 hours after prior response, but within 30 calendar days from the warning</p> <p>(C) 2nd response within 1-year period, but more than 30 days from the warning.</p> <p>(D) 3rd response within 1-year period from the warning.</p> <p>(E) 4th response within 1-year period from the warning.</p> <p>(F) 5th response within 1-year period from the warning.</p> <p>(G) Any response in excess of a fifth response within one year from warning.</p>	<p>\$500</p> <p>\$250</p> <p>\$150</p> <p>\$300</p> <p>\$600</p> <p>\$900</p> <p>\$1000</p>



Blue Tags

- When a property has been identified as a “Nuisance” it can be blue tagged
- Each subsequent police or fire response is \$1000 minimum
- Blue tag must remain posted on residence for 90 days
- Four blue tags issued this year

IMPORTANT NOTICE REGARDING PUBLIC NUISANCE


PURSUANT TO SANTA CLARA CITY CODE CHAPTER 9.05, THE NEXT DISTURBANCE AT THE PREMISES WILL RESULT IN MONETARY PENALTIES IMPOSED UPON ALL PARTICIPANTS AND SPONSORS OF THE EVENT, AND ALL PROPERTY OWNERS OF THE PREMISES.

NOTICE IS HEREBY GIVEN THAT on _____, at _____ a.m./p.m., the Santa Clara Police Department found that a public nuisance caused by a disturbance of the public peace and/or threat to public safety occurred at the premises located at _____.

If there is a subsequent event on these premises that constitutes such a public nuisance and necessitates the intervention of the Police Department or Fire Department on or before _____, every participant in and sponsor of such event shall be jointly and severally liable for the monetary penalties connected with this response (any subsequent event at the same premises, which necessitates City intervention, shall result in a fee of one thousand dollars (\$1,000.00)). If there is a subsequent event on these premises that constitutes such a public nuisance and necessitates the intervention of the Police Department or Fire Department within one (1) year from the date of this notice, the occupants and owner of the premises shall be jointly and severally liable for the costs connected with any subsequent response.

_____ <i>Officer Name</i>	_____ <i>Officer Signature</i>
_____ <i>Title of Officer</i>	_____ <i>Phone Number</i>
_____ <i>Date Issued / Posted</i>	_____ <i>Case Number</i>

The residents/tenants of the listed property shall be responsible for ensuring that this notice shall NOT be removed or defaced for three months from the time of posting.





SCU Zone Statistics

SPECIAL RESPONSE NOTICES:

- ***9/1/2018 through 1/23/2019 = 70***
- *9/1/2019 through 2/5/2020 = 68*

ADMINISTRATIVE CITATIONS (after Analysis):

- ***9/1/2018 through 1/23/2019 = 52***
- *9/1/2019 through 2/5/2020 = 50*



Citation Statistics

50 citations total:

- ***\$28,300 in fines***
- *\$566 per citation*
- *Goal is not to produce money, but to change behavior and bring peace to the neighborhood*

Four Blue Tags:

- ***Only one incident at any of those residences since blue tags posted***