

**CITY COUNCIL MEETING**

**April 15, 1981**

**LOCOMOTIVE  
WHISTLES**

Copies of Ordinances pertaining to the prohibition of the use of locomotive whistles which had been received from the cities of Placentia and Anaheim were presented for Council's perusal. Council directed the City Clerk to correspond with Mr. Wilson, who had asked the Council to check into the matter, apprising Mr. Wilson of the information received and the fact that the subject Ordinances dealt only with areas where there were gate installations.



IT IS OUR PLEASURE  
TO SEND  
THE ENCLOSED INFORMATION

CITY OF PLACENTIA  
401 East Chapman Avenue  
Placentia, CA 92670

FROM: Planning Division DATE: 3-20-81

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.0203 Warning devices on authorized emergency vehicles, or horns or other warning devices on other vehicles when used for traffic safety purposes.

.0204 Equipment used by any duly authorized tenant or lessee as an integral part of any event at Anaheim Stadium. (Ord. 4059 § 1 (part), 1979.)

Chapter 6.80

ABANDONED, WRECKED,  
DISMANTLED OR INOPERATIVE  
VEHICLES

Sections:

- 6.80.010 Purposes.
- 6.80.020 Definitions.
- 6.80.030 Exclusions.
- 6.80.040 Regulation not exclusive.
- 6.80.050 Administration and enforcement.
- 6.80.060 Removal of vehicle or parts by authorized persons.
- 6.80.070 Administrative costs—  
Assessment.
- 6.80.080 Abatement of nuisance—  
Notice to abate.
- 6.80.090 Public hearing and notices required.
- 6.80.100 Notice of hearing to California Highway Patrol.
- 6.80.110 Public hearings—Powers of hearing officers.
- 6.80.120 Appeals.
- 6.80.130 Removal of vehicle.
- 6.80.140 Notice to Department of Motor Vehicles.
- 6.80.150 Administrative and removal cost—  
Assessment of charges.
- 6.80.160 Abandonment of wrecked, dismantled or inoperative vehicles prohibited.
- 6.80.170 Misdemeanor.
- 6.80.180 Severability.

(2) Outdoor gatherings, including outdoor public dances and outdoor entertainment events, provided said events are conducted pursuant to an activity permit issued by the city recreation division pursuant to Title 6, Chapters 6.52 and 5.56 of the City Municipal Code and are limited to between the hours of 9:30 a.m. and 11:00 p.m.:

(3) Regularly scheduled activities conducted on public parks, public playgrounds, and public or private school grounds. However, the use of public address or amplified music systems is not permitted to exceed the exterior noise standard of adjacent property at the property line;

(4) Any mechanical device, apparatus or equipment used, related to or connected with emergency machinery, vehicle or work;

(5) Noise sources associated with construction, repair, remodeling, or grading of any real property, provided said activities do not take place between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, including Saturday, or at any time on Sunday or a federal holiday;

(6) All mechanical devices, apparatus or equipment which are utilized for the protection or salvage of agricultural crops during periods of potential or actual frost damage or other adverse weather conditions;

(7) Mobile noise sources associated with agricultural operations provided such operations do not take place between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, including Saturday, or at any time on Sunday or a federal holiday;

(8) Mobile noise sources associated with agricultural pest control through pesticide application; provided that the application is made in accordance with restricted material permits issued by or regulations enforced by the agricultural commissioner;

(9) Noise sources associated with the maintenance of real property provided said activities take place between the hours of 9:00 a.m. and 6:00 p.m.;

(10) Any activity to the extent regulation thereof has been preempted by state or federal law. (Ord. 75-0-105 § 7, 1975).

**23.76.080 Schools, hospitals and churches - Special provisions.** It is unlawful for any person to create any noise which causes the noise level at any school, hospital or church while the same is in use to exceed the noise limits as specified in Section 23.76.050 prescribed for the assigned noise zone in which the school, hospital or church is located, or which noise level unreasonably interferes with the use of such institutions or which unreasonably disturbs or annoys patients in the hospital; provided conspicuous signs are displayed in three (3) separate locations within one-tenth (1/10) of a mile of the institution indicating the presence of a school, church, or hospital. (Ord. 75-0-105 § 8, 1975).

**23.76.085 Use of locomotive whistle.** Generally, The use of locomotive bell, air siren, steam or air whistle within the city at all gate-protected grade crossings shall be prohibited.

Exception. Any locomotive engineer shall be permitted to use his bell, air siren, steam or air whistle, if, in his opinion, it is necessary to avert an immediate threat to life or property. (Ord. 76-0-120 § 1, 1976).

**23.76.090 Air conditioning and refrigeration -- Special provisions.** Until January 19, 1979, the noise standards enumerated in Sections 23.76.050 and 23.76.060 shall be increased eight (8) dB(A) where the alleged offensive noise source is an air-conditioning or refrigeration system or associated equipment which was installed prior to the effective date of the ordinance codified in this chapter. (Ord. 75-0-105 § 9, 1975).

**23.76.100 Noise level measurement.** The location selected for measuring exterior noise levels shall be at any point on the affected residential, commercial or industrial property. Interior noise measurements shall be made within the affected residential unit. The measurement shall be made at a point at least four (4) feet from the wall, ceiling or floor nearest the noise source and may be made with the windows of the affected dwelling unit open. (Ord. 75-0-105 § 10, 1975).

✓ 6.44.020 UNNECESSARY, ANNOYING, DISCOMFORTING NOISES.<sup>6</sup>

It is hereby declared to be a nuisance and is unlawful to make, cause or suffer or permit to be made or caused upon any premises any unnecessary noises or sounds which are physically annoying to persons of ordinary sensitiveness or which are so harsh or so prolonged or unnatural or unusual in their use, time or place as to occasion physical discomfort. (Ord. 799 § 27 (part) as amended by Ord. 1341; April 14, 1959.)

Chapter 6.46

MOTORCYCLES AND MOTOR-DRIVEN CYCLES

Sections:

- 6.46.010 Scope.
- 6.46.020 Definitions.
- 6.46.030 Prohibited operations.
- 6.46.040 Permits.
- 6.46.050 Operation by permit.
- 6.46.060 Appeal.
- 6.46.070 Violations—Penalties.
- 6.46.080 Separability.

6.46.010 SCOPE.

This chapter is designed to regulate the operation of registered and unregistered motorcycles and motor-driven cycles by all persons, whether they possess a valid California Motor Vehicles operator's license or not, upon unimproved private property and upon all public property except highways, in the City of Anaheim. (Ord. 2830 § 1 (part); July 7, 1970.)

6.46.020 DEFINITIONS.

.010 A "motorcycle" is any motor vehicle other than a tractor having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground and weighing less than one

6. Ord. 799 deals primarily with dogs and other animals. The general applicability of this section is not limited by its original context. The portion of Ord. 799 § 27 that preceded this section is codified at Section 8.08.360.

thousand five hundred pounds.

.020 A "motor-driven cycle" is any motorcycle, including every motor scooter, with a motor which produces not to exceed five horsepower, and every bicycle with motor attached.

.030 "Highway" is a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. "Highway" includes street.

.040 "Unimproved private property" means any parcel of land which either contains no structures or which is not surfaced with cement, concrete, asphaltic concrete or other similar material, or which does not have a hard surface made up of a mixture of rock, sand or gravel bound together with a chemical or mineral substance other than natural soil. (Ord. 2830 § 1 (part); July 7, 1970.)

6.46.030 PROHIBITED OPERATIONS.

.010 No person shall operate a motorcycle or motor-driven cycle other than a publicly-owned motorcycle or motor-driven cycle, upon any public sidewalk, walkway, parkway or in any public park, or recreational area or upon any other publicly-owned property, except highways, within the City of Anaheim. This shall not be construed to prohibit the operation of a motorcycle or motor-driven cycle having a valid California vehicle registration by any person possessing a valid California operators' license upon the public highways in the City of Anaheim.

.020 No person shall operate a motorcycle or motor-driven cycle, other than a publicly-owned motorcycle or motor-driven cycle, upon any unimproved parcel of real property within the City of Anaheim, except as set forth in Section 6.46.040 below. (Ord. 2830 § 1 (part); July 7, 1970.)

6.46.040 PERMITS.

Any person desiring to operate a motorcycle or motor-driven cycle, and any owner of private property desiring to allow a person or persons to operate a motorcycle or motor-driven cycle on his private property may do so upon first obtaining a permit from the Chief of Police of the City of Anaheim. Permits shall be issued upon his determination that the owner or owners of the real property concerned,

be housed or an increase in the number of lots or sites provided for parking of mobile homes or recreational vehicles by employees. (Ord. 3506 § 2 (part); February 17, 1976.)

#### 6.95.040 REINSPECTION FEES.

The fees for a permit to operate shall be considered as inspection fees for the initial annual inspection of a labor camp. When any reinspection is required pursuant to Title 25, California Administrative Code, Section 2016.4, the operator shall pay a fee for each such reinspection, as follows:

.010 Twenty-five dollars (\$25.00), provided that such inspection is not in excess of one hour's duration.

.020 If such inspection is in excess of one hour's duration, twenty-five dollars (\$25.00) plus twelve dollars and fifty cents (\$12.50) for each 30 minutes or fractional part thereof in excess of one hour. (Ord. 3506 § 2 (part); February 17, 1976.)

### Chapter 6.97 ✓

#### USE OF LOCOMOTIVE WHISTLES

##### Sections:

- 6.97.010 Generally.  
6.97.020 Exceptions.

#### 6.97.010 GENERALLY.

The use of locomotive air siren, steam/or air whistle, within the City of Anaheim at all gate-protected grade crossings shall be prohibited. (Ord. 3616 § 1 (part); November 16, 1976.)

#### 6.97.020 EXCEPTION.

Any locomotive engineer shall be permitted to use his air siren, steam/or air whistle if, in his opinion, it is necessary to avert an immediate threat to life or property. (Ord. 3616 § 1 (part); November 16, 1976.)

### Chapter 6.98

#### SOLAR SHADE CONTROL

##### Sections:

- 6.98.010 Generally.  
6.98.020 Exemption.

#### 6.98.010 GENERALLY.

The State of California has added Chapter 12 to Division 15 of the Public Resources Code relating to Solar Shade Control. Section 25985 of the Public Resources Code further authorizes any City to exempt its jurisdiction from the provisions of said chapter. (Ord. 3985 § 1 (part); March 28, 1979.)

#### 6.98.020 EXEMPTION.

The City of Anaheim has adopted a tree-preservation ordinance which is in conflict with the intent of Chapter 12 of Division 15 of the Public Resources Code. Therefore, the City Council does hereby exempt the City of Anaheim from the provisions of Chapter 12 of Division 15 of the Public Resources Code. (Ord. 3985 § 1 (part); March 20, 1979.)

adopted thereunder, pertaining to wiping rags and wiping rags businesses.

A permit under this chapter shall be issued by the Health Officer if the applicant complies with the provisions of Chapter 4, Part 1, Division 5 of the Health and Safety Code and any regulations adopted thereunder. The period of the permit shall be one year from date of issuance. Any permit issued hereunder may be suspended or revoked in the manner prescribed in Section 3951 of the Health and Safety Code. (Ord. 3462 § 1 (part); September 2, 1975.)

#### 6.68.040 PERMIT FEES.

The Health Officer is hereby authorized to collect an annual permit fee of fifty-four dollars (\$54.00) from any applicant for a permit under this chapter. (Ord. 3462 § 1 (part); September 2, 1975.)

#### 6.68.050 PENALTY.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor pursuant to Health and Safety Code Section 3960. (Ord. 3462 § 1 (part); September 2, 1975.)

### Chapter 6.70 ✓

## SOUND PRESSURE LEVELS

#### Sections:

- 6.70.010 Established.
- 6.70.020 Violations and penalties.
- 6.70.030 Enforcement.

#### 6.70.010 ESTABLISHED.

Sound produced in excess of the sound pressure levels permitted herein are hereby determined to be objectionable and constitute an infringement upon the right and quiet enjoyment of property in this City.

No person shall, within the City, create any sound, radiated for extended periods from any premises which produces a sound pressure level at any point on the property line in excess of sixty (60) decibels (Re 0.0002 Microbar) read on the A-scale of a sound level meter. Readings shall be taken in accordance

with the instrument manufacturer's instructions, using the slowest meter response.

The sound level measuring microphone shall be placed at any point on the property line, but not closer than three (3) feet from any wall and not less than three (3) feet above the ground, where the above listed maximum sound pressure level shall apply. At any point the measured level shall be the average of not less than three (3) readings taken at two (2) minute intervals. To have valid readings, the levels must be five (5) decibels or more above the levels prevailing at the same point when the source(s) of the alleged objectionable sound are not operating.

Sound pressure levels shall be measured with a sound level meter manufactured according to American Standard S1.4-1961 published by the American Standards Association, Inc., New York City, New York.

Traffic sounds, sound created by emergency activities and sound created by governmental units shall be exempt from the applications of this chapter. Sound created by construction or building repair of any premises within the City shall be exempt from the applications of this chapter during the hours of 7:00 A.M. to 7:00 P.M. (Ord. 2526 § 1 (part); June 18, 1968; Ord. 3400 § 1; February 11, 1975.)

#### 6.70.020 VIOLATIONS AND PENALTIES.

Any person who shall violate any of the provisions of this chapter or any section or part of a section thereof, whether such violation shall consist of the commission of an act forbidden thereby, or the failure to perform any act required thereby, shall be deemed guilty of a misdemeanor and punishable under Section 1.01.370 of this Code.

#### 6.70.030 ENFORCEMENT.

The building officials of the City of Anaheim shall enforce the provisions of this chapter.

Chapter 6.72 ✓

AMPLIFIED SOUND

Sections:

- 6.72.010 Purpose.
- 6.72.020 Regulation of amplified sound.
- 6.72.030 Definitions.

**6.72.010 PURPOSE.**

This City Council enacts this legislation for the sole purpose of securing and promoting the public health, comfort, safety, and welfare of its citizenry. While recognizing that certain uses of sound amplifying equipment are protected by the constitutional rights of freedom of speech an assembly, the City Council, nevertheless, feels obligated to reasonable regulate the use of sound amplifying equipment in order to protect the correlative constitutional rights of the citizens of this community to privacy and freedom from public nuisance of loud and raucous noise. (Ord. 4059 § 1 (part); October 9, 1979.)

**6.72.020 REGULATION OF AMPLIFIED SOUND.**

Notwithstanding the provisions of Chapter 6.70 of this code, it shall be unlawful for any person to use or operate, or cause to be used or operated, within the City of Anaheim any sound amplifying equipment in a fixed or movable position, or mounted upon any vehicle, except when used or operated in compliance with the following provisions:

.010 In all residential zones and within 200 feet thereof, no sound amplifying equipment shall be installed, operated or used for commercial purposes at any time.

.020 The operation or use of sound amplifying equipment for noncommercial purposes in all residential zones and within 200 feet thereof, except when used for regularly scheduled operative functions by any school or for the usual and customary purposes of any church, is prohibited between the hours of 7:00 p.m. and 9:00 a.m. of the following day.

.030 In all other zones, except such portions thereof as may be included within 200 feet of any residential zone, the operation or use of sound amplifying equipment for commercial purposes is prohibited between the

hours of 9:00 p.m. and 8:00 a.m. of the following day.

.040 In all other zones, except such portions thereof as may be included within 200 feet of any residential zone, the operation or use of sound amplifying equipment for noncommercial purposes is prohibited between the hours of 10:00 p.m. and 7:00 a.m. of the following day.

.050 The only sounds permitted shall be either music, human speech, or both.

.060 Sound emanating from sound amplifying equipment shall be limited in volume, tone and intensity as follows:

.0601 The sound shall not be audible at a distance in excess of 200 feet from the sound equipment.

.0602 In no event shall the sound be loud and raucous or unreasonably jarring, disturbing, annoying or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.

.070 Except as permitted in Subsection .020 above, no sound amplifying equipment shall be operated upon any property adjacent to and within 200 feet of any hospital grounds, publicly owned or operated stadium, convention center or auditorium, or any school or church building, while in use. (Ord. 4059 § 1 (part); October 9, 1979.)

**6.72.030 DEFINITIONS.**

.010 The word "person" as used herein shall include the singular and the plural and shall also mean and include any person, firm, corporation, association, club, partnership, society or any other form of association or organization.

.020 The words "sound amplifying equipment" as used herein shall mean any machine or device for the amplification of the human voice, music or any other sound. "Sound amplifying equipment" as used herein shall not, however, be construed as including any of the following:

.0201 Automobile radios, tape players and similar devices when used and heard only by occupants of the vehicle in which installed.

.0202 Radios, televisions, phonographs, tape recorders and players, musical instrument amplifiers and similar devices when used and heard only by occupants of the premises in which the devices are located.



*Mayor*  
NORMAN Z. ECKENRODE

*City Administrator*  
EDWIN T. POWELL

*Councilmembers*  
DONALD A. HOLT, JR.  
BETTY MEAD  
RICHARD ACTON  
PETER LABORDE

401 East Chapman Avenue - Placentia, California 92670

(714) 993-8231

March 23, 1981

Vera Crete  
Secretary to Ronald M. Stein  
City of Lodi  
221 West Pine Street  
Lodi, CA 95240

Dear Mrs. Crete:

Enclosed, as you requested, is a copy of City of Placentia Ordinance No. 76-0-120 pertaining to the prohibition of the use of locomotive whistles in the City. Also enclosed is a copy of the staff report submitted to the Council when the ordinance was originally adopted.

If we can be of further assistance to you in providing information, please let us know.

Sincerely,

A handwritten signature in cursive script that reads "Betty L. Wallis".

Betty L. Wallis  
Deputy City Clerk

BLW/s

Enclosure

MAR 25 1981



M E M O R A N D U M

TO: CITY ADMINISTRATOR  
FROM: COMMUNITY DEVELOPMENT - ENGINEERING DIVISION  
DATE: SEPTEMBER 14, 1976  
SUBJECT: EMERGENCY ORDINANCE PROHIBITING RAILROAD  
LOCOMOTIVE WHISTLE SOUNDING  
FOR: CITY COUNCIL MEETING - SEPTEMBER 21, 1976

ENGINEER'S REPORT NO. 76-R-0113

ABSTRACT:

A proposed Emergency Ordinance prohibiting railroad locomotive whistle sounding on their approach to street crossings is presented for City Council consideration.

DISCUSSION:

At the August 3, 1976 City Council meeting, a letter was received from the Placentia Village Homeowners Association, requesting the City's help in abating the noise and vibration created by railroad traffic within the Atchison, Topeka & Santa Fe Railroad right of way adjacent to S & S Tract 8435. Staff was directed to work with the homeowners towards a solution.

During the course of our research, we have been in contact with the following entities: A T & S F Railway Company, Public Utilities Commission, Cities of Anaheim, Pasadena, South Pasadena, Torrance, County of Orange, and S & S Construction Co. In addition, a meeting with S & S and the Homeowners Association was held on August 9, and two meetings with A T & S F on August 23 and September 8, 1976. A memo to the file on the September 8 meeting is attached as the latest information available on our progress.

Our noise consultant, Orange County Health Department reports in a draft letter (attached) that the exterior noise level meets our tract conditions (68 cnel) but that the interior noise level at 54.8 to 60.8 exceeds our limit of 47 cnel. As soon as we receive his final report, it is our intent to officially notify the developer that he has not met the noise condition.

In other testimony by the noise consultant, he indicated that train speed would have a very minor affect on the noise level but that the whistle is a prime source of irritation.

At our last meeting with A T & S F, they indicated a "probable" compliance with any whistle abatement ordinance that the City Council may pass and asked if one were to be adopted that it be worded to allow sounding to alert wayward animals or people. The railroad is willing to go along with this, we suspect, because all crossings between Corona and Santa Fe Springs are protected with gates. The City of South Pasadena just had their second reading of an ordinance to prohibit whistle sounding at crossings effective in December when all crossings in that City will be protected with gates.

A letter from the City Attorney addressing the liability potential is attached for your information. While he indicates that liability is ever present, the risks are in affect no greater than when power fails at a traffic signal installation.

AGENDA ITEM No. 26  
COUNCIL MEETING DATE 9-21-76

September 14, 1976

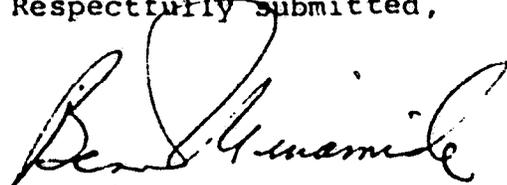
Page 2

The City of Anaheim staff indicates willingness to propose a similar ordinance to its City Council since that portion of track adjacent to S & S Development lies within its City boundary.

**RECOMMENDATION:**

Since the locomotive whistle has been identified as a prime source of irritation by our noise consultant and since all City crossings are protected with gates it is recommended that 1) The City Council adopt the attached Emergency Ordinance to promote the health, welfare and general well being of its residents and future residents in proximity of the railroad tracks, and 2) Direct staff to request the City of Anaheim to adopt a similar ordinance applicable to this mainline.

Respectfully submitted,



Ben Minamide, P.E.  
Director, Community Development  
City Engineer

BM/mc

Attachments: Ordinance No. 76-O-120  
City Attorney's Letter dated 9/15/76  
Letter (Railroad Noise Study) dated  
9/8/76 from County of Orange  
Memorandum to the File of 9/8/76

M E M O R A N D U M

TO: CITY ADMINISTRATOR  
FROM: CITY ATTORNEY  
DATE: SEPTEMBER 15, 1976  
SUBJECT: LIABILITY FOR CITY ORDINANCE PROHIBITING BLOWING  
OF TRAIN WHISTLES WITHIN CITY LIMITS  
FOR: CITY COUNCIL MEETING OF SEPTEMBER 21, 1976

Section 7604 of the Public Utilities Code States, in substance, that a bell or whistle shall be sounded a certain distance from street crossings except in cities. The City is, therefore, not prohibited from limiting bell or whistle use in the City.

If the City prohibits the use of bells or whistles and an accident is somehow "caused" by the prohibition, a claim can be made that the City is liable.

Each time the City engages in an activity, there is some risk that liability may follow. Claims can and have been made where accidents result from malfunctioning traffic signals, improperly designed intersections, improper warning devices for road construction, and so on. The City can and does carry insurance for these purposes. The risk is lessened by the gates, bells and other safety devices at the intersections in Placentia.

My opinion is that the risk of liability by prohibiting train bells and whistles in Placentia is no greater than the risk created by numerous other City activities.

Respectfully submitted,



Charles J. Post, III  
City Attorney

CJP/mc

CITY OF ANAHEIM, CALIFORNIA

Planning Department

March 27, 1981

CITY OF LODI  
221 West Pine Street  
Lodi, CA 05240

Attention: Mary Joan Starr,  
Assistant Planner

Dear Ms. Starr:

This is in reply to your letter of March 17, 1981 requesting information about an ordinance prohibiting the use of locomotive whistles within the City limits.

Enclosed is a copy of City of Anaheim Ordinance No. 3616 which was adopted on November 16, 1976. The value of this ordinance is highly questionable. The City Attorney has advised me that if the offending railroad contested an attempt at enforcement it would be necessary to provide extensive data and evidence in support of the prosecution. In addition, there is a question of liability. If there were accidents when the signal was not sounded would the City be liable?

In view of the above factors it may be advisable to look for other solutions to the problem. It would be helpful if there were other means of obtaining cooperation from the railroads. I would appreciate any suggestions you may have in reducing noise pollution from this source.

Very truly yours,

PLANNING DEPARTMENT

*Robert J. Kelley*

Robert J. Kelley  
Associate Planner

RJK:11h

Enclosure



AN ORDINANCE OF THE CITY OF ANAHEIM ADDING  
CHAPTER 6.97 TO THE ANAHEIM MUNICIPAL CODE  
PERTAINING TO THE USE OF LOCOMOTIVE WHISTLE.

THE CITY COUNCIL OF THE CITY OF ANAHEIM DOES ORDAIN  
AS FOLLOWS:

SECTION 1.

That Title 6, Chapter 6.97, be, and the same is hereby,  
added to the Anaheim Municipal Code to read as follows:

"CHAPTER 6.97

USE OF LOCOMOTIVE WHISTLE

.010 Generally - The use of locomotive air  
siren, steam/or air whistle, within the  
City of Anaheim at all gate protected  
grade crossings shall be prohibited.

.020 Exception - Any locomotive engineer  
shall be permitted to use his air siren,  
steam/or air whistle if, in his opinion,  
it is necessary to avert an immediate  
threat to life or property."

SECTION 2.

SEVERABILITY.

The City Council of the City of Anaheim hereby declares  
that should any section, paragraph, sentence or word of this chap-  
ter of the Code, hereby adopted, be declared for any reason to be  
invalid, it is the intent of the Council that it would have passed  
all other portions of this chapter independent of the elimination  
herefrom of any such portion as may be declared invalid.

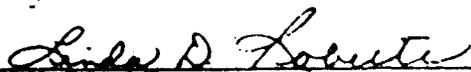
SECTION 3.

The City Clerk shall certify to the passage of this or-  
dinance and shall cause the same to be printed once within fifteen  
(15) days after its adoption in the Anaheim Bulletin, a newspaper  
of general circulation, printed, published and circulated in said  
City, and thirty (30) days from and after its final passage, it  
shall take effect and be in full force.

THE FOREGOING ORDINANCE is approved and signed by me  
this 16th day of November, 1976.

  
MAYOR OF THE CITY OF ANAHEIM

ATTEST:

  
CITY CLERK OF THE CITY OF ANAHEIM

CITY COUNCIL

JAMES A. McCARTY, Mayor  
ROBERT G. MURPHY, Mayor Pro Tem  
RICHARD L. HUGHES  
WALTER KATNICH  
JAMES W. PINKERTON, Jr.

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
POST OFFICE BOX 320  
LODI, CALIFORNIA 95241  
(209) 334-5634

HENRY A. GLAVES, Jr.  
City Manager

ALICE M. REIMCHE  
City Clerk

RONALD M. STEIN  
City Attorney

D R A F T

April 17, 1981

Mr. Lawrence A. Wilson  
325 Daisy Avenue  
Lodi, CA 95240

Dear Mr. Wilson:

We are enclosing herewith copies of ordinances received from the cities of Placentia and Anaheim regarding the prohibition of the use of locomotive whistles within those localities.

We would suggest that you come into our office and speak with our City Attorney, Mr. Ronald Stein, regarding your request that the City of Lodi adopt a like ordinance. You will note in reviewing these ordinances that this is applicable only in areas where there are gate installations. I believe that Mr. Stein will be able to answer any questions that you may have regarding these documents.

Very truly yours,

Alice M. Reimche  
City Clerk

AR:dg

Enc.

Alice talked to Mr. Wilson over the phone. He came in and talked to Ron April 16, 1981 and received copies of the ordinances.