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HEALTH AND SAFETY CODE - HSC

DIVISION 28. NOISE CONTROL ACT [46000 - 46080] (*Division 28 repealed (comm. with Section 39800) and added by Stats. 1975, Ch. 957.)*

CHAPTER 1. Findings, Declarations, and Intent [46000 - 46002] (*Chapter 1 added by Stats. 1975, Ch. 957.)*

46000. The Legislature hereby finds and declares that:

- (a) Excessive noise is a serious hazard to the public health and welfare.
- (b) Exposure to certain levels of noise can result in physiological, psychological, and economic damage.
- (c) There is a continuous and increasing bombardment of noise in the urban, suburban, and rural areas.
- (d) Government has not taken the steps necessary to provide for the control, abatement, and prevention of unwanted and hazardous noise.
- (e) The State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise.
- (f) All Californians are entitled to a peaceful and quiet environment without the intrusion of noise which may be hazardous to their health or welfare.
- (g) It is the policy of the state to provide an environment for all Californians free from noise that jeopardizes their health or welfare. To that end it is the purpose of this division to establish a means for effective coordination of state activities in noise control and to take such action as will be necessary to achieve the purposes of this section.

(Added by Stats. 1975, Ch. 957.)

46001. No provision of this division or ruling of the Office of Noise Control is a limitation or expansion:

- (a) On the power of a city, county, or city and county to adopt and enforce additional regulations, not in conflict therewith, imposing further conditions, restrictions, or limitations.
- (b) On the power of any city, county, or city and county to declare, prohibit, and abate nuisances.
- (c) On the power of the Attorney General, at the request of the office, the state department, or upon his own motion to bring an action in the name of the people of the State of California to enjoin any pollution or nuisance or to protect the natural resources of the state.
- (d) On the power of a state agency in the enforcement or administration of any provision of law which it is specifically permitted or required to enforce or administer.
- (e) On the right of any person to maintain at any time any appropriate action for relief against any private nuisance as defined in the Civil Code or for relief against any noise pollution.

(Added by Stats. 1975, Ch. 957.)

46002. Nothing in this division shall be construed as giving the Office of Noise Control authority or responsibility for adopting or enforcing noise-emission standards for any product for which a regulation has been, or could be, prescribed or promulgated by the Environmental Protection Agency under the Noise Control Act of 1972.

(Added by Stats. 1975, Ch. 957.)