Article 33:
ENVIRONMENTAL PERFORMANCE STANDARDS

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Sec. 9-1.3300:
Purpose and Intent

The following performance standards are included in the Development Code to:

A. Ensure that residential neighborhoods and the business community in Ontario will be free from the environmental hazards of noise, vibration, dust, glare and other negative influences;

B. Contribute to regional efforts to protect and enhance the environmental quality of life.

Sec. 9-1.3305:
Noise

The following provisions limit the unwanted and harmful emission of sound.

A. Maximum permissible exterior sound levels by receiving land uses are:

1. Noise standards for the various categories of land uses set forth in Table 33-1 shall, unless otherwise specified, apply to each property or portion of property in the community. Where two or more dissimilar land uses occur on a single property, the more restrictive noise standard shall apply;

2. In the event of a dispute over the identification of a receiving land use, interpretation is to be made by the Zoning Administrator;

3. No person shall operate or cause to be operated any source of sound or noise at any location within the city, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level to exceed the levels indicated on Table 33-1.

Table 33-1. Maximum exterior noise levels

Receiving land use category	Noise level [dBA]	
	10 p.m. to 7 a.m.	7 a.m. to 10 p.m.
Residential (except multi-family)	45	65
Multi-family residential and mobile home parks	50	65
Commercial (all C Zones, including AP)	60	65
Light industrial (M1, M2)	70	70
Heavy industrial (M3)	70	70

B. Maximum permissible interior noise levels

1. No person shall operate or cause to operate any source of sound within a residential dwelling unit or allow the creation of noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level, when measured inside a neighboring receiving dwelling unit, to exceed the environmental and/or nuisance interpretation of the applicable limits shown on Table 33-2;

2. If the ambient noise level inside a receiving dwelling unit exceeds permissible limits, the allowable noise exposure standard in that category shall be the measured ambient noise for a cumulative period of five (5) minutes in any one hour, ambient plus five (5) dBA for one minute within any one hour, and shall not exceed the ambient plus ten (10) dBA at any time.

Table 33-2. Interior noise standards

Land use type	Time Interval	Maximum noise level [dBA]		
Multi-family residential		any time	1 min/1 hr.	5 min/1 hr.
	10 p.m. to 7 a.m.	35	40	35
	7 a.m. to 10 p.m.	45	50	45

C. Methodology for calculating noise levels shall be as follows:

1. Noise levels shall be measured by the equivalent sound level (Leq) for any hour;

2. Nuisance noise shall be measured as a sound level not to be exceeded at any time;

3. Sound levels by receiving land use shall be measured at the boundary or at any point within the boundary of the property affected;

4. Fixed location public utility distribution or fixed transmission facilities, located on or adjacent to a property line, shall be subject to noise level limits of this section measured at or beyond six (6) feet from the boundary of the easement upon which the utility equipment is located;

5. If the noise is continuous, the Leq for any hour will be represented by any lesser time period within that hour. Noise measurements of five (5) minutes or less will thus suffice to define the noise level;

6. If the noise is intermittent, the Leq for any hour may be represented by a time period typical of the operating cycle. Measurement of intermittent noise is to be made of at least three (3) noisy/quiet periods. Alternatively, measurements may be taken at two (2) periods of at least fifteen (15) minutes each may be used;

7. In the event the alleged noise event, as judged by the enforcement official, contains a steady, audible sound such as a whine, screech, or hum, or contains a repetitive, impulsive noise such as hammering or riveting, the standard may be reduced by 5 dB at the discretion of the enforcement official;

8. If the measured ambient noise level exceeds that permissible in Table 33-1, the allowable noise exposure standard shall be the ambient noise level. The ambient level shall be measured when the alleged noise violation source is not operating.

D. The following is prohibited:

1. No person shall unnecessarily make, continue, or cause to make or continued any noise disturbances;

2. Sounding or permitting the sounding of any electrically operated or electronically amplified signal from any stationary bell, chime, siren, whistle, or similar device intended for non-emergency purposes, from any place, for more than 120 seconds continually, in a one hour period, or intermittent sounding over a five (5) minute period in one hour;

3. Creating or causing the creation of any sound within a noise-sensitive area, so as to exceed the maximum exterior noise levels set forth within Table 33-1.

E. The following are exempt from these noise standards: warning devices necessary for the protection of public safety, including but not limited to, police, fire, ambulance sirens, train horns, which are exempted from the provisions of this ordinance;

Sec. 9-1.3310:
Vibration

No vibration shall be detectable beyond the property line of the site from which the vibration is emanating. Within M Districts, vibration shall not exceed the standards set forth in Table 33-3.

Table 33-3. Maximum vibration in M districts

Frequency (cycles per second)	Vibration displacement (inches)	
	Steady state	Impact
Under 10	.0055	.0010
10-19	.0044	.0008
20-29	.0033	.0006
30-39	.0002	.0004
40+	.0001	.0002

Sec. 9-1.3315:
Dust and Paint

All uses, including grading, construction and operational phases, shall be conducted in a manner so as to prevent dust emissions and paint overspray from creating hazardous or potentially hazardous conditions within the site and surrounding area.

Parcels located with the Soil Erosion Control Area (reference Figure HA-3 of the General Plan) are required to obtain Dust Control Permits from the Building Department prior to commencement of grading operations.

Sec. 9-1.3320:
Smoke
Smoke emission shall be controlled in accordance with the standards of the South Coast Air Quality Management District.

Sec. 9-1.3325:
Light, Glare and Heat
All on-site lighting fixtures, including parking lot lighting, security lighting and decorative lighting, may be indirect or diffused, or, if not, shall be shielded or directed away from a Residential District. Where appropriate, lighting fixtures must also comply with the Ontario Building Security Ordinance. Lighting for outdoor court or field games within three hundred (300) feet of any Residential District shall require the issuance of a conditional use permit. Welding operations shall be conducted within a fully enclosed structure, or shall be shielded from public view.

Sec. 9-1.3330:
Hazardous Materials
The use, handling, storage, and transportation of combustibles and explosives shall comply with applicable provisions of the Uniform Fire Code, the City of Ontario Hazardous Waste Ordinance and all other local, state and federal regulations.

Sec. 9-1.3335:
Radioactive Materials
The use, handling, storage, and transportation of radioactive material shall comply with the provisions of the Uniform Fire Code and all other local, state and federal regulation.

Sec. 9-1.3340:
Electromagnetic Interference
Uses, activities, and processes shall not cause electromagnetic interference with normal radio to television reception or with the function of other electronic equipment beyond the property lines of the site on which they are generated.

Sec. 9-1.3345:
Odors and Gasses

A. The emission of obnoxious odors of any kind shall not be permitted.

B. No gas shall be emitted which is injurious to the public health, safety or general welfare.

Sec. 9-1.3350:
Hours of Operation
With the exception of office and security activities, any industrial production, processing, cleaning, testing, repairing, shipping or outdoor activities within three hundred (300) feet of an R District shall be limited to the hours of 7:00 a.m. to 10:00 p.m. The City Planner may approve additional hours when it can be found that such additional hours will not generate additional disturbance, or that mitigation measures will ensure compatibility with nearby residential areas.

Sec. 9-1.3355:
Enforcement

Upon receipt of a complaint alleging infraction of any of the standards enumerated above, the City Planner shall cause an investigation of the specific allegation to be completed. The City Planner may retain the services of environmental professionals to perform studies to investigate if violations of City standards are or have been occurring. If it is determined and documented that violations have occurred, the City Planner shall refer the matter to the Code Enforcement Division and/or the City Attorney's Office for appropriate action. Potential violations of smoke standards shall be referred to the South Coast Air Quality Management District.

The individual, firm, association or party found to be in violation of the City standard shall bear all expenses for the investigation charged to the City.