

Hello All ~

As we approach the 4th, law enforcement is finally beginning to get in gear. Fortunately, the Santa Cruz Police Department is spreading its simple "you light it we cite it" message. Unfortunately, the Sheriff Department is not doing so well.

Here is an email that I just sent to them:

From: Jean Brocklebank <jeanbean@baymoon.com>
Subject: **Misinformation/Fireworks and Noise**
Date: June 27, 2017 11:59:45 AM PDT
To: kary.bisagno@santacruzcounty.us
Cc: Lt. Jim Ross <Jim.Ross@santacruzcounty.us>

Hello Kary ~

From your Next Door post:

"Santa Cruz County Sheriff's Office Information Letters

"In preparation for the 4th of July, the Sheriff's Office has sent informative letters to alcohol establishments and owners of vacation rentals. If you own a vacation home, alcohol related business, or are planning on utilizing either, if you haven't already, take a moment and read the letters below. Help us keep our neighborhoods problem free this 4th of July. Please help us spread the word!"

Although well-meaning, the information in the letter to property owners about fireworks and noise ***misrepresents the ordinances***. This is problematic for purposes of resident's and vacation property owner's understanding of the various ordinances. The confusion the misinformation causes exacerbates the problems of July 4th as well as year round. The post asked "*help us spread the word,*" but it serves no purpose to spread confusing misinformation. Did these letters really get sent out again this year? The letter to Property Owner has July 2nd - July 6th, **2016**.

The same letter was posted on the Sheriff's Facebook page.

Noise Ordinance

Since you are not able to see responses on the Next Door forum, you are unable to see how the "*after 10 pm*" misrepresentation (inadvertent I'm sure) of the noise ordinance caused this reply: Free headlocks to all lighting those loud boomers off after 10! Fortunately I was able to correct this misunderstanding. But who will correct the misunderstanding of the vacation property owners, who are likely to repeat the "after 10" mistake? The text of the Sheriff's letter makes it look like the triple fines will be issued only after 10 pm and before 8 am (focus of the third paragraph in the letter).

The County Noise Ordinance (8.30.010) addresses "offensive" noise 24/7, not just from 10 pm to 8 am. This mistake appears to give license - from the Sheriff - to make "offensive" noise at any time before 10 pm. This is not true. How many property owners will actually read the details of 8.30? Perhaps in the future, the letter can quote the definition of offensive:

B) "Offensive noise" means any noise which is loud, boisterous, irritating, penetrating, or unusual, or that is unreasonably distracting in any other manner such that it is likely to disturb people of ordinary sensitivities in the vicinity of such noise, and includes, but is not limited to, noise made by an individual alone or by a group of people engaged in any business, activity, meeting, gathering, game, dance, or amusement, or by any appliance, contrivance, device, tool, structure, construction, vehicle, ride, machine, implement, or instrument.

Fireworks Ordinance

Regarding fireworks, a simple statement that *the possession and use of all fireworks, including safe & sane is prohibited* should have been included in the letter. The final paragraph of the 2016 letter that mentions triple fines for Live Oak beaches between 10 pm and 6 am is quite inappropriate. Fireworks are not allowed on Live Oak beaches 24/7, fires are not allowed on LO beaches 24/7, offensive noise is not allowed on LO beaches 24/7.

In short, the letter to property owners seems to imply that it is okay to do any mischief as long as it happens before 10:00 pm. I ask that the Sheriff Department edit its letter for future distribution. Additionally, I respectfully suggest that an updated message, clarifying the 24 hour nature of the ordinances be posted on post NextDoor and the Sheriff's Facebook page. This will send a message that it is not okay to make mischief up to 10:00 pm.

I look forward to your response to our concerns.

Sincerely,
Jean Brocklebank
on behalf of [Freedom From Fireworks](#)



County of Santa Cruz

Sheriff-Coroner

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Jim Hart
Sheriff-Coroner

Dear Property Owner

You are receiving this letter because you own a property listed as a vacation rental pursuant to County Ordinance 13.10.694

The 4th of July is rapidly approaching and history has shown that alcohol or other public nuisance based incidents increase and negatively impacts the community. Often time's vacationers renting for the week are not familiar with the local ordinances as they apply to alcohol consumption, fireworks, noise, or other activities impacting quality of life in our community.

Our goal is to partner with homeowners in an effort to better educate vacationing tenants during their stay. You can help us by adhering to your rental agreement by not allowing more than the specified amount of occupants and vehicles in and around your rental. Also, ensure that your occupants and guests are aware and adhere to the noise standards contained in the County Noise Ordinance (8.30)

The county code for "Safety Enhancement Penalties" (8.34) will be in effect July 2nd through July 6th 2016. During this time, fines will be tripled for specific alcohol and fireworks offenses. Some of the qualifying offenses are possession of fireworks, use, sale of explosives, alcohol consumption in a public place (8.02.020), offensive noise between 10:00 pm and 8:00 am (8.30.010), and Live Oak beach use violations between 10:00pm and 6:00 am.