TOWN OF WINDSOR
AGENDA REPORT

Joint Windsor Town Council, Windsor Redevelopment Successor Agency and Windsor Water District Meeting Date: January 21, 2026

To: Mayor and Town Council
From: Lauren Berges, Senior Management Analyst
Subject: Consideration of an Ordinance Amending Title 3, Chapter 5, Disturbing the Peace

Recommendation to Council:
Introduce and hold first reading, by title only, an ordinance amending Title 3, Chapter 5, Disturbing the Peace, of the Town of Windsor Municipal Code to update and expand regulations related to disturbing the peace and noise control, including enforcement mechanisms, definitions, and a framework for authorizing temporary noise permit conditions.

Strategic Plan Element:
The recommended action supports the goal of Livability. Goal Statement: Preserve community character by maximizing the use of existing amenities and creating future opportunities that enhance quality of life for all.

Background:
The current Chapter of the Windsor Municipal Code, 3-5-100, adopted via Ordinance No. 95-69 § 1, provides a basic framework for addressing disturbances of the peace, including loud noise, fighting, and offensive language in public. However, to better address modern noise-related concerns and improve enforcement clarity, staff has prepared an updated ordinance that expands definitions, introduces new enforcement tools, and establishes clearer standards for noise-generating activities.

Recent community feedback and enforcement challenges have highlighted the need for a more structured and legally defensible framework; one that balances objective measurement with lived experience and provides clear pathways for citation and review.

Discussion:
The proposed amendments are designed to modernize and clarify the Town's approach to managing disturbances of the peace. Over time, staff have encountered challenges in applying the existing ordinance due to its broad language, lack of definitions, and limited alignment with the Town's zoning-based noise standards. These updates aim to provide a more structured, transparent, and enforceable framework that reflects both community expectations and legal best practices.

One of the most significant changes is the addition of a purpose and intent section, which articulates the ordinance's role in preserving public peace while balancing the needs of lawful activities such as construction, events, and gatherings. This section helps ground the ordinance in the broader goals of public welfare and fairness by assisting staff and the public in understanding the objectives of the chapter.

The inclusion of a definitions section is another key improvement. By clearly defining terms such as "unreasonable noise," "amplified sound," "verified violation", and "nuisance site," the ordinance

provides both staff and the public with a shared understanding of what constitutes a violation and how repeat violations will be assessed. These definitions help ensure consistent enforcement and provide clearer expectations for responsible individuals and property owners.

The revised general provisions remove the previous service fee language, recognizing that responding to disturbances is a core municipal function. Instead, the ordinance now authorizes administrative citations with a structured penalty schedule. This approach allows for progressive enforcement beginning with a warning and escalating fines for repeat violations while maintaining flexibility for staff to consider context and cooperation. The ordinance also clarifies that the initial warning applies to the property, which supports more effective enforcement in situations where different individuals may host repeated gatherings at the same location.

The proposed ordinance establishes the authority and framework for administrative citations related to the disturbing the peace violations but does not set specific penalty amounts. Consistent with the Municipal Code, the amount of any administrative penalty will be established by resolution of the Town Council and incorporated into the Town's Master Fee Schedule. If the Town Council adopts the ordinance, staff will return to Council with a proposed update to the Master Fee Schedule for consideration. This approach allows the Town to adopt the enforcement framework first, followed by Council consideration of the specific administrative citation amounts.

The Town's zoning code (Section 17.32.070) establishes noise limits and identifies specific exemptions but does not provide a process for requesting temporary relief from those standards. To address this procedural gap, the proposed ordinance amendment introduces a noise permit requirement for activities such as amplified sound or special events. This ensures that elevated noise can be managed proactively, with appropriate review and conditions, while maintaining protections for surrounding properties. The ordinance also authorizes the Town to revoke a noise permit if the permittee violates permit conditions, fails to comply with enforcement direction, or causes repeated disturbances related to the permitted activity.

The ordinance includes a nuisance site provision for properties that experience two or more verified disturbances within a twelve month period. A nuisance site may be subject to enhanced enforcement measures, including increased penalties, corrective action plans, or referral under other nuisance abatement sections of the Municipal Code. This provision allows the Town to address recurring disturbance issues more effectively while maintaining procedural fairness.

Together, these updates reflect a thoughtful and balanced approach to maintaining public peace, supporting staff in their enforcement duties, and ensuring that the ordinance remains relevant and effective.

Fiscal Impact:
There is no fiscal impact associated with the recommended action.

Environmental Review:
The recommended action does not constitute a "project" within the meaning of California Environmental Quality Act (CEQA) Guidelines Section 15378 and requires no environmental review.

Attachment(s):
1. Ordinance

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Approved by:
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