



CITY OF SAN ANTONIO  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST

RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK

2007 NOV 20 PM 4: 17

TO: Mayor & City Council

FROM: City Councilman John G. Clamp

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Michael D. Bernard, City Attorney; Erik J. Walsh, Assistant City Manager; William McManus, Chief of Police; Chris Callanen, Assistant to the City Council

SUBJECT: Request for Placement of Item on City Council Meeting Agenda

DATE: November 19, 2007

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

I respectfully ask for your concurrence in requesting the City Attorney to determine the feasibility of revising Chapter 21, Article III, Division 1 of the City of San Antonio Municipal Code to include stiffer penalties for vehicular mounted sound amplification systems.

The revision I am requesting is to structure the enforcement of the vehicular infraction enforceable by the San Antonio Police Department. Include into the code, language that would allow a police officer to use a common sense based test that can determine when a person/vehicle is committing a violation based on the audible noise level and vibration emanating from the vehicle.

I would also request that staff consider the following changes regarding the penalties for this offense. The penalty should include a three strikes model that would adhere to the current fine structure. Additionally, penalties can be strengthened as follows:

- The first offense would be the fine as stated in Section 21-58.
- The second offense would carry an increased fine and impoundment of the vehicle as evidence for trial. The cost to be incurred at the offender's expense.
- The third offense would carry an increased fine, impoundment of the vehicle as evidence and seizure of the source of the noise, i.e. radio, stereo, amplifier, etc. at the offenders expense. The cost to be incurred at the offender's expense.

These types of penalties are being used in other jurisdictions according to the United States Department of Justice Office of Community Oriented Policing Services report published in 2002.

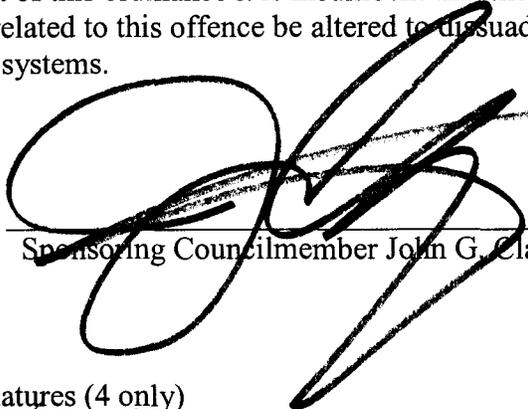
Brief Background

The intent of the amendment is to address the problems created by vehicle mounted sound systems are a disturbance to the peace and welfare of our city. The purpose of amending the City Code to include vehicle mounted sound systems was to provide the city with a means to

address the issue of vehicles that drive around that emanate loud noise, thumping, and vibration. But this change has not had the effectiveness that the community desired. The city continues to receive complaints about these vehicles driving in neighborhoods, schools, and parks disturbing the peace.

The enforcement of the current vehicular mounted sound amplification systems is difficult at best. In order to meet the intent of this ordinance it is incumbent that the means of enforcement and the penalties related to this offence be altered to dissuade the disturbances caused by the vehicle mounted systems.

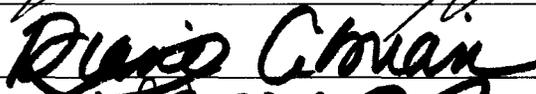
Submitted for Council consideration  
by:

  
Sponsoring Councilmember John G. Clamp

10

Supporting Councilmembers' Signatures (4 only)

District No.

1.		9
2.		00
3.		4
4.		2

RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK  
2007 NOV 20 PM 4:17