**Proper and Accepted Customs and Standards for Operations of Propane Cannons and other Audible Frightening Devices Used Within Napa County Agricultural Lands**

The following criteria define the County’s "proper and accepted customs and standards" (Standards) for bird cannon and audible frightening device operations, as described in the Napa County Agriculture and Right to Farm Ordinance (Napa County Code of Ordinances, Chapter 2.94). These Standards also serve to define and clarify the interpretation of the scope of permissible operations that qualify for the exception to the County Noise Ordinance set forth in Napa County Code section 8.16.090(E) for “all mechanical devices, apparatus or equipment associated with agricultural operations conducted on agricultural property” (Exception). When responding to noise complaints, the Napa County code compliance staff in partnership with the Agricultural Commissioner's Office, shall use these Standards to determine whether the propane cannons or other audible frightening devices[[1]](#footnote-1) (Devices) are being used appropriately, and in a manner to which the Exception applies. If code compliance personnel or the Agricultural Commissioner’s Office determines that Device operations are not in compliance with the Standards, the operations will not qualify for application of the Exception and will be addressed by Napa County code compliance personnel in partnership with the Agricultural Commissioner’s Office, as potential violations of County Code provisions, including but not limited to the County Noise Ordinance set forth in Title 8.16 of the County Code.

Devices only give short-term results since birds habituate to them after a short time period. Therefore, Devices shall be employed correctly, at the appropriate time-period, and in conjunction with at least one other bird control technique.

Operations of the Devices shall comply with the following standards:

1. Devices are to be used only for bird species that are causing crop damage in commercial agriculture.
2. Crop damage from birds should be identified and monitored by the property owner, grower or farm manager.
3. Devices should be used with on-site supervision and in conjunction with other bird control techniques.
4. Devices shall not be used on agricultural lands, including but not limited to orchards and vineyards, until fruit and berries begin to change color.
5. Devices shall only be used during daylight hours, between the hours of sunrise to sunset.
6. When there are occupied residences in close proximity to the site, Devices shall be positioned a minimum of 500 feet from any residence (excluding the residence of the user), with the cannon barrel or speaker box pointed away from the residence. Buffering devices, such as but not limited to hay bales, should be used where feasible to mitigate sound from carrying toward a residence or pasture.
7. When possible, Devices should be moved every 3-5 days so birds do not get habituated to sound and location.

Use of Devices in a manner inconsistent with these customs and standards may be considered to be a public nuisance by Napa County code compliance staff in partnership with the Agricultural Commissioner’s Office, leading to initiation of compliance actions.

1. Defined as gas cannons, automatic exploders, electronic noisemakers, sonic noisemakers, bird distress and predator calls, shot gun shells including but not limited to pyrotechnic cartridges and other audible devices including those not listed. [↑](#footnote-ref-1)