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Moraga residents sue Moraga for changes at Hacienda that lessor says will put them out of business

By Sora O'Doherty



The Hacienda de Las Flores in Moraga is the subject of a civil suit alleging excessive noise during weddings. Photo Sora O'Doherty

A group of residents of Devin Drive and El Paraiso Court - streets that adjoin the property of the Hacienda de las Flores in Moraga - are suing the town, alleging that it has failed to protect their quiet enjoyment of their properties. Wedgewood Weddings LLC, the company providing wedding services at the site, has filed a response denying that events held at the Hacienda violate the terms of the lease regarding noise levels. The matter will come before the court on May 23 for a hearing on a preliminary injunction against the Town of Moraga. The hearing will start at 9 a.m. before Judge Charles Treat at the Contra Costa County Superior Court in Martinez.

The suit names The Town of Moraga and Z-Golf Food and Beverage Services, LLC dba Wedgewood Weddings, LLC as defendants. According to the complaint in the matter, until 2012 Moraga operated its city offices in the Hacienda, which had been purchased by Moraga in 1977. When it was under the control of the town, the Hacienda

was occasionally used as a wedding venue, but rarely, perhaps once a year, the plaintiffs allege. All public events at the Hacienda were halted during the Covid 19 pandemic during 2020.

In 2021, the town resumed holding weddings and events at the Hacienda. The plaintiffs state that owing to pent-up demand, there was "a record increase" in the number of weddings that led to significant disruption in the neighborhood, largely because of private disc jockeys without knowledge of the neighborhood. There were numerous noise complaints to the Moraga Police Department.

The town subsequently entered into a lease agreement with Wedgewood Weddings that established rules for weddings to be held at the site. According to the complainants, the lease, which they say is enforceable by the town, provides specific requirements as to noise, which they argue have not been enforced by the town.

The suit by the residents close to the Hacienda seeks damages for inverse condemnation, as well as a preliminary and permanent injunction and other relief. The hearing on May 23 will deal with the issue of a preliminary injunction, which would bar the defendants (the Town of Moraga and Wedgewood Weddings) from excluding the public from public portions of the Hacienda; from serving hard alcohol at the Hacienda; and from setting up speakers outside and would require all DJs and amplified sound to be inside the Hacienda building. The plaintiffs also seek to bar the future scheduling of more than two weddings per week from April through October each year, and a prohibition on future scheduling of weddings from November through March each year.

In its response to the request for an injunction, Wedgewood argued that, in addition to not violating the terms of the lease regarding noise, the company made significant changes in response to noise complaints, including hiring a security guard to make sure that the doors to the venue were closed at all times to contain noise and installing additional sound insulation.

Wedgewood also points out that it was required to make an initial capital investment in the Hacienda property in the amount of \$253,000. Wedgewood says that they have been a major financial contributor to the Town of Moraga, "We have turned a heavy financial loss for the town into what will be north of \$250,000 in annual financial contributions to the town of Moraga general fund." Further, Wedgewood contends that if "Plaintiffs obtain the injunction they seek, Wedgewood will lose out on approximately \$2,600,000 in revenue and will have no choice but to cease operations at the Hacienda."

In 2011 Moraga lost a suit by a town resident over the noise level of concerts at Moraga Commons park.

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[back](#)

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