

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

By Sora O'Doherty



Photo Sora O'Doherty

The Hacienda de las Flores in Moraga is the subject of a civil suit alleging excessive noise during weddings.

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 neighbor-

hood, 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.

TG HARDWOOD FLOORS
Moraga California
DESIGN • REFINISHING • INSTALLATION
925-376-1118
Lic # 924653

CALL TOM FOR A FREE ESTIMATE

Since 1993!
Tom Gieryng,
owner and operator

Rat proofing

Ratman Pest and Termite Control

Local family-owned business.

All pests & termites. Mice, rats, raccoons, skunks, and squirrel-proofing. Attic/Subarea clean up. Duct/Insulation repair.

Customer service is my #1 priority.

Serving the LaMorinda area for 10 years as former branch manager of Coulson-Moseley/Detailed Pest Control.

1044 Stuart St., Lafayette
(925) 338-9304
877-7RATMAN

Free inspections schedule TODAY

RATMAN
—PEST AND TERMITE—
CONTROL

Weed Cutting

Brush Clearance per Fire Regulations

Hauling Clean Up

Call Tony at
(925) 497-3741

references available



Thank You to Our LPIE 2023-24 BUSINESS PARTNERS

DIAMOND PARTNER

Martin Homes, Compass

PLATINUM PARTNERS

Cobain Orthodontics

Dana Green Team, Compass

Julie Del Santo & Lauren Deal
Dudum Real Estate Group

Lamorinda Pediatrics

Law Office of Daniel Horowitz

Lewis Asset Management

GOLD PARTNERS

Dana Reedy Homes, Compass

Diablo Foods

GOLD PARTNERS (cont'd)

Dougla Designs/Luxe Home

Lafayette Chamber of Commerce

Minuteman Press

Paddy Kehoe Team, Compass

Village Associates Real Estate

Lafayette Rotary Club

SILVER PARTNERS

Ann Ward, Village Associates
Ashley Battersby, Village Associates
Bridge Bank - Mike Lederman
Brydon & Ives Team, Compass
Chicago Title - Scott Silverstein
Danielle Gogo-Gallagher
Fein Wines
Flo Content
Harriet Plummer
Honey Homes
JAG Provisions, Inc
Koopah & Koopah
Kurt Piper Group
Nicole Tamayo Homes, Compass
Rossmoor Medical Associates
Sports Basement

SILVER PARTNERS (cont'd)

The Bar Method Walnut Creek
Trove Professional Services
US Bank - Matt Sharp

BRONZE PARTNERS

BeeSure
Contra Costa Children's Dentistry
Healthcare Consulting CA
Honey Bear Christmas Trees
Inner Action Sports Rehab & Chiropractic (IA Sports)
Reasonable Books
The Foundation Investment Group - The Gallegos Family

COPPER PARTNERS

Advantage College Planning - Sunny Grewal
Aloha Pediatric Dentistry
Anderson Bros. Movers
Axelrode Orthodontics
Bearings Law - Richard Campbell
Blodgett's Floor Covering
Broadmoor Landscape Supply
Canyon Club Brewery
Greet Lafayette
i9 Sports
Lafayette Orthodontics
Lamorinda Music
Lamorinda Technology, Inc.
LightUp Fitness
State Farm Insurance - Jake Stewart

