

Sec. 11-52.18. - Sound level limitations.

No person shall cause, suffer, allow, or permit the operation of any sound source in such a manner as to create a sound level that exceeds the sound level limits set forth in Table 1 when measured from the real property line of the nearest receiving property, using the slow response setting unless otherwise noted. Such a sound source would constitute a noise disturbance.

TABLE I
SOUND LEVEL LIMITS BY RECEIVING PROPERTY

<u>Receiving property category</u>	Time	Sound level limit (dBA)	Sound level limit (dBC)	Sound level limit (dBZ)
<u>Residential</u>	Monday through Saturday 7:00 a.m.—11:00 p.m.	60	60	60
<u>Residential</u>	Sunday 7:00 a.m.—1:00 p.m.	see sub (1) below	see sub (1) below	see sub (1) below
<u>Residential</u>	Sunday through Saturday 11:00 p.m.—7:00 a.m.	see sub (1) below	see sub (1) below	see sub (1) below
<u>Commercial</u>	At all times	65	65	65
Industrial	At all times	70	70	70

- (1) It shall be unlawful for any person to make, continue or cause to be made or continued within that portion of the city which has been designated as a residential or mixed use area of the city, between the hours of 11:00 p.m. and 7:00 a.m. of each day, and on Sunday from 7:00 a.m. to 1:00 p.m. any unreasonably loud, excessive, unnecessary, or unusual noise in such manner that noise produced, or the vibration made, by the same would be obvious, or cause discomfort and annoyance to an ordinary, reasonable prudent person at a distance greater than fifty (50) feet from the real property line of the nearest receiving property. A sound level meter or sound level reading shall not be necessary for the enforcement of this paragraph.
- (2) If the noise is an impulsive sound, the fast response setting shall be used and the daytime (7:00 a.m.—11:00 p.m.) limits of Table 1 shall be increased by ten (10) dBA, dBC, or dBZ.
- (3) In a multi-family dwelling, it shall be unlawful to create or permit to be created any noise that exceeds the daytime (7:00 a.m.—11:00 p.m.) limit of fifty (50) dBA, dBC, or dBZ and the nighttime (11:00 p.m.—7:00 a.m.) limit of forty (40) dBA, dBC, or dBZ. as measured from a neighbor's dwelling.
- (4) In a mixed use building, it shall be unlawful to create or permit to be created any noise that exceeds the daytime (7:00 a.m.—11:00 p.m.) limit of fifty-five (55) dBA, dBC, or dBZ and the

nighttime (11:00 p.m.—7:00 a.m.) limit of forty-five (45) dBA, dBC, or dBZ as measured within the residential use portion of the building.

- (5) In addition to the limits of Table 1, for any sound source which impacts residential property, the maximum allowable sound level limits for the individual octave bands whose centers are 31.5, 63 and 125 Hertz shall not exceed sixty-five (65) dB.

[\(Ord. No. 14-033, § 1, 12-1-14\)](#)

Sec. 11-52.19. - Exemptions.

- (a) The following uses and activities shall be exempt from noise level regulations:
 - (1) Noise of safety signals, warning devices, and emergency pressure relief valves.
 - (2) Noise resulting from any authorized emergency vehicles, when responding to an emergency call or acting in time of emergency.
 - (3) Noise resulting from emergency work.
 - (4) Noise resulting from the operation of any type of aircraft, not including scale model aircraft.
 - (5) Noise resulting from the operation of any motor vehicle as specified in F.S. Ch. 316 and Ch. 403.
 - (6) **Noise resulting from the operation of the following facilities existing and in operation on the effective date of this chapter:**
 - a. Electricity regulating substations.
 - b. Electric generation plants.
 - c. Other electric utilities.
 - d. Gas pressure control stations.
 - e. Gas production plants.
 - f. Natural or manufactured gas storage and distribution points.
 - g. Other gas utilities.
 - h. Pipeline pressure control stations.
 - i. **Railroad, rapid rail transit, and street railway transportation.**
 - j. Industrial wastewater disposal.
 - k. Sewage disposal.
 - l. Sewage pressure control stations.
 - m. Sewage treatment plants.
 - n. Sewage sludge drying beds.
 - o. Water utilities and irrigation.
 - p. Solid waste disposal.
 - (7) Air conditioners are exempt from provisions of Table I of this chapter when this equipment is functioning in accord with the manufacturer's specifications and with all manufacturers' standard mufflers and noise-reducing equipment in use and in proper operating condition according to standards promulgated by the American Refrigeration Institute. The same exception shall apply to lawn mowers and agricultural equipment during daylight hours.

- (8) Non-amplified crowd noises resulting from the activities such as those planned by student, governmental or community groups.
 - (9) Construction operations for which building permits have been issued, or construction operations not requiring permits due to ownership of the project by an agency of government; providing all equipment is operated in accord with the manufacturer's specifications and with all standard equipment, manufacturers' mufflers and noise-reducing equipment in use and in proper operating condition.
 - (10) Noises made by persons having obtained a special events permit to use the streets as provided for in chapter 12 article III of city code.
 - (11) Noises resulting from any authorized law enforcement and firefighting training activities including, but not limited to, police department shooting range exercises.
 - (12) Noise resulting from the activities of any permitted use, conditional use or accessory use permitted in districts zoned industrial, light or industrial, heavy.
 - (13) Noise resulting from the temporary operation of equipment or activities relating to normal maintenance of residential or commercial uses, between the hours of 7:00 a.m. and 10:00 p.m. including, but not limited to, the following activities: lawn mowing, maintenance of trees, hedges and gardens; refuse collection; soil cultivation; and pavement sweeping and cleaning.
 - (14) Noise resulting from the operation of railways and shipping activities.
 - (15) Noise resulting from construction activities occurring between 7:00 a.m. and sundown. The exemption shall be effective upon obtaining a building permit and shall pertain to any construction activity directly related to the construction authorized under the permit. A special permit issued pursuant to [section] 11-52.20 herein shall be required for the generation of noise resulting from construction activities between sundown and 7:00 a.m. For any violation of the terms of the special permit, the permit holder(s) shall be jointly and severally liable.
 - (16) Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefore has been granted by the city manager or his designated appointee.
- (b) Where an industrial or commercial use is established on property not adjacent to a residential use district and the adjacent property subsequently becomes residential, the noise resulting from the operation of the preexisting industrial or commercial use which is projected into the residential use district shall be subject to the permissible noise levels for industrial or commercial use districts, as appropriate.
 - (c) Where the noise levels for a preexisting use are more restrictive than those for a subsequent use established adjacent to the preexisting use, the noise level for the preexisting use shall apply.

[\(Ord. No. 14-033, § 1, 12-1-14\)](#)