

ORDINANCE NO. 2021-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, CHAPTER 13, "LAND DEVELOPMENT CODE," BY REPEALING SECTION 13-522, "NOISE LIMITATIONS," IN ITS ENTIRETY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 13-522 of the City Code of Ordinances provides noise limitations, sound thresholds, and measuring techniques; and

WHEREAS, the City desires to repeal Section 13-522, which is outdated and no longer provides relevant standards; and

WHEREAS, noise is also regulated in Chapter 14 of the City Code, which is used for enforcement purposes to help maintain the quality of life and ensure the public health, safety, and welfare; and

WHEREAS, the City Commission finds and determines that repealing Section 13-522 of the City's Code of Ordinances is in the best interest of the residents of Coconut Creek.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance.

Section 2: Amendment. That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by repealing Section 13-522 in its entirety as follows:

~~Sec. 13-522. – Noise limitations.~~

~~(a) The sound level of any operation, other than the operation of motor vehicles or other transportation facilities, operations involved in the construction or demolition of structures, emergency alarm signals or time signals or other routine or normal operations conducted in conjunction with an authorized principal use, shall not exceed the decibel levels in the designated octave bands stated below.~~

~~(b) The sound pressure level shall be measured with a sound level meter and an octave band analyzer that conforms to the specifications published by the American Standards Association. The *American Standard Sound Level Meters for Measurement of Noise and Other Sounds*, z 24.3, 1944, American Standards Association, Inc., New York, New York; and the *American Standard Specification for an Octave Band Filter Set for the Analysis of Noise and Other Sounds*, z 24.10, 1953, American Standards Association, Inc., New York, New York shall be used.~~

~~(c) Sound pressure levels shall be measured at the property line upon which the emission occurs. The maximum permissible sound pressure levels for smooth and continuous noise shall be as follows. All of the decibel levels stated below shall apply in each case:~~

Frequency Band (Cycles per Second)	Maximum Permitted Sound Pressure Level (Decibels)
0—150	67
150—300	59
300—600	52
600—1,200	46
1200—2,400	40
2400—4,800	34
Above 4,800	32

~~If the noise is not smooth and continuous or is radiated during sleeping hours, one (1) or more of the corrections below shall be added to or subtracted from each of the decibel levels given in this section.~~

Type _____ of _____ Operation _____ of Character of Noise	Correction (Decibels)
Noise occurs between the hours of 8 p.m. and 7a.m.	-3
Noise occurs less than 5% of any one-hour period.	+5
Noise is of periodic character (hum, scream, etc.) or impulsive character (hammering, etc.). In the case of impulsive noise, the correction shall apply only to the average pressure during an impulse; and impulse peaks shall not exceed the basic standards given above.	-5

~~(d) Noise from recordings, loudspeakers, public address systems, animals, etc. No musical instruments, recordings, advertising promotions or similar activities or nuisances as defined in Article II of Chapter 14 shall be conducted which shall create noise interference with the reasonable enjoyment of adjacent residential properties, especially between 11:00 p.m. and 6:00 a.m.~~

Section 3: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 5: Codification. That the provisions of this ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

Section 6: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 25TH DAY OF FEBRUARY, 2021.

PASSED SECOND READING THIS 11TH DAY OF MARCH, 2021.

Louis Sarbone, Mayor

Attest:

Leslie Wallace May, City Clerk

	<u>1st</u>	<u>2nd</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Belvedere	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>

File Path:[https://coconet/docs/default-source/city-clerk/ord-\(codified\)-template-2020.docx?sfvrsn=a3cc6060_2](https://coconet/docs/default-source/city-clerk/ord-(codified)-template-2020.docx?sfvrsn=a3cc6060_2)
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Date:12/30/20