

ARTICLE II. NOISE

~~Sec. 14-26. Yelling, shouting.~~

~~Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel or other type of residence, or of any persons in the vicinity shall be deemed a violation of this chapter.~~

~~Sec. 14-27. Animal noises.~~

- ~~(a) It shall be a violation of this section for any person to keep or maintain any dog, cat, bird or other animal, within residential zones of the city which causes a noise disturbance by habitually howling, barking, meowing, squawking, or other noise making. It shall also be unlawful to cause any animal, bird or fowl to make or create any excessive or unnecessary noise by taunting, beating or coercing the animal, bird or fowl, or by depriving same of necessary food, water or shelter.~~
- ~~(b) The community improvement division shall investigate an alleged violation of this section upon the receipt of two (2) sworn affidavits of complaint signed by two (2) unrelated residents living in separate dwellings in the close vicinity of the alleged violation. The affidavit shall specify the address or location of the alleged violation, the nature, time and date(s) of the act, the name and address of the owner or custodian, if known, and a description of the animal, if known. Upon receipt of two (2) sworn affidavits, enforcement procedures pursuant to section 2-230 of this Code may be instituted against the owner or custodian of any animal alleged to be in violation of this section.~~

~~Sec. 14-28. Construction activity.~~

- ~~(a) It shall be a violation of this section for any person to do, perform or engage in any exterior construction work, building, excavating, hoisting, grading, pile driving, pneumatic hammering, demolition, dredging, building alteration or repair work of any nature to any building or structure or upon any site for same in the city except between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, 8:00 a.m. to 7:00 p.m. on Saturday and 8:00 a.m. to 6:00 p.m. on Sunday and national holidays.~~
- ~~(b) Any person desiring to engage in the aforesaid activity beyond the stated hours or days of limitation, based upon cases of urgent necessity or upon the interests of public health, safety and ultimate convenience, may apply to the city manager or a designated city employee for a special permit allowing same. Such permits if granted shall be limited to a period of up to ten (10) days duration, but may be renewed for additional periods of up to ten (10) days each if the emergency or need therefor continues. In the issuance of such permits the city manager or the designated employee should weigh all facts and circumstances and should determine whether the reasons given for the urgent necessity are valid and reasonable, whether the public health, safety and ultimate convenience will be protected or better served by granting the permit requested, and whether the manner and amount of loss or~~

~~inconvenience to the party in interest imposes a significant hardship. Upon an affirmative finding of the foregoing considerations, the city manager or a designated city employee is authorized to issue the permit request. This permit may be reviewed when the activity exceeds seventy-five (75) decibels when measured at fifty (50) feet from the construction site. A violation of this section shall cause immediate revocation of the special permit.~~

~~Sec. 14-29. Noise from buildings or premises.~~

~~It shall be a violation of this section for any person owning or in possession or control of any building or premises to use the same or rent the same to be used for any business or employment or residential use, or for any purpose of pleasure or recreation, if such use shall by its nature be excessive or unusually loud from a distance of fifty (50) feet and thereby disturb or destroy the peace of the neighborhood in which such building or premises is situated, or be dangerous or detrimental to health.~~

~~Sec. 14-30. Blowers.~~

~~The operation of any noise creating blower, power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise, shall be deemed a violation of this chapter.~~

~~Sec. 14-31. Loading, unloading, opening boxes.~~

~~The creating of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers shall be deemed a violation of this chapter.~~

~~Sec. 14-32. Horns, warning devices.~~

~~The sounding of any horn or other warning device shall be deemed a violation of this chapter, whether it be on any automobile, motorcycle or other vehicle when on any street or public place of the city, except as a danger warning. The creating by means of any such warning device of any unreasonably loud or harsh sound, the sounding of any such device for an unnecessary and unreasonable period of time, and the use of such warning device when traffic for any reason is held up shall be deemed a violation of this chapter.~~

~~Sec. 14-33. Screeching of tires, and engine or jake braking.~~

- ~~(a) The operation of any motor vehicle in such a way as to cause the tires thereof to screech, except where the same is necessarily caused in an emergency, as in an attempt by the operator to avoid an accident or the causing of damage or injury, shall be deemed a violation of this chapter.~~
- ~~(b) The operation of jake brake and/or engine brake as means of reducing speed or as a means of slowing or stopping along major highways as to cause loud, explosive noise, shall be deemed a violation of this chapter.~~

Sec. 14-34. Defect in vehicle or load.

~~The use of any automobile, motorcycle or vehicle so out of repair, so loaded or operated in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise shall be deemed a violation of this chapter.~~

Sec. 14-35. Radios, phonographs, etc.

~~Using, operating or permitting to be played, used or operated, any radio receiving set, television set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person who is in the room, vehicle or chamber in which such machine or device is operated and who is a voluntary listener thereto, shall be deemed a violation of this chapter. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.~~

Sec. 14-36. Operation of power mowers.

- ~~(a) It shall be unlawful for any person to operate a motor-driven or power-operated lawn mower within the city except between the hours of 8:00 a.m. to 9:00 p.m.~~
- ~~(b) In the event of an emergency, a permit may be issued exempting any person from subsection (a) for any period of time specified on the face of the permit. The permit may be issued free of charge by the department of public safety.~~
- ~~(c) Subsection (a) shall not apply to emergencies of any governmental subdivision or any public utility.~~

Sec. 14-37. Loudspeakers, devices for advertising.

~~It shall be a violation of this section for any person to use, operate or play any loudspeaker, sound amplifier or musical instrument which produces or reproduces sound which is cast or emitted upon the public streets and sidewalks for the purpose of commercial advertising or for attracting the attention of the public to any building, structure or place or to the activity which is being carried on therein.~~

Sec. 14-38. Idling motors.

~~It shall be a violation of this section for any person to operate any motor or a motor vehicle of a weight in excess of eight thousand (8,000) pounds for a consecutive period of time longer than two (2) minutes while such vehicle is standing on private property and located within one hundred fifty (150) feet of property zoned and used for residential purposes, except where such vehicles are standing within a completely enclosed structure. Emergency vehicles and public transportation vehicles shall be exempt from this provision. Delivery vehicles shall be exempt when such a motor is an integral component of the delivery process in question.~~

Sec. 14-39. Special permits excepted.

~~The standards established by this article shall not apply to any public performance being conducted in accordance with the provisions of a special permit granted by the city for the conduct of a public performance.~~

Sec.14-40. Motorcycles, trailbikes, mini-bikes, scooters.

~~It shall be a violation of this section for any person to use or operate any motorcycle, trailbike, minibike, scooter or vehicle as defined in F.S. § 316.003 which emits frequent or long continued noise that exceeds seventy-five (75) decibels from a distance of fifty (50) feet or which disturbs the comfort and repose of any person in the vicinity. This section shall not apply to those locations regulated by Florida Statute.~~