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ORDINANCE NO. 2022-___

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE VII ENTITLED "NOISES" BY SPECIFICALLY AMENDING SECTION 7-93 TO AMEND THE HOURS OF OPERATION OF LAWN MAINTENANCE EQUIPMENT HOURS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Hillsboro Beach is predominately a residential community that enjoys a quality of life consistent with the residential character of the Town; and

WHEREAS, the Town Commission finds and determines that to maintain the quality of life enjoyed by the residents of the Town that any noise generated from any source which would disturb the public peace and welfare of the Town should be enforced on a twenty-four (24) hour basis; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF HILLSBORO BEACH, FLORIDA THAT:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

Section 2. Article VII entitled "Noises" of the Code of Ordinances is hereby amended as follows:

ARTICLE VII. - NOISES

- Sec. 7-93. - Loud and unnecessary noises.
 - (A) It shall be unlawful to create, maintain or otherwise cause any unreasonably loud, disturbing and unnecessary noises of such character, intensity and duration as to disturb the public peace and welfare and otherwise be detrimental to the life and health of any individual, within the limits of the town.
 - (B) Any person or corporation violating this section shall be fined not less than \$100.00, and subsequent violations shall be fined \$500.00 for each violation, and a separate offense shall be deemed committed on each day during or on which a violation occurs.
 - (C) Landscape maintenance equipment noise.

(1) Operation of lawn maintenance equipment shall be limited to the hours of 8:00 am to 4 6:00 pm Monday through Friday and prohibited on Saturday, Sundays and all legal holidays. ~~Landscape maintenance equipment may be used on Saturdays from 9:00 a.m. to 1:00 p.m. only.~~

(2) Landscape maintenance equipment includes but is not limited to lawn mowers, edgers, hedge trimmers, yard tractors, leaf blowers, lawn vacuum machines, tree trimming and monofilament line grass trimmers.

(3) Landscape maintenance equipment shall not exceed a decibel level of 65 dBA as measured at 75 feet from the point of operation.

Section 3. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

Section 4. That all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

Section 5. It is the intention of the Town Commission of the Town of Hillsboro Beach, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Town of Hillsboro Beach, Florida, and the Sections of this ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in order to accomplish such intention.

Section 6. This Ordinance shall be effective fifteen (15) days after its passage and adoption by the Town Commission of the Town of Hillsboro Beach.

PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, ON FIRST READING, THIS ___ DAY OF ___, 2022.

PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, ON SECOND AND FINAL READING, THIS ___ DAY OF ___, 2022.

By: _____
Deborah L. Tarrant, Mayor

ATTEST:

By: _____
Sherry D. Henderson, CMC

APPROVED AS TO FORM:

Donald J. Doody, Town Attorney C:\Users\Admin\Documents\2-1-2022 meeting\Lawn maintenance Noise Ordinance Revised - 2nd Reading 2-1-2022.docx

DRAFT

Order ID: 7129580

* Agency Commission not included

GROSS PRICE * : **\$147.70**

PACKAGE NAME: SSC Other Legal Notices

Order ID: 7129580

* Agency Commission not included

GROSS PRICE * : \$147.70**PACKAGE NAME: SSC Other Legal Notices****Product(s):** Sun Sentinel, Affidavit, Floridapublicnotices.com, Classified.ss.com_Legal**AdSize(s):** 1 Column**Run Date(s):** Saturday, January 22, 2022**Zone:** Full Run**Color Spec.** B/W**Preview**

**TOWN OF HILLSBORO BEACH, FLORIDA
PUBLIC HEARING**

Amend Hours of Operation of Lawn Maintenance Equipment Tuesday, January 11, 2022, at 9:00 AM NOTICE IS HEREBY GIVEN that prior to the Town of Hillsboro Beach Commission's consideration of the Second Reading of Ordinance 2022-01, a Public Hearing will be held on Tuesday, February 1, 2022, at 9:00 AM. The Public can attend in person or provide comments via Live Zoom Video Conference.

ORDINANCE NO. 2022-01 Amend Hours of Operation of Lawn Maintenance Equipment AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE VII ENTITLED "NOISES" BY SPECIFICALLY AMENDING SECTION 7-93 TO AMEND THE HOURS OF OPERATION OF LAWN MAINTENANCE EQUIPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. All interested parties may appear at said meeting and be heard with respect to the proposed Ordinance, which may be inspected by the public. Email the Town Clerk at TownClerk@TownofHillsboroBeach.com JOIN LIVE ZOOM MEETING Tuesday, February 1, 2022, at 9:00 AM (Eastern) Log-in details available on website. PROVIDING PUBLIC COMMENT Persons desiring to provide public comment may do so by one of the methods listed below. Please be sure to include your name and address for the record. Your comments will be limited to three minutes per person.

· VIA EMAIL – Public comments and documents maybe submitted via email to TownClerk@TownofHillsboroBeach.com. Comments will be read aloud to the Commission and public and incorporated into the record. Emails will be accepted until the end of the Public Comment

Order ID: 7129580

* Agency Commission not included

GROSS PRICE * : \$147.70

PACKAGE NAME: SSC Other Legal Notices

up with the end of the public comment
portion of the Meeting.

- LIVE ZOOM PARTICIPATION – If attending via Zoom online, at the appropriate public comment period, click “raise hand” on the bottom of the “participants” tab, and your audio will be unmuted when you are recognized.

Sherry D. Henderson, CMC
Town Clerk TOWN OF HILLSBORO BEACH,
FLORIDA
1/22/20227129580