

ORDINANCE NO C-25-27

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 17, NOISE CONTROL OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, SPECIFICALLY SECTION 17-7 ENTITLED "SPECIFIC RESTRICTIONS", TO ESTABLISH STANDARDS FOR SOUND EMANATING FROM MOTOR-BOATS BEING OPERATED, DOCKED, MOORED, OR TIED TO LAND, DOCKS, PIERS, OR WHARVES IN OR ABUTTING THE PUBLIC WATERWAYS OF THE CITY.

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida, desires to amend Section 17 entitled "Noise Control" of the Code of Ordinances of the City of Fort Lauderdale, Florida specifically Section 17-7, entitled "Specific Restrictions," to establish standards for noise control emanating from motorboats being operated, docked, moored, or tied to land, docks, piers, or wharves in or abutting the public waterways of the city; and

WHEREAS, notice was provided to the public that this ordinance would be considered at the City Commission meeting to be held on Tuesday, June 17, 2025, at 6:00 p.m. and Monday, June 30, 2025, at 6:00 p.m. at the Broward Center for the Performing Arts, Mary N. Porter Riverview Ballroom, 201 SW 5th Avenue, Fort Lauderdale, Florida;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA.

SECTION 1. That Section 17-7. – Specific restrictions of the Code of Ordinances of the City of Fort Lauderdale, Florida is hereby amended as follows:

Sec. 17-7. - Specific restrictions.

1. *Amplified sound.* No person shall cause, allow, or permit the operation of any amplified sound device from the following use districts or locations in the following manner:
 - a. *Residential use:*
 - i. Sound shall not be plainly audible for a period of one (1) minute or longer at a distance of twenty-five (25) feet or more when measured from the source property line between the hours of 10:00 p.m. and 7:00 a.m. daily.

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- ii. Sound shall not be plainly audible for a period of one (1) minute or longer at a distance of fifty (50) feet or more when measured from the source property line between the hours of 7:00 a.m. and 10:00 p.m. daily.
- b. *Rights-of-way*. Sound shall not be plainly audible at a distance of twenty-five (25) feet or more from a motor vehicle or any other sound source.
- c. *Public Waterways*. Sound shall not be plainly audible at a distance of twenty-five (25) feet or more from a motorboat or any other sound source. This includes motorboats being operated, docked, moored, or tied to land, docks, piers, or wharves in or abutting the public waterways of the city
- ed. *Special entertainment overlay district*. When measured at a distance of five (5) feet from the building, structure or establishment from which the sound is emanating and when taken from the complainant's property line (when there is a complainant):
 - i. *Sound shall not exceed:*
 1. Eighty-five (85) dBA or ninety-five (95) dBC Monday through Thursday from 12:00 p.m. to 12:00 a.m. the following day:
 2. Seventy (70) dBA or eighty (80) dBC Monday through Thursday from 12:00 a.m. to 2:00 a.m.
 3. Sixty-five (65) dBA or seventy-five (75) dBC Monday through Thursday from 2:00 a.m. to 12:00 p.m.
 - ii. *Sound shall not exceed:*
 1. Eighty-five (85) dBA or ninety-five (95) dBC Friday through Sunday and legal holidays (as provided by state law), from 12:00 p.m. to 1:00 a.m. the following day:

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2. Seventy (70) dBA or eighty (80) dBC Friday through Sunday and legal holidays (as defined by state law), from 1:00 a.m. to 3:00 a.m.
3. Sixty-five (65) dBA or seventy-five (75) dBC Friday through Sunday and legal holidays (as defined by State law), from 3:00 a.m. to 12:00 p.m.

de. *Commercial, mixed-use, or industrial uses.* No person shall cause, allow, or permit the operation of any amplified sound device in such a manner that it exceeds the following sound level limits:

- i. From 12:00 p.m. to 10:00 p.m. daily: sound levels shall not exceed sixty (60) dBC when measured within the premises of a complainant.
- ii. From 10:00 p.m. daily to 12:00 p.m. the following day: sound levels shall not exceed fifty-five (55) dBC when measured within the premises of a complainant.
- iii. Sound level limits in Table 1 shall apply when sound level measurements are taken outdoors at or within the property line of the complainant.

2. *Animals.* Unless unreasonably provoked, it shall be unlawful for any person to own, keep, possess or maintain any domesticated animal which vocalizes (howls, yelps, barks, squawks, or other noise) and the vocalizing is plainly audible at or within the property line of the complainant; and:

- a. The vocalizing is for more than five (5) minutes without interruptions, defined as an average of four (4) vocalizations per minute; or
- b. The vocalizing is two (2) times or more per minute for twenty (20) consecutive minutes.

3. *Commercial sanitation operations.* No person shall cause, allow, or permit the loading, unloading, opening or otherwise handling boxes, crates, containers, garbage cans, or recyclable containers, between the hours of 10:00 p.m. and

7:00 a.m. daily when such operations are conducted on a property located within two hundred fifty (250) feet of a residential use.

4. *Construction:*

- a. No person shall operate or cause to be operated any equipment used in construction, repair, alteration or demolition work on buildings, structures, streets, alleys, or appurtenances thereto with sound-control devices less effective than those provided on the original equipment.
- b. It shall be unlawful for any person to operate or cause to be operated equipment for the aforementioned uses Monday through Saturday before 8:00 a.m. or after 7:00 p.m. and Sunday before 10:00 a.m. or after 7:00 p.m., except for public works transportation projects that are approved pursuant to section 17-9.

5. *Emergency generators:*

- a. Testing of generators shall be conducted for the minimum duration and at the minimum frequency recommended by the manufacturer, but in no case shall said testing exceed one (1) hour in any one (1) day.
- b. Testing shall only be conducted between the hours of 10:00 a.m. and 7:00 p.m. daily.
- c. The sound emissions from generators shall not exceed sixty-eight (68) dBA when measured at a distance of twenty-three (23) feet from the generator.
- d. When the generator is located on the same parcel as the complainant, the indoor sound level limits in Table 1 shall apply.

6. *Heating, ventilation, and air conditioning (HVAC) equipment on residential property.* No person shall operate or cause to be operated any HVAC equipment on residential property which exceeds forty (40) dBA between the hours of 10:00 p.m. and 7:00 a.m. daily when measured within the premises of a complainant.

7. *Landscaping and yard maintenance power tools or motorized equipment.* No person shall operate or cause to be operated any landscaping or yard

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maintenance power tools or motorized equipment Monday through Friday before 7:00 a.m. or after 7:00 p.m. in nonresidential areas, Monday through Friday before 8:00 a.m. or after 7:00 p.m. in residential areas, and Saturday and Sunday before 8:00 a.m. or after 6:00 p.m. in any portion of the city. No person shall operate or cause to be operated any landscaping or yard maintenance power tools or motorized equipment or appurtenances thereto with sound-control devices less effective than those provided on the original equipment.

8. *Motorboat.* No person shall operate or cause to be operated any motorboat in any lake, river, stream, or other waterway which is not muffled pursuant to F.S. § 327.65.
9. *Motor vehicles, motorcycles, mopeds and motorized scooters.* No person shall cause a rapid throttle advance (revving) of an internal combustion engine resulting in a noise disturbance.
10. *Non-amplified sound.*
 - a. Residential use:
 - i. Sound shall not be plainly audible for a period of one (1) minute or longer at a distance of twenty-five (25) feet or more when measured from the source property line between the hours of 10:00 p.m. and 7:00 a.m. daily.
 - ii. Sound shall not be plainly audible for a period of one (1) minute or longer at a distance of fifty (50) feet or more when measured from the source property line between the hours of 7:00 a.m. and 10:00 p.m. daily.

SECTION 2. At the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida is authorized to conform chapter, article, section, subsection, and clause numbers and letters, capitalization, set for in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct any non-substantive scrivener's errors in the codification of this Ordinance without the need for public hearing.

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SECTION 3. That is any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected but shall remain in full force and effect.

SECTION 4. That all ordinances or parts of ordinances in conflict with this Ordinance are repealed.

SECTION 5. That this Ordinance shall be in full force and effect ninety (90) days after final passage.

PASSED FIRST READING this 17th day of June, 2025.

PASSED SECOND READING this ____ day of _____, 2025.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN