

ITEM 4.B

Public Hearing - First Reading: Proposed Ordinance #25-07 - Amending Noise measurements, levels, and enforcement.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE, FLORIDA, CHAPTER 1, GENERAL PROVISIONS, SECTION 22, GENERAL PENALTY; AMENDING CHAPTER 22, ENVIRONMENT, ARTICLE II, NOISE, SECTIONS 22-21 DEFINITIONS; SECTION 22-22 APPLICATION; SECTION 22-23 METHOD OF NOISE MEASUREMENTS; SECTION 22-24, MAXIMUM NOISE LEVELS; SECTION 22-25, SPECIFIC PROHIBITED NOISES; SECTION 22-26, ENFORCEMENT; SECTION 22-27, USE OF MECHANICAL LOUDSPEAKERS OR AMPLIFIERS OUT OF DOORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

Request

Approve the First Reading of the Proposed Ordinance Amending #25-07

Explanation

Noise Ordinance #3070 was adopted on February 21, 2023. The City receives complaints regularly regarding persistent noise violations, which necessitate police and code enforcement response. Through these efforts, it is evident that the noise ordinance needs to be simplified and that fines need to be increased to achieve voluntary compliance.

Recommendation

Approve the First Reading of the Proposed Ordinance #25-07

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney

Presenter:

Attachment(s):

1. Noise Ordinance Update Final
2. Osceola Gazette Publication Proof - ORD NOISE
3. Proposed Noise Ordinance Graphics
4. Noise Ordinance Business Impact Estimate

ITEM 4.C

Public Hearing - First Reading: Proposed Ordinance #25-09 - Amending alcohol hours of sale for the Downtown CRA.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE, FLORIDA, CHAPTER 4, ALCOHOLIC BEVERAGES, SECTION 4-1, DEFINITIONS, SECTION 4-3, HOURS OF SALE; SECTION 4-5 REGULATION OF RESTAURANTS; CREATING SECTION 4-9 AFTER MIDNIGHT ALCOHOL SALES PERMITS FOR THE DOWNTOWN COMMUNITY REDEVELOPMENT DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

Request

Approve the First Reading of the Proposed Ordinance #25- 09 - Amending alcohol hours of sale for the Downtown CRA.

Explanation

Pursuant to Section 562.14, Florida Statutes, the sale, service, and consumption of alcoholic beverages are prohibited between the hours of midnight and 7:00 a.m. at any establishment licensed under the Division of Alcoholic Beverages and Tobacco, unless otherwise permitted by municipal ordinance.

The City of Kissimmee Commission has exercised this authority by enacting City Code Section 4-3, which extends the hours during which alcoholic beverages may be served and consumed at licensed establishments, from midnight to 2:00 a.m.

However, the Commission has observed a correlation between increased noise violations by alcohol-selling establishments within the Downtown CRA and the heightened demand for City resources to manage crowd control, enforce code compliance, and respond to criminal or violent incidents, particularly between midnight and 3:00 a.m.

In response, the Commission has determined that additional regulations are necessary for alcohol-serving establishments within the Downtown CRA. These measures aim to preserve public safety and ensure a more balanced allocation of City resources, while still allowing alcohol sales between the hours of 12:00 a.m. and 2:00 a.m. for those businesses that have received a permit and are in compliance with City Codes and regulations.

Recommendation

Approve the First Reading of the Proposed Ordinance #25- - Amending alcohol hours of sale for the Downtown CRA.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney

Presenter:

Attachment(s):

City of Kissimmee