



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	Item Type:		1 st Reading	2 nd Reading
3/3/2021	<input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Other	Ordinance Reading	N/A	N/A
		Public Hearing	<input type="checkbox"/>	<input type="checkbox"/>
		Advertising Required	<input type="checkbox"/>	<input type="checkbox"/>
		Quasi Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
File No.:				
20-184				
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number :	
N/A	N/A	N/A	N/A	
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	Vanessa Leroy	Development Services	
Strategic Plan Focus Areas:				
<input type="checkbox"/> Finance & Budget		<input type="checkbox"/> Organizational Capacity		<input type="checkbox"/> Infrastructure/Projects
Implementation Timeline:				
Estimated Start Date: N/A Estimated End Date: N/A				

SHORT TITLE:

DISCUSSION OF THE NOISE ORDINANCE

STAFF SUMMARY:

Summary:

Staff has prepared a presentation and code amendment language for the City Commission's consideration of noise regulation and compliance within City boundaries, and is seeking the City Commission's directive on how to proceed. With the Commission's recommendations, staff will formally present an ordinance for adoption.

Background:

On April 20, 2020, the City Commission requested that staff review the noise ordinance, related to Chapter 19 Offenses and Miscellaneous Provisions and the Noise Ordinance No. 2014-24, and provide recommendations regarding specific provisions that can be amended. After reviewing the current Code, it has been determined that the following needs to be added to the ordinance:

1. A 'Definitions' section to provide clarity on the terms within the Ordinance
2. Revisions to the maximum acceptable above-ambient sound level readings that factor in ambient sound levels to identify a violation
3. An in depth description of animal, motor boats, generators, motorized vehicles, mechanical equipment and power tools
4. A description/separation of solid waste collection dates/times
5. An 'Exempt Noise' section
6. *Table showing times and decibels within different zoning designations (below)
7. Clear enforcement procedures
8. A 'Penalties' Section

*The below table provides a clear understanding of maximum allowed sound levels for those sounds not described in the ordinance. This table is to be used as a guide after a complaint is received and a noise test has been performed.

<u>ByEmitting Property/Category Measured at least 25 feet from property line</u>	<u>Acceptable Hours</u>	<u>Maximum permissible sound Levels</u>
<u>Residential and noise- sensitive zone</u>	<u>7:00 a.m. to 11:00 p.m.</u> <u>11:00 p.m. to 7:00 a.m.</u>	<u>60 or 10 dba above ambient</u> <u>55 or 5 dba above ambient</u>
<u>Public facilities and institutional</u>	<u>7:00 a.m. to 11:00 p.m.</u> <u>11:00 p.m. to 7:00 a.m.</u>	<u>65 or 10 dba above ambient</u> <u>60 or 5 dba above ambient</u>
<u>Commercial/Industrial</u>	<u>7:00 a.m. to 11:00 p.m.</u> <u>11:00 p.m. to 7:00 a.m.</u>	<u>70 or 10 dba above ambient</u> <u>65 or 5 dba above ambient</u>

Recommendations to the above have been proposed in the draft Code amendment language and subject to Commission review and directive.

Current Situation:

The current ordinance does not have a definitions section and is missing descriptions of several noise generating items of which the city receives complaints.

This ordinance is enforced via coordination between the Police and Development Services Departments. Such coordination is rendered timely and laborious due to the lack of clarity for enforcement in the Code. The proposed Noise Ordinance provides updates that will make the enforcement aspect easier. This ordinance provides definitions and clarity when addressing the majority of normal day-to-day complaints received. Therefore, in order to maintain a clear understanding on how to identify a violation and be able maintain consistency when providing an explanation and correction methods, the proposed update is necessary.

Why Action is Necessary:

Pursuant to Article V, Section 5.01 of the City of Hallandale Beach Charter, an Ordinance adopted by the Commission is required to amend or repeal any ordinance previously adopted by the City Commission.

Cost Benefit:

Cost benefit will be realized in the form of staff time-savings as the proposed amendment simplifies the enforcement/violation recognition. It is estimated that staff time spent on research and the need for interdepartmental coordination will also be reduced since the proposed ordinance will simplify the overall process.

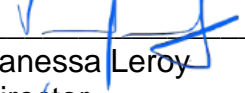
PROPOSED ACTION:

Staff recommends the City Commission consider and provide input on the proposed Ordinance.

ATTACHMENT(S):

Exhibit 1 – Department's Proposed Ordinance Changes
Exhibit 2 - Presentation

Prepared By: Jose Campa
Code Compliance Official

Reviewed By: 
Vanessa Leroy
Director

Approved By: 
Vanessa Leroy
Director