



# Council Communication

**To:** Mayor and Village Council  
**From:** Gregory J. Oravec, Village Manager  
**Date:** September 1, 2021  
**SUBJECT:** **Noise and Quiet Enjoyment**

---

This memorandum serves to facilitate a Village Council discussion on noise, noise's infringement on quiet enjoyment and what type of actions the Council might take to better protect residents' right to quiet enjoyment and to improve the quality of life in the Village.

## Background

At its meeting of July 1, 2021, the Village Council discussed the subject and requested that staff review the current ordinance and bring back pertinent information and findings. As part of its preliminary discussion, the Council discussed several facets of the subject, including:

- Noise's negative impacts on the quality of life within the Village's neighborhoods, especially those of a single-family residential character.
- The Village's existing noise ordinance and the possibility of adjusting the parameters of the existing ordinance, including hours, days of the week and times of the year that certain types of noises are allowable.
- The types of noise-producing activities that should be better regulated with special attention to construction and lawn maintenance activities.
- A desire to avoid infringing upon residents' rights.
- Penalties.

As you know, Islamorada's mission is:

To Protect the Residents' Right to Quiet Enjoyment of Life;  
To Plan for Enhancing Our Village Character;  
To Preserve Our Community—Its People, Natural Resources, and Pride; and  
To Provide Basic Services to Support Our Quality of Life.

Islamorada currently regulates noise in accordance with Article IV of the Village's Code of Ordinances, entitled "Noise" (the "Noise Ordinance"), which was adopted with the intent and purpose of providing "an efficient procedure for the prohibition of excessive, unnecessary, or unnaturally loud noises within the incorporated areas of the village." The Noise Ordinance is attached as Exhibit "A." As more particularly set forth therein, the Noise Ordinance currently takes

a simple, straightforward approach, generally prohibiting anyone from causing a “noise disturbance” unless an activity is specifically exempted. Those exemptions are as follows:

1. Cries for emergency assistance and warning calls.
2. Radios, sirens, horns, bells, and other sounds created by authorized emergency vehicles.
3. Activities on or in village-owned and school athletic facilities, and on or in publicly owned property and facilities, when such activities have been authorized by the village manager or designee.
4. Fire alarms and burglar alarms, including testing of such alarm, except when such alarms cause false alarms prohibited by ordinance.
5. Aircraft in conjunction with an approved use and zoning.
6. Emergency maintenance performed by public service utilities or their contractors.
7. Performance of emergency work by public employees, or by contractors performing emergency work for the public entity.
8. Lawful construction activity conducted on private property between the hours of 7:30 a.m. and sundown.
9. Lawn mowing and operation of gasoline- and electric-powered lawn, garden and household maintenance tools and machinery between the hours of 7:00 a.m. and sundown.
10. Outdoor bands, amplified music, and entertainers on all approved commercial properties, between the hours of 7:00 a.m. and 10:00 p.m. Sunday through Thursday and 7:00 a.m. through 11:00 p.m. Friday and Saturday.
11. Any sound emanating from any circus, carnival or outdoor show permitted pursuant to the provisions of chapter 42, article II, and chapter 30, article VI, division 8.

Note: The exemptions for lawful construction activity and lawn mowing and operation are highlighted because they seem to be at the heart of the Council’s concerns.

Under the Noise Ordinance, noise is measured, and violations are determined, by whether or not an ordinary person can hear the noise 50 feet or more away, except in situations involving multifamily dwellings. In such cases, the standard relates to whether or not the noise can be heard in another unit of the multifamily building. While our Police Department does sometimes respond to calls for service relating to noise and usually succeeds in achieving compliance, formal enforcement proceedings are referred to our Code Compliance Division. Historically, our Code Compliance Division has also successfully resolved noise complaints, and the officers have done so without the need for the formal prosecution of code cases. Since 2015, only six code cases have been opened for noise violations, and none involved fines or citations.

### **Analysis**

The Council’s discussion suggested that there is an opportunity for Village regulations and practices to better fulfill the Village’s mission and the stated intent of the existing noise regulations. As evidenced by the existence of the Noise Ordinance, the Village has the authority to regulate noise within its incorporated boundaries, and it is common for municipalities to do so in a manner that is deemed appropriate by the local legislative body based upon local conditions, customs and community character. This is the essence of home rule—cities have the right to create local regulations that best serve local needs and circumstances.

In “right-sizing” the Village’s Noise Ordinance, the Council has latitude to determine what is appropriate for the Village. In the hopes of helping the Council with its deliberations of this matter, staff has researched the noise regulations of several other communities, including: Key West, Jupiter Island, Marathon, Marco Island, Monroe County, New Smyrna Beach, Boca Raton, Palm Beach, Key Colony Beach, Layton and Ocean Reef. Staff’s notes on these communities are attached as Exhibit “B.” Notable findings are presented below.

- Communities regulate noise differently based upon local circumstances and the regulations range from simple and plainly audible to complex and specific decibel ranges for specified activities for specified durations at specific times.
- Some communities are more permissive than others, but most explicitly address noise associated with construction and/or lawn maintenance activities.
- Differences in relative permissiveness were found in common key areas, including the application of restrictions on:
  - Time of day—start and end times.
  - Time of the week—workweek vs. weekend, more restrictive Saturdays, no Sundays.
  - Time of the year—holidays and Season vs. Off-Season (Summer).
  - Outright bans on certain equipment and activities, such as leaf blowers and other gas-powered lawn maintenance equipment.
- Places like Ocean Reef, Palm Beach and Jupiter Island are on the more restrictive end of the policy spectrum. Highlights of Ocean Reef’s regulations include:
  - Construction activity—No Sundays, no holidays, more restrictive during Season.
  - Lawn maintenance—More restrictive during season. No Sundays ever. No Saturdays during Season. Trimmers may only be electric. Gas powered hedgers once per year for hard cutting.
  - Enforcement. First complaint results in a courtesy warning. Second complaint within a two-year period results in a warning that the next offense will result in a \$100 fine. Third complaint within a two-year period results in a \$100 fine per violation up to \$20,000.
- The Town of Palm Beach does have a lawn maintenance carve out for residents: “Nothing in this section shall preclude the operation of lawn maintenance equipment by residents after 9:00 a.m. on Saturdays, Sundays or legal holidays, including the Friday immediately after Thanksgiving.”

Based upon your previous discussions and staff’s research, the Council could choose to move forward in several ways. One such way would be to provide staff with guidance on key decision points. Staff could then use your guidance to draft a proposed code amendment for presentation to the Local Planning Agency (LPA) for additional citizen input, and the code amendment could then be brought back for formal consideration by Council.

#### Key Decision Points

- Keep the Noise Ordinance simple or make it more complicated? Staff suggests keeping it simple and straightforward.
- Is there a reason to have different parameters for landscaping maintenance than construction, or can a lawn mower be just as disturbing as a nail gun? The Noise Ordinance currently allows lawn maintenance to start at 7 a.m. as compared to 7:30 for construction.
- Do you want to make the allowable start time later in the morning or the end time earlier?

- Do you want to make the weekends more restrictive? Later start time, earlier end time and/or no work on Sundays?
- Do you want holidays to be more restrictive?
- Do you want the high season (November to March) to be more restrictive?
- Do you want to specifically ban any types of equipment or associated noise?
- Would you like to adopt an exclusion for homeowners similar to Palm Beach?
- Do you desire any changes to the enforcement process either by ordinance or administrative posture?

Again, in “right-sizing” the Village’s Noise Ordinance, the Council has latitude to determine what is appropriate for the Village. The staff and I do not want to intrude on your policy-making deliberations. However, in the hopes of offering you a starting point, we are happy to provide the following example.

Example Decision Points for Revised Noise Ordinance

- Keep the Noise Ordinance as simple and straight forward as possible.
- Adopt a carve out for homeowners: Nothing in this section shall preclude the operation of construction or lawn maintenance equipment by homeowners after 9:00 a.m. and before sundown on weekends and holidays.
- Make the start times for construction and landscaping the same.
- Make the start times for construction and landscaping 7:30 a.m. (or alternately, 8:00 a.m.) on weekdays and 9:00 a.m. on Saturdays. Make Sundays and defined holidays days of rest, except for the aforementioned carve out.
- In the spirit of keeping it simple and straightforward, do not move towards seasonal variations or prohibitions at this time. This could always be done as a future adjustment if these contemplated changes do not have the desired effect.
- Leave the rest of the code unchanged.

We look forward to your discussion of this matter. If you have any questions or we can provide any additional information, please do not hesitate to let me know.

Exhibits

Exhibit A, Article IV of the Islamorada Code of Ordinances, entitled “Noise”

Exhibit B, Staff notes on the noise regulations of stated communities

## ARTICLE IV. - NOISE

*Footnotes:*

--- (2) ---

**Cross reference**— *Noise permit; alcoholic beverages permit, § 42-42.*

## Sec. 18-61. - Intent and purpose.

It is the intent and purpose of this article to provide an efficient procedure for the prohibition of excessive, unnecessary, or unnaturally loud noises within the incorporated areas of the village.

(Ord. No. 03-06, § 1, 6-26-2003)

## Sec. 18-62. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alarm* means any fire, burglary, motor vehicle, or whistle alarm or similar stationary emergency signaling device.

*Authorized emergency vehicle* means all vehicles of the state department of transportation designated as emergency vehicles by the department, all police and fire vehicles of any municipality or county, or of the state, and all ambulances and rescue vehicles.

*Construction* means any site preparation, assembly, erection, substantial repair, alteration, demolition, or similar action for or on public or private rights-of-way, structures, utilities or similar property.

*Device* means a radio receiver, compact disk player, television, musical instrument, cassette player, phonograph sound amplifier, stereo, tape player, loudspeaker, electronic audio device, or other machine for the production or reproduction of sound.

*Emergency* means any occurrence or set of circumstances involving actual or imminent physical injury or property damage which demands immediate attention.

*Emergency work* means any work performed for the purpose of preventing or alleviating the physical injury or property damage threatened or caused by an emergency.

*Motor vehicle* means any two or more wheeled vehicle, or machine, propelled or drawn by mechanical power, gas or diesel, and used on the public roads and highways in the transportation of people or property and which is required to be licensed.

*Multifamily dwelling* means a building or portion of a building designed to be used exclusively for residential occupancy by two or more families.

*Noise disturbance* means any sound that is unreasonably loud, raucous or jarring; causes an adverse psychological or physiological effect on humans; unreasonably interferes with the enjoyment of life or property, including outdoor recreation; or is a nuisance.

*Person* means any individual, association, club, society, firm, or partnership, and bodies politic and corporate.

*Public right-of-way* means any street, avenue, boulevard, highway, sidewalk, alley, swale or similar place normally accessible to the public which is owned or controlled by the village or other governmental agency.

*Public space* means any real property or structure, normally accessible to the public.

*Real property line* means an imaginary line along the surface, and its vertical plane extension, which separates the real property owned, rented or leased by one person from that owned, rented or leased by another person, excluding intrabuilding real property divisions.

*Sound* means energy which is transmitted by pressure waves in air or other materials and is the objective cause of the sensation of hearing. Sound is commonly called noise if unwanted.

(Ord. No. 03-06, § 2, 6-26-2003)

**Cross reference**— Definitions generally, § 1-2.

#### Sec. 18-63. - General prohibition.

No person shall by any method or device make, continue or cause to be made or continued any noise disturbance within the village except as allowed by this article.

(Ord. No. 03-06, § 3, 6-26-2003)

#### Sec. 18-64. - Unmuffled exhaust.

(a) No person shall discharge or cause to be discharged the exhaust of any steam engine, or stationary internal combustion engine, or motor vehicle, except through a muffler or other device approved by the mechanism's manufacturer, which will effectively prevent loud and explosive sound. Motor vehicles shall comply with F.S. §§ 316.272 and 316.293, which are incorporated in this section by reference.

(b) Vessels within the area 1,200 feet into the tidal waters adjacent to the corporate limits of the village shall comply with F.S. § 327.65, which is incorporated in this section by reference.

(Ord. No. 03-06, § 4, 6-26-2003)

#### Sec. 18-65. - Multifamily dwellings.

No person shall operate or permit the operation within a multifamily dwelling of any source of sound in such a manner as to create a noise disturbance when perceived within the center of an adjacent intrabuilding dwelling receiving the sounds. The doors and windows of the room shall be closed when determining whether the sound constitutes a violation of this article.

(Ord. No. 03-06, § 5, 6-26-2003)

Sec. 18-66. - Pagers, public address systems, and outdoor telephones.

No person shall operate or cause to be operated any outdoor loudspeaker, public address, paging, or telephone signaling device so as to create a noise disturbance.

(Ord. No. 03-06, § 6, 6-26-2003)

Sec. 18-67. - Exemptions.

The following uses and activities shall be exempt from the provisions of this article:

- (1) Cries for emergency assistance and warning calls.
- (2) Radios, sirens, horns, bells, and other sounds created by authorized emergency vehicles.
- (3) Activities on or in village-owned and school athletic facilities, and on or in publicly owned property and facilities, when such activities have been authorized by the village manager or designee.
- (4) Fire alarms and burglar alarms, including testing of such alarm, except when such alarms cause false alarms prohibited by ordinance.
- (5) Aircraft in conjunction with an approved use and zoning.
- (6) Emergency maintenance performed by public service utilities or their contractors.
- (7) Performance of emergency work by public employees, or by contractors performing emergency work for the public entity.
- (8) Lawful construction activity conducted on private property between the hours of 7:30 a.m. and sundown.
- (9) Lawn mowing and operation of gasoline- and electric-powered lawn, garden and household maintenance tools and machinery between the hours of 7:00 a.m. and sundown.
- (10) Outdoor bands, amplified music, and entertainers on all approved commercial properties, between the hours of 7:00 a.m. and 10:00 p.m. Sunday through Thursday and 7:00 a.m. through 11:00 p.m. Friday and Saturday.
- (11) Any sound emanating from any circus, carnival or outdoor show permitted pursuant to the provisions of chapter 42, article II, and chapter 30, article VI, division 8.

(Ord. No. 03-06, § 7, 6-26-2003; Ord. No. 05-22, § 2, 12-15-2005)

Sec. 18-68. - Measurement procedures.

In determining whether a violation of this article has occurred, the complained-of noise shall be measured according to the following standards:

- (1) The primary means of measurement shall be by ordinary, auditory senses of a reasonable person with normal sensitivities, so long as any mechanical device does not enhance their hearing, such as a microphone or hearing aid.
- (2) The measurement shall be taken on the public streets, in a public park, in a public building or upon any parking lot open to members of the public as invitees or licensees, or in any occupied residential unit or property which is not the source of the noise, and in any event a location of not less than 50 feet from the sound source.
- (3) The measurement of noise as it pertains to multifamily dwellings shall be according to the provisions of section 18-65.

(Ord. No. 03-06, § 8, 6-26-2003)

Sec. 18-69. - Penalties; enforcement.

A violation of this article or any resolution adopted pursuant to this article may be enforced by issuance of a notice of violation, citation, summons, or notice to appear in county court, or by filing an action in civil court for injunctive relief. This article is supplemental and nothing contained in this article shall prohibit the village from enforcing this article by any other lawful means.

(Ord. No. 03-06, § 9, 6-26-2003)



Noise Ordinance Comparison Chart

Municipality	Notes/Definitions	Zoning/Use Type						Enforcement	Penalties/Fines
		Commercial	Residential	Multi-Family Dwellings	Construction	Lawn Maintenance			
Islamorada		Outdoor bands, amplified music, and entertainers on all approved commercial properties, between the hours of 7:00 a.m. and 10:00 p.m. Sunday through Thursday and 7:00 a.m. through 11:00 p.m. Friday and Saturday.		No person shall operate or permit the operation within a multifamily dwelling of any source of sound in such a manner as to create a noise disturbance when perceived within the center of an adjacent intrabuilding dwelling receiving the sounds. The doors and windows of the room shall be closed when determining whether the sound constitutes a violation of this article.	Lawful construction activity permitted on private property between the hours of 7:30 a.m. and sundown.	Lawn mowing and operation of gasoline- and electric-powered lawn, garden and household maintenance tools and machinery between the hours of 7:00 a.m. and sundown.			
Key West		Excessive: equals or exceeds a measured sound level of 75 dBA or 77 dBC collectively for more than 30 seconds of any measurement period which shall not be less than five minutes. Limitation: Eighty-five (85) dBA or ninety-four (94) dBC between the hours of 11:00 a.m. and 2:59 a.m. Seventy-five (75) dBA or eighty-four (84) dBC between the hours of 3:00 a.m. and 10:59 a.m.	Equals or exceeds a measured sound of 75 dBA or 77 dBC between 8:00 a.m. and 7:59 p.m. and 60 dBA or 62 dBC from 8:00 p.m. to 7:59 a.m. (maximum permitted sound level in decibels) collectively for more than 30 seconds of any measurement period which shall not be less than five minutes	Not specifically noted	limited to the hours of 8:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. The tools and equipment must be muffled and maintained equal to the functional standards of the industry. No exceptions contained in this subsection shall apply on Thanksgiving Day, Christmas Day and New Year's Day.	must conform to industry standards for the equipment and must occur only between 8:00 a.m. and 7:00 p.m., Monday through Friday, and 9:00 a.m. and 5:00 p.m. on Saturday and Sunday only.	"Noise compliance officer" - not specifically noted as Code Enforcement or Law Enforcement	shall not exceed \$250.00 per day, per violation for a first violation and shall not exceed \$500.00 per day, per violations for a repeat violation	
Jupiter Island	*Use of restricted equipment is prohibited on legal holidays. *Use of restricted equipment during the summer season is permitted only during the hours of 7:30 a.m. to 6:00 p.m., Monday through Friday and 8:30 a.m. to 5:00 p.m. on Saturday. *During the winter season, construction work is restricted to the following hours: 8:30 a.m. to 5:30 p.m., Monday through Friday; and 8:30 a.m. to 1:00 p.m. on Saturday.	Not specifically noted	Not specifically noted	Not specifically noted	Any construction equipment, device or activity produces noise in excess of 72 decibels (dbs), measured: Fifty feet from the construction activity, or from the property line nearest to where the construction activity is taking place, whichever is greater	The sound produced by lawn maintenance equipment shall not exceed 69 decibels (dbs) *Leaf blowers, backpack sprayers and hand-held blowers shall be limited to a maximum decibel level that shall not exceed 65 (dbs) at a distance of 30 feet from the point of operation of the equipment or from the nearest property line to where the equipment is operated, whichever is greater.	Not specifically noted as Code Enforcement or Law Enforcement	1st Offense = written warning, 2nd Offense = \$100, The third offense and each offense thereafter (within one year of the first offense), \$500.00 fine.	
Marathon		7:00 a.m.—10:00 p.m. - L10—Def. Level, 10th percentile = 65, Lmax = 75 10:00 p.m.—7:00 a.m. - L10—Def. Level, 10th percentile = 60, Lmax = 65	7:00 am to 10:00 pm - L10—Def. Level, 10th percentile = 60, Lmax = 70 10:00 p.m.—7:00 a.m. - L10—Def. Level, 10th percentile = 55, Lmax = 60	Operating or permitting the operation within a multifamily dwelling of any source of sound, in such a manner as to exceed 55 dBA from 7:00 a.m. to 10:00 p.m. or 45 dBA from 10:00 p.m. to 7:00 a.m. when measured within an adjacent intra-building dwelling. These noise limits shall not be exceeded more than ten (10) percent of any measurement period, which shall not be less than ten (10) minutes. The maximum permissible sound level, when measured in an adjacent intra-building dwelling between 10:00 p.m. and 7:00 a.m. the following day, shall be 50 dBA.	Not specifically noted	Not specifically noted	Not specifically noted as Code Enforcement or Law Enforcement	Not noted in the code section	

Noise Ordinance Comparison Chart

Municipality	Notes/Definitions	Zoning/Use Type						Enforcement	Penalties/Fines
		Commercial	Residential	Multi-Family Dwellings	Construction	Lawn Maintenance			
Marco Island		7:00 a.m.—9:00 p.m. = 72 dBA, 9:00 p.m.—7:00 a.m. = 65 dBA	7:00 a.m.—8:00 p.m. = 66 dBA, 8:00 p.m.—7:00 a.m. = 60 dBA	Multifamily dwellings and duplexes. In the case of multifamily dwellings and duplex dwelling units, it shall be unlawful to create or permit to be created any sound that exceeds a sound pressure level of 50 dBA, during the hours between 7:00 a.m. to 9:00 p.m., or 45 dBA during the hours between 9:00 p.m. and 7:00 a.m., daily, measured from a neighbor's dwelling unit within such multifamily or duplex structure. The plainly audible standard does not apply in multifamily dwellings and duplexes.	prohibited between the hours of 7:00 p.m. and 7:00 a.m., On Sundays, or any holidays declared by the City of Marco Island or the government of the United States. * For pile driving activities, between the hours of 7:00 p.m. and 8:00 a.m.	Undertaking landscape maintenance activities, including the use of air-blowing or vacuum equipment, in such a manner as to create noise across a real property boundary between the hours of 9:00 p.m. and 7:00 a.m. Golf courses engaged in the regular maintenance of greens, fairways, practice areas, etc., are exempt from this provision.	Law Enforcement	civil penalty not to exceed \$250.00 for a first violation (excludes the violation which resulted in the property owner's first warning), \$500.00 for the second violation, and \$1,000.00 for the third violation, \$2,000.00 for the fourth violation, \$4,000.00 for the fifth violation, and \$5,000.00 for the sixth and subsequent violations occurring within one year after a finding of violation of the previous offense or the payment of a citation for a violation of this ordinance. Each violation of this section shall constitute a separate and distinct offense for which a civil citation or notice of violation may be issued.	
Monroe County	Customary sleeping hours means the period of time commencing at 10:00 p.m. and ending at 8:00 a.m. the following morning, except that on Friday and Saturday nights, the period shall commence at 11:00 p.m. rather than 10:00 p.m. On the New Year's Eve holiday, the period shall not commence until 1:00 a.m. on January 1.	Not specifically noted	The occurrence of any sound that equals or exceeds a measured sound level of 75 dBA or 84 dBC for more than ten percent of any measurement period that shall not be less than ten minutes when measured at or beyond any property boundary of the sound source.	Not specifically noted	Construction and demolition allowable hours of operation: 8:00 a.m. to 7:00 p.m. daily	Not specifically noted	Law Enforcement	If a citation is issued, the fine shall be \$250.00 for a first offense and \$500.00 for a subsequent offense. In addition, the business tax receipt issued for a commercial entity may be revoked by the special magistrate or court of competent jurisdiction upon a finding of two or more violations of this article by the same entity.	
New Smyrna Beach		Not specifically noted	Radios, televisions, phonographs, etc. The operation of any such set, instrument, phonograph, machine or device between the hours of 10:00 p.m. and 8:00 a.m. in such manner as to be plainly audible at a distance of 25 feet or more from the lot, building, structure or vehicle in or on which it is located, whichever distance is greater, shall be prima facie evidence of a violation of this section.	Not specifically noted	Not specifically noted	Power tools and landscaping equipment. The operation of noise-producing lawn mowers, lawn edgers, weed trimmers, blowers, chippers, chain saws, power tools and other noise-producing tools which are used to maintain or at a residence out-of-doors between 10:00 p.m. and 7:00 a.m. the following day.	Code and/or Law Enforcement	Not noted in code section	

Noise Ordinance Comparison Chart

Municipality	Zoning/Use Type							
	Notes/Definitions	Commercial	Residential	Multi-Family Dwellings	Construction	Lawn Maintenance	Enforcement	Penalties/Fines
Boca	Day = 7:00 a.m. and 7:00 p.m. and Night = 7:00 p.m. and 7:00 a.m.	At no point on the boundary of or within an area zoned for retail or commercial use and as a result of any fixed mechanical or electrical noise source outside of the property in question may the following sound pressure levels be exceeded - Day: 60 dBA and Night: 60 dBA.	At no point on the boundary of or within a residential area zoned for 1- or 2-family dwellings and as a result of any fixed mechanical or electrical noise source outside of the property in question may the following sound pressure levels be exceeded - Day: 55 dBA and Night: 50 dBA.	At no point on the boundary of or within a residential area zoned for apartment living, and as a result of any fixed mechanical or electrical noise source outside of the property in question may the following sound pressure levels be exceeded - Day: 55 dBA and Night: 50 dBA.	It shall be unlawful for any person to do, perform or engage in any 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 prior to 7:00 a.m. or after 6:00 p.m. on Monday through Friday, prior to 8:00 a.m. or after 6:00 p.m. on Saturday, or any time on Sunday *the noise levels generated by construction activities shall not exceed 75 dBA for more than 10 percent of the time when measured at a distance of 50 feet from the construction site.	It shall be unlawful to operate lawn mowers, edgers, trimmers and power-driven hedge shears in the city between the hours of 9:00 p.m. and 7:00 a.m.	"Environmental Officer"	a fine not exceeding \$500.00 or imprisonment for a term not exceeding 60 days, or by both such fine and imprisonment. Each day any violation of any provision of this Code or of any ordinance continues shall constitute a separate offense.
Palm Beach		Not specifically noted	The playing of any radio, television, phonograph, compact disc player, tape player, musical instrument, or other sound-making device audible within any receiving dwelling, hotel or other type of residence between the hours of 12:00 midnight and 7:00 a.m.	Not specifically noted	Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March, and April of each year, construction work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday, and legal holidays, when all construction work is prohibited. In no event shall heavy equipment or other construction-related noise be permitted before 9:00 a.m. At all other times such work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and legal holidays, including the Friday immediately after Thanksgiving, when all construction work is restricted or prohibited. Construction work is permissible on Saturdays from May through the Monday preceding Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.	Nothing in this section shall preclude the operation of lawn maintenance equipment by residents after 9:00 a.m. on Saturdays, Sundays or legal holidays, including the Friday immediately after Thanksgiving. The sound level meter measurement shall be no greater than 75 dBA measured 50 feet from the point of operation of the equipment. The sound level meter measurement shall not be applicable to lawn maintenance equipment used on golf courses. *Leaf blowers shall not exceed a decibel level of 65 dBA as measured at 50 feet from the point of operation. It shall be unlawful to blow, sweep or rake yard trash or clippings into the public street or storm drains.	Not specifically noted as Code Enforcement or Law Enforcement	Not noted in code section
St. Lucie		At all times not to exceed 65 dBA	7:00 a.m.—10:00 p.m. = 60 dBA	In a multifamily dwelling, it shall be unlawful to create or permit to be created any noise that exceeds the daytime (7:00 a.m. through 10:00 p.m.) limit of 50 dBA and the nighttime (10:00 p.m. through 7:00 a.m.) limit of 40 dBA, as measured from a neighbor's dwelling.	Noise resulting from permitted construction activities occurring between 7:00 a.m. and sundown pursuant to permits issued prior to December 6, 2006, and between 7:00 a.m. and 6:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on Saturday for permitted construction activities pursuant to permits issued on or after December 6, 2006.	Noise resulting from the temporary operation of equipment or activities relating to normal lawn and/or landscape maintenance of residential or commercial uses, from sunrise to sunset, including, but not limited to, the following activities: lawn mowing, maintenance of trees, hedges, and gardens; soil cultivation; and pavement sweeping and cleaning.	Not noted in code section	Not noted in code section

Noise Ordinance Comparison Chart

Municipality	Zoning/Use Type							
	Notes/Definitions	Commercial	Residential	Multi-Family Dwellings	Construction	Lawn Maintenance	Enforcement	Penalties/Fines
Ocean Reef					No Sundays, no holidays. Winter: Nov 1 – May 14 work is permitted Monday through Friday 8:00 am to 5:00 pm – No pile driving, no jackhammering. Summer: May 15 – Oct 31 work is permitted Monday through Saturday 7:00 am to 6:00 pm.	Summer (May 15 – Oct 31): 7:00 am to 6:00 pm - Monday through Saturday; Winter (Nov 1 – May 14): 8:00 am to 5:00 pm Monday through Friday. Trimmers may only be electric. Gas-powered hedgers may be permitted only for hard cutting, once per year between May 15 and October 30. Electric leaf blowers of 59 decibels or less permitted Monday through Friday between 9:00 am and 5:00 pm.	Ocean Reef security.	1st complaint = courtesy warning. 2nd complaint within 24 months = letter advising that next offense will be \$100 fine. 3rd complaint within 24 months = fine \$100 per violation up to \$20,000
Key Colony	Working days are Monday through Saturday except when any such day shall be a holiday. Working hours are from 7:30 a.m. until 6:00 p.m. on working days.	Not specifically noted	Not specifically noted	Not specifically noted	Construction and repair operations. The construction of buildings, wharves, seawalls or similar projects, including excavation, filling, leveling, erection, demolition, alteration, repair or activities connected with any of the foregoing at any time except during working hours, provided however that in the event of an emergency the mayor may grant a permit of exception from this regulation. The mayor shall be the sole judge of the existence of the emergency and the duration of the exception granted.	Not specifically noted	Not noted in code section	Not noted in code section
Layton	Between the hours of 11:00 p.m. and 8:00 a.m., it shall be unlawful for any person to make, continue, or cause to be made or continued, in the operation of any machine or the exercise of any trade or calling or otherwise, any noise which either annoys, injures, or endangers the comfort, repose, health, or safety of any person within a residential district of the city, unless the making and continuing of the noise is necessary for the protection or preservation of property or the health, safety, life or limb of a person. However, the restrictions in this section do not prohibit speech of any kind.						Not noted in code section	Not noted in code section