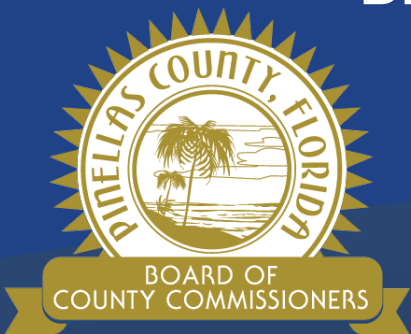


Pinellas County Ordinance (Chapter 58) – Noise Regulation Updates

BDRS – Code Enforcement

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Our Vision: To Be the Standard for Public Service in America



Sec. 58-441. Definition Updates



▪ **Itinerant or Transient noise**

- Refers to excessive or disruptive sound that comes from sources that are moving or temporary, that exceeds ambient noise level. The terms may be used interchangeably.
- Allows for citation to be issued without NOV.

▪ **Irreparable or Irreversible violation**

- Refers to a code violation that lacks a legal remedy or cure or prevents the county from enforcing the violated code provision. The terms irreparable and irreversible may be used interchangeably.
- Allows for citation to be issued without NOV.

▪ **Loud and Raucous noise**

- Plainly audible noise of any nature that unreasonably disturbs, injures, or endangers the comfort, repose, health, peace or safety of reasonable persons.

▪ **Quiet hours**

- 11:00 p.m. – 7:00 a.m. daily. Quiet hours may be altered by ordinance based on the activity engaged upon.

Sec. 58-444. General Prohibitions – Additional Provisions



No person shall make, continue, permit, or cause to be made or continued:

- Use of amplifier or loudspeaker for advertising purposes or to attract the attention of the public

Factors which shall be considered in determining whether a violation:

- Whether the noise is itinerant or transient in nature, or the violation is irreparable and irreversible

Sec. 58-445. Specific acts considered to be unreasonably loud and raucous noise – Adds Human Produced Noises



Plainly Audible Standard (Without the need for a noise meter)

- Loud and raucous noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace or safety of reasonable persons of ordinary sensitivity is prohibited.
- Yelling, shouting, whistling, singing, or other noise consistent with parties or gatherings, or used to attract attention.
- Operating mechanical equipment which disturbs the peace and quiet of a reasonable person during quiet hours within a residential zone, if the noise can be heard across the property line of the property from which it emanates.

Sec. 58-446. Noise Complaints Updates



The requirement for noise complaint affidavits involving loud and raucous noise have been reduced from two (2) affidavits from separate parties, to one (1) affidavit from an affected party.

- The previous requirements limited the County to only issuing a 7-day NOV following the receipt of 2 affidavits.
- Under the new provisions, the County may seek several different enforcement remedies pursuant to law based on the circumstances. Including but not limited to, directly issuing a citation without warning.
 - Such as violations that are itinerant or transient in nature, which are presumed irreparable or irreversible.

Sec. 58-448, 449, 541. - Construction Noise Update and Addition



Replaced “designated times” with “quiet hours” to reflect standard definition.

- Clarified construction during quiet hours in cases of urgent necessity or in the interest of public health and safety as authorized by waiver.
- (The current verbiage was confusing and limited our ability to lawfully permit construction when necessary)

New Verbiage:

Residential construction noise. It shall be unlawful to create or allow to be created any noise within a residential zone that exceeds, 55 dBA during quiet hours, except where a temporary waiver has been authorized pursuant to Section 58-448.

Questions?