

ORDINANCE NO. 1064-2014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 99-08, CONSTRUCTION SOUNDS; BY ADDING OTHER PROHIBITED SOUNDS AND ESTABLISHING A NEW PERMITTED SOUND PERIOD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, the use of construction and maintenance equipment that generates loud noise has increased over the years; and,

WHEREAS, in light of the current economic conditions, many people are performing their own construction and maintenance tasks on their own properties; and,

WHEREAS, the proliferation of lawn and property maintenance activities have caused the problem of sound generation in neighborhoods to become more obvious; and,

WHEREAS, the City Council has received comments and advice from its Code Compliance Department as to how the problems could be reduced; and,

WHEREAS, the City Council has determined that it is both proper and appropriate and in the best interests of the City and its citizens to expand the prohibitions against noise generating equipment:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS:

Section 1: That Code of Ordinance Section 99-08, Construction Sounds, is hereby amended as follows:

Sec. 99-08. Construction sounds and property maintenance noise.

It shall be ~~unlawful~~ prohibited for any person in conducting any building operations between the hours of ~~10:00 p.m.~~ thirty minutes after sunset and ~~7:00~~ 8:00 a.m. to operate or use any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or other apparatus, the use of which is attended by loud or unusual noise, except by written permission of the City Manager, and then only in case of emergency.

In addition, the aforesaid prohibition against the generation of loud or unusual noise shall also be applicable to the operation of lawn mowers, edging equipment, hedge or tree trimming equipment, pressure cleaning equipment, and all other home and lawn maintenance machines and equipment.

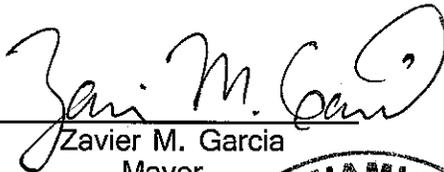
Section 2: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

Section 3: That this Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Miami Springs, Florida this 24th day of February, 2014.

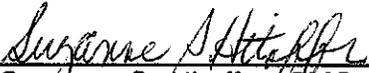
The motion to adopt the foregoing ordinance was offered on second reading by Vice Mayor Bain, seconded by Councilman Lob, and on roll call the following vote ensued:

Vice Mayor Bain	"aye"
Councilman Windrem	"aye"
Councilman Lob	"aye"
Councilman Petralanda	"aye"
Mayor Garcia	"aye"



Zavier M. Garcia
Mayor

ATTEST:



Suzanne S. Hitaffer, OMC
Acting City Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jan K. Seiden, Esquire
City Attorney

First reading: 02-10-2014
Second reading: 02-24-2014

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.