

consecutive seconds. The sounding of any horn, signaling device, or other similar device, as a danger warning is exempt from this prohibition.

(3) *Nonemergency signaling devices:* Sounding or permitting sounding of any amplified signal from any bell, chime, siren, whistle or similar device, intended primarily for non-emergency purposes, from any place for more than ten consecutive seconds in any hourly period. The reasonable sounding of such devices by houses of religious worship, ice cream trucks, seasonal contribution solicitors, or by law enforcement for traffic control purposes are exempt from the operation of this provision.

(4) *Emergency signaling devices:* The intentional sounding or permitting the sounding outdoors of any emergency signaling device including fire, burglar, civil defense alarm, siren, whistle, or similar emergency signaling device, except in any emergency or except as provided in Subsections a. and b., below.

a. Testing of an emergency signaling device shall occur between 7:00 a.m. and 8:00 p.m. Any testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. Testing of the emergency signaling system shall not occur more than once in each calendar month.

b. Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, shall terminate within 15 minutes of activation unless an emergency exists. If a false or accidental activation of an alarm occurs more than twice in a calendar month, the owner or person responsible for the alarm shall be in violation of this article.

(5) *Radios, televisions, boom boxes, phonographs, stereos, musical instruments, and similar devices:* The use or operation of a radio, television, boom box, stereo, musical instrument, or similar device that produces or reproduces sound in a manner that is plainly audible to any person other than the player(s) or operator(s) of the device, and those who are voluntarily listening to the sound, and which unreasonably disturbs the peace, quiet, and comfort of neighbors and passers-by, or is plainly audible at a distance of 50 feet from any person in a commercial, industrial area, or public space. The use or operation of a radio, television, boom box, stereo, musical instrument, or similar device that produces or reproduces sound in a manner that is

1 plainly audible to any person other than the player(s) or operator(s) of the device,
2 and those who are voluntarily listening to the sound, and unreasonably disturbs the
3 peace, quiet, and comfort of neighbors in residential or noise sensitive areas,
4 including multi-family or single-family dwellings.

- 5 (6) *Loudspeakers, amplifiers, public address systems, and similar devices:* The
6 unreasonably loud and raucous use or operation of a loudspeaker, amplifier, public
7 address system, or other device for producing or reproducing sound between the
8 hours of 10:00 p.m. and 7:00 a.m. on weekdays, and 10:00 p.m. and 10:00 a.m. on
9 weekends and holidays in the following areas:

- 10 a. Within or adjacent to residential or noise-sensitive areas; and
11 b. Within public space if the sound is plainly audible across the real property
12 line of the public space from which the sound emanates, and is
13 unreasonably loud and raucous.

14 This shall not apply to any public performance, gathering, or parade for which a
15 permit has been obtained from a governmental agency with jurisdiction.

- 16 (7) *Yelling, shouting, and similar activities:* Yelling, shouting, hooting, whistling, or
17 singing in residential or noise sensitive areas or in public places, between the hours
18 of 10:00 p.m. and 7:00 a.m., or at any time or place so as to unreasonably disturb the
19 quiet, comfort, or repose of reasonable persons of ordinary sensitivities.

- 20 (8) *Animals and birds:* Unreasonably loud and raucous noise emitted by an animal or
21 bird for which a person is responsible. A person is responsible for an animal if the
22 person owns, controls or otherwise cares for the animal or bird. Sounds made by
23 animals or birds in animal shelters, kennels, veterinary hospitals, pet shops, or pet
24 kennels licensed under and in compliance with any applicable licensing and
25 permitting provisions are exempt from this subsection.

- 26 (9) *Loading or unloading merchandise, materials, equipment:* The creation of
27 unreasonably loud, raucous, and excessive noise in connection with the loading or
28 unloading of any vehicle at a place of business or residence.

- 29 (10) *Construction or repair of residential buildings, excavation of streets and highways:*
30 The construction, demolition, alteration or repair of any building or the excavation of
31 streets and highways other than between the hours of 7:00 a.m. and 8:00 p.m. on

weekdays and Saturdays and between 9:00 a.m. and 5:00 p.m. on Sundays. This prohibition does not apply to the delivery and installation of concrete and other materials associated with residential slab installation. In cases of emergency, construction or repair noises are exempt from this provision.

(11) *Noise sensitive areas - schools, courts, churches, hospitals, and similar institutions:*

The creation of any unreasonably loud and raucous noise adjacent to any noise sensitive area while it is in use, which unreasonably interferes with the workings of the institution or which disturbs the persons in these institutions; provided that conspicuous signs delineating the boundaries of the noise sensitive area are displayed in the streets surrounding the noise sensitive area.

(12) *Blowers and similar devices:* In residential or noise sensitive areas, between the hours of 8:00 p.m. and 7:00 a.m., the operation of any noise-creating blower, power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, provided that the noise is unreasonably loud and raucous and can be heard across the property line of the property from which it emanates.

(13) *Commercial establishments adjacent to residential property:* Unreasonably loud and raucous noise from the premises of any commercial establishment, including any outdoor area which is part of or under the control of the establishment, between the hours of 10:00 p.m. and 7:00 a.m., which is plainly audible at a distance of five feet from any residential property.

Section 2. Section 12-57 of the Code of Laws of Leon County, Florida, is hereby amended to read as follows:

Sec. 12-57. Exemptions.

Sounds caused by the following are exempt from the prohibitions set out in Section 12-56, noises prohibited, above:

(1) Motor vehicles on traffic ways of Leon County, provided that the prohibition of Section 12-56(b) above continues to apply.

(2) Repairs of utility structures which pose a clear and immediate danger to life, health,

1 or significant loss of property.

2 (3) Sirens, whistles, or bells lawfully used by emergency vehicles, or other alarm
3 systems used in case of fire, collision, civil defense, police activity, or imminent
4 danger, provided that the prohibition contained in Section 12-56(d) above continues
5 to apply.

6 (4) The emission of sound for the purpose of alerting persons to the existence of an
7 emergency or the emission of sound in the performance of emergency work.

8 (5) Repairs or excavations of bridges, streets or highways by or on behalf of any local
9 government, the state, or the federal government, between the hours of 8:00 p.m. and
10 7:00 a.m., when public welfare and convenience renders it impractical to perform the
11 work between 7:00 a.m. and 8:00 p.m.

12 (6) Outdoor school and playground activities. Reasonable activities conducted on public
13 playgrounds and public or private school grounds, which are conducted in
14 accordance with the manner in which such spaces are generally used, including but
15 not limited to, school athletic and school entertainment events.

16 (7) Other outdoor events. Outdoor gatherings, concerts, public dances, shows and
17 sporting events, and other similar outdoor events, and associated noise shall be
18 exempt from this ordinance, provided that a temporary use permit has been obtained,
19 if required, from the appropriate permitting authority.

20 (8) Outdoor hunting or hunting sports. The discharge of firearms in the normal course
21 of legal hunting activities or customary shooting sports such as skeet, trap, and target
22 shooting.

23 (9) Non-residential and multi-family residential construction projects approved and
24 permitted by the County.

25 (10) Outdoor concerts and events that are subject to Leon County's temporary use
26 permitting requirements, and which are held on property designated as Activity
27 Center in the Future Land Use Map of the City of Tallahassee-Leon County
28 Comprehensive Plan, shall be allowed to operate until 11:00 p.m. on Friday or
29 Saturday, provided a temporary use permit has been obtained for the event.
30

1 **Section 2. Conflicts.** All ordinances or parts of ordinances in conflict with the provisions of
2 this ordinance are hereby repealed to the extent of such conflict, except to the extent of any
3 conflicts with the Tallahassee-Leon County Comprehensive Plan, as amended, which provisions
4 shall prevail over any part of this ordinance which is inconsistent, either in whole or in part, with
5 the said Comprehensive Plan.

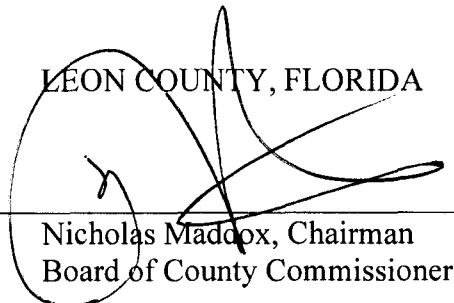
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7 **Section 3. Severability.** If any word, phrase, clause, section or portion of this ordinance shall
8 be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words
9 shall be deemed a separate and independent provision and such holding shall not affect the
10 validity of the remaining portions thereof.

11
12 **Section 4. Effective Date.** This ordinance shall have effect upon becoming law.

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14 DULY PASSED AND ADOPTED by the Board of County Commissioners of Leon County,
15 Florida, this 8th day of October, 2013.

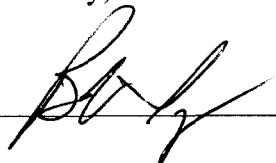


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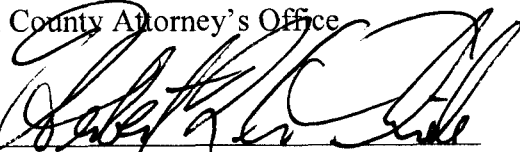
By:  LEON COUNTY, FLORIDA
Nicholas Maddox, Chairman
Board of County Commissioners

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ATTEST:
Bob Inzer, Clerk of the Court
Leon County, Florida

By: 

APPROVED AS TO FORM:
Leon County Attorney's Office

By: 
Herbert W. A. Thiele, Esq.
County Attorney

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM (CODRS) CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

COUNTY: (LEON) COUNTY ORDINANCE # (13-20)
(e.g., 00-001)

PRIMARY KEYFIELD
DESCRIPTOR: (NOISE)

SECONDARY KEYFIELD
DESCRIPTOR: ()

OTHER KEYFIELD
DESCRIPTOR: ()

ORDINANCE DESCRIPTION: (NOISE CONTROL)
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: (12-56) AMENDMENT # 2: (12-57)

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: () REPEAL # 3: ()

REPEAL # 2: () REPEAL # 4: ()

(Others repealed: List all that apply):

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: ()

KEYFIELD 1 CODE: () KEYFIELD 2 CODE: ()

KEYFIELD 3 CODE: ()

Rev. 4/10/01