

ORDINANCE NO. 1965

**AN ORDINANCE AMENDING NOISE REGULATIONS
WITHIN THE CITY OF CRESTVIEW; PROVIDING FOR
AMENDMENT OF SECTION 30-1 OF THE CODE OF
ORDINANCES; PROVIDING FOR AUTHORITY;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL
INTERPRETATION; PROVIDING FOR REPEAL OF
CONFLICTING CODES AND ORDINANCES; AND
PROVIDING FOR AN EFFECTIVE DATE**

**BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS
FOLLOWS:**

SECTION 1 – AMENDING SECTION 30-1 OF THE CODE OF ORDINANCES.

Sec. 30-1. Regulation of noise—Generally.

- (a) It shall be unlawful for any person to willfully make, continue or cause to be made or continued any loud and raucous noise, which term shall mean any sound which, because of its volume level, duration and character, annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of reasonable persons of ordinary sensibilities within the limits of the city.
- (b) The following acts, among others, are declared to be loud and raucous noises in violation of this section, which enumeration shall not be deemed to be exclusive:
 - (1) *Horns and signaling devices.* The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on a street or public place of the city, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; the sounding of any such device for an unnecessary and unreasonable period of time; the use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any such signaling device when traffic is for any reason held up. The use of sirens, except by authorized emergency vehicles, is prohibited.

- (2) *Loud vocal noises.* Vocal noises made in a loud and raucous manner between the hours of 11:00 p.m. and 7:00 a.m., so as to annoy or disturb the quiet, comfort or repose of persons in any office or other place of business, or in any dwelling, hotel or other type of residence.
- (3) *Construction activities and construction equipment.* Construction activities and use of any construction equipment on any given property that creates noise that is not perceivable from any single-family residential property may take place between sunrise and sunset every day of the week. Construction activities and use of any construction equipment on any given property that creates noise perceivable from any adjacent single-family residential property may only take place between sunrise and sunset on weekdays and Saturday with the following exceptions:
 - a. Those activities conducted by homeowners or tenants of single-family residences for personal, non-commercial purposes may take place on Sunday.
 - b. Emergency utility or infrastructure-related repairs may take place on any day or at any time as necessary to make the needed repairs.

- (4) *Schools, courts, churches, hospitals, medical facilities.* The creation of any excessive noise on any street adjacent to any school, institution of learning, medical facility, church or court, while the same is in use, or adjacent to any hospital, which unreasonably interferes with the workings of the institution or which disturbs or unduly annoys patients in a hospital; provided, that conspicuous signs are displayed in such streets indicating that such street is a school, medical facility, hospital, or court street.
 - (5) *Electronic sound amplification.* The use of electronic sound amplification equipment in such a manner as to produce a sound which is capable of being heard at a point in excess of 50 feet from the building, structure, or vehicle containing said equipment between the hours of 11:00 p.m. and 7:00 a.m. is prohibited except when such use is conducted in conjunction with a permitted special event. “Electronic sound amplification equipment” means any machine or device used for the amplification of the human voice, music or any other sound.
- (c) The provisions of subsections (b)(1) through (5) are intended to be construed to secure for the people freedom from unwanted loud and raucous noise as described in this section without violating any of the rights secured by the Constitution to the people, and are not intended, nor shall they be construed, to regulate the usual and customary noise incidental to urban life.

SECTION 2 – AUTHORITY. The authority for enactment of this ordinance is section 166.021, Florida Statutes and Section 2 of the City Charter, and the City of Crestview Land Development Code.

SECTION 3 – SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 4 – SCRIVENER’S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager’s designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

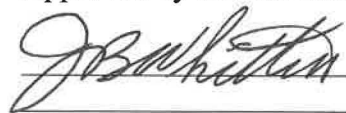
SECTION 5 – ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 6 – REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7 – EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption.

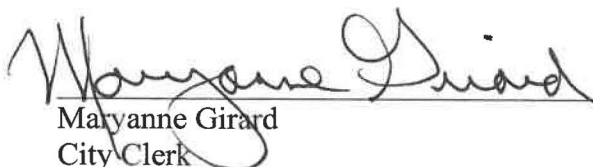
Passed and adopted on second reading by the City Council of Crestview, Florida on the 25th day of March 2024.

Approved by me this 25th day of March, 2024.



J. B. Whitten
Mayor

ATTEST:



Maryanne Girard
City Clerk

