

ORDINANCE NO. 698-13

AN ORDINANCE OF THE MIAMI SHORES VILLAGE COUNCIL, MIAMI SHORES VILLAGE, FLORIDA, AMENDING THE VILLAGE CODE OF ORDINANCES, CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS" BY CREATING SECTION 6-8, SETTING FORTH REGULATIONS RELATING TO CONSTRUCTION NOISE ASSOCIATED WITH CONSTRUCTION UNDER BUILDING PERMITS ISSUED BY THE VILLAGE, PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, A need exists to establish hours during which it is permissible for construction work and the inherent noise associated with construction to take place within the Village; and,

WHEREAS, It is in the best interest of the Village to amend the Code to add a new Section establishing such hours as deemed reasonable and as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE MIAMI SHORES VILLAGE COUNCIL, that:

Section 1. The Miami Shores Village Code of Ordinances is hereby amended by adding a section to be numbered 6-8, which said section reads as follows:

Sec. 6-8 Construction Noise.

Any site preparation, construction, assembly, erection, substantial repair, alteration, delivery of materials, demolition or similar action, which disturbs the peace and quiet of the neighborhood, on public or private property, rights-of-way, structures, utilities or similar property under any permit issued by the Miami Shores Building Department and shall not take place outside the following hours:

- a) Monday through Friday, 8:00 AM and 7:00 PM.
- b) Saturday 8:00 AM and 6:00 PM

In addition, Thanksgiving, Christmas and New Year's Day shall be recognized as holidays during which no action associated with a Building Department permit which disturbs the peace and quiet of the neighborhood shall take place.

Nothing contained in this section shall prohibit bona-fide emergency repair work to be conducted at any time.

Section 3. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance, which shall be deemed to be severable therefrom.

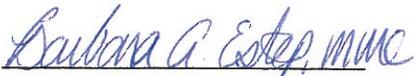
Section 4. All ordinances or parts of ordinances in conflict herewith or inconsistent herewith, are hereby repealed, but only insofar as such ordinances may be inconsistent or in conflict with this Ordinance.

Section 5. This ordinance shall take effect immediately upon approval and adoption on second reading.

APPROVED on first reading this 5th day of February, 2013.

PASSED AND APPROVED on second reading this 5th day of March, 2013.

ATTEST:


Barbara A. Estep, MMC
Village Clerk



Jim McCoy, Mayor