

41 It shall be a violation of this article for any person to make, cause, or allow the making of
42 any noise or sound within the unincorporated area of Citrus County that exceeds the noise
43 limits as set forth in this article.

44 **Section 4. Amending of Chapter 21, Article II, Section 21-23 Entitled “Noise Sensitive**
45 **Zones”.** Chapter 21, Article II, Section 21-23, Citrus County Code of Ordinances, entitled “Noise
46 Sensitive Zones” is hereby amended as follows:

47 Sec. 21-23. Noise sensitive zones.

48 It shall be a violation of this article to create, maintain or cause to be maintained any sound
49 within or adjacent to any noise sensitive zone so as to exceed 55 dB(A) at any time when
50 measured at a distance of at least 25 feet from the sound source, or that is plainly audible
51 as defined herein, provided that conspicuous signs are displayed indicating the presence
52 of the zone to read "Quiet Zone." Noise sensitive zones may be created by resolution of
53 the board of county commissioners or other governmental entity.

54 **Section 5. Amending Chapter 21, Article II, Section 21-25 Entitled “Measurement of**
55 **Sound”.** Chapter 21, Article II, Section 21-25, Citrus County Code of Ordinances, entitled
56 “Measurement of Sound” is hereby amended by adding the following:

57 Sec. 21-25. Measurement of sound.

58 (g) In determining whether a sound is plainly audible, an Enforcement agent is entitled to
59 measure the sound according to the following standards:

60 (1) The primary means of detection shall be by means of the Enforcement agent’s
61 ordinary auditory senses, so long as the Agent’s hearing is not enhanced by any
62 mechanical device, such as a microphone or hearing aid.

63 (2) The Enforcement Agent must have a direct line of sight and hearing to the source
64 of the sound so that the Agent can readily identify the offending source and the
65 distance involved.

66 (3) The Enforcement Agent need not determine the particular words or phrases being
67 produced or the name of any song or artist producing the sound. The detection of a
68 rhythmic bass reverberating type sound is sufficient to constitute a plainly audible
69 sound.

70 **Section 6. Amending Chapter 21, Article II, Section 21-26 Entitled “Specific Noise**
71 **Prohibitions”.** Chapter 21, Article II, Section 21-26(2), Citrus County Code of Ordinances,
72 entitled “Specific Noise Prohibitions” is hereby amended as follows:

73 Sec. 21-26. Specific noise prohibitions.

74 (2) *Radios, televisions, electronic audio equipment, musical instruments, and similar*
75 *devices not within or upon motor vehicles.*

76 a. The use, operation or playing of any radio, television, phonograph, stereo set, tape
77 player, sound amplifier, musical instrument or similar device which produces or
78 reproduces sound which exceeds the permitted levels as prescribed in Table 1 or
79 which is plainly audible.

80 b. The operation or playing of any radio, musical instrument, or similar device which
81 produces sound on the public right-of-way which exceeds the permitted levels as
82 prescribed in Table 1 or which is plainly audible.

83

84 **Section 7. Amending Chapter 21, Article II, Section 21-32 Entitled “Enforcement”.** Chapter
85 21, Article II, Section 21-32, Citrus County Code of Ordinances, entitled “Enforcement” is hereby
86 amended by replacing with the following:

87 Sec. 21-32. Enforcement.

88 (a) The primary responsibility for enforcement of this article shall be by the Citrus County
89 Code Compliance Division. The Citrus County Sheriff’s Office may also enforce the
90 provisions of this article

91 (b) For the purpose of determining and classifying any noise as one which is declared
92 unlawful and prohibited by this article, the enforcement agent shall apply the
93 measurement techniques provided in section 21-25 to determine if the standards have
94 been violated.

95 (c) The following procedures shall be followed by the enforcement agent when enforcing
96 this article:

97 (1) The appropriate county enforcement agent shall investigate and determine if any
98 noise violation exists.

99 (2) Measurement techniques, when required, shall be done in accordance with section
100 21-25.

101 (3) If a noise level is found to be in violation of this article, the appropriate enforcement
102 agent shall give warning to the person responsible for the sound. The warning
103 shall advise the person of the violation and of the possible penalty if the person
104 fails to eliminate the sound or reduce the sound so that it is within permitted limits
105 or is not plainly audible.

106 (4) The person receiving the warning shall have a reasonable time to comply with the
107 warning. Absent special circumstances, a reasonable time is 15 minutes.

108 (5) For the purposes of this article, it is sufficient warning for all prohibited sounds if
109 the person responsible for such sound has been warned of, or cited for, one or
110 more offending sounds of the same type within the previous 60 days, or in the
111 case of a business, in the time period since ownership of the business changed,
112 whichever is less.

113 (6) If the sound is not eliminated or is not reduced to allowable limits within a
114 reasonable time after the warning, or if the noise or sound reoccurs after warning
115 and abatement, the person o warned and not complying shall be cited for a
116 violation of this article as set forth in section 21-33.

117 **Section 8. Severability.** If any section, subsection, sentence, clause, or provision of this
118 Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such
119 invalidity or unconstitutionality shall not be construed so as to render invalid or unconstitutional
120 the remaining provisions of this Ordinance.

121 **Section 9. Modification.** The provisions of this Ordinance may be modified as a result of
122 considerations that may arise during public hearings. Such modifications shall be incorporated
123 into the final version of the ordinance adopted by the Board and filed with the Clerk.

124 **Section 10. Scrivener’s Errors.** Typographical errors which do not affect the intent of this
125 Ordinance may be authorized by the County without need of a public hearing by filing a corrected
126 or re-codified copy of the same with the Clerk.

127 **Section 11. Codification.** The publisher of the County's Code of Ordinances, the Municipal
128 Code Corporation, is directed to incorporate this article into the Code of Ordinances where
129 indicated.

130 **Section 12. Effective Date.** This Ordinance shall take effect as provided by law.

131 **PASSED AND DULY ADOPTED**, in open session, with a quorum present and voting, this
132 ____ day of _____, 2022.

133 BOARD OF COUNTY COMMISSIONERS
134 OF CITRUS COUNTY, FLORIDA

135 ATTEST:

136 _____
137 ANGELA VICK, Clerk

RONALD E. KITCHEN, JR., Chairman

138 APPROVED AS TO FORM FOR THE
139 RELIANCE OF CITRUS COUNTY ONLY:

140 _____
141 DENISE A. DYMOND LYN
142 County Attorney