

Miami-Dade County, Florida

Noise Related Regulations

MOTORBOATS

Sec. 7-26.1. - Prohibitions; maximum sound level standards for vessels on County waters.

(1) Definitions: The following words and phrases when used in this section shall have the meaning respectively assigned to them in this subsection:

(a) dBA means the composite abbreviation of the A-weighted sound level and the unit of sound level, the decibel.

(b) Sound level means the A-weighted sound pressure level measured with fast response using an instrument complying with the specification for sound level meters of the American National Standards Institute, Inc., or its successor bodies, except that only a weighting and fast dynamic response need be provided.

(2) Prohibition: No person shall operate or give permission for the operation of any vessel on the waters of Dade County, including the waters of the Florida Intracoastal Waterway, in such a manner as to exceed the following sound levels at a distance of fifty (50) feet from the vessel: For all vessels, a maximum sound level of ninety (90)dBA.

(3) Penalty for refusal to submit to sound level test: Any person who refuses to submit to a sound level test when requested to do so by a law enforcement officer is guilty of a misdemeanor of the second degree, punishable as provided in Sections 775.082, 775.083 or 775.084, Florida Statutes.

Sec. 7-28. - Penalties for violation of Sections 7-24 through 7-27.

A violation of any provision of Sections 7-24 through 7-27 may be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding sixty (60) days or both such fine and imprisonment.

EXPLOSIVES

Sec. 13-11. - Use and handling of explosives.

(a) Blasting operations shall be conducted during the hours of 8:00 a.m. to 5:00 p.m. except that the Director of the Public Works Department may extend the blasting time to all daylight hours for sites remote from residential development. Blasting shall not be done on Sundays or legal holidays except in emergencies involving the health, safety and welfare of the public.

(b)...,(o)

BURGLAR ALARMS

Sec. 21-276. - Burglar alarms.

(1) Purpose of regulations. The purpose of this section is to place responsibility on the alarm user to prevent, by use of appropriate mechanical, electrical, or other means, false burglar alarms.

(2) Scope of regulations. This section will apply to unincorporated Miami-Dade County.

(3) - (4)

(5) Required equipment in a burglar alarm. A burglar alarm user shall not use a burglar alarm system unless that burglar alarm system is equipped with:

(a) A backup power supply that will become effective in the event of power failure or outage; and

(b) A device that automatically silences the alarm within fifteen (15) minutes after activation.

(6) – (13)

(14) Enforcement. In addition to all remedies otherwise available, this section shall be enforced by the code enforcement provisions of Chapter 8CC of the Code of Miami-Dade County.

ALL TERRAIN VEHICLES

Sec. 30-374. - All-terrain vehicle (ATV) regulations.

(1) An all-terrain vehicle shall not be operated on lands not owned by the operator or owner of the all-terrain vehicle without written permission signed by the owner(s) of such lands, and such permission shall be on the operator's person while operating the vehicle.

(2) – (3)

(4) Every all-terrain vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise.

(5)

OWNER ONUS

Sec. 30-389.1A. - Owner of car presumed to be violator.

In the prosecution charging a violation of any ordinance or provision of this Code governing the stopping, standing, parking or operating a vehicle, proof that the particular vehicle described in the complaint was parked or operated in violation of any such ordinance or regulation, together with proof that the defendant named in the complaint was at the time of such parking or operating the registered owner of such vehicle, shall constitute in evidence a presumption that the registered owner of such vehicle was the person who stopped, parked or operated such vehicle at the point where, and for the time during which, such violation occurred.

The foregoing stated presumption shall apply only where the procedure as prescribed in Sections 30-389.1 and 30-389.2 has been followed.

NOISE CONTROL

(Unspecified Section Number)

It shall be unlawful for any person to make, continue, or cause to be made or continued any unreasonably loud, excessive, unnecessary or unusual noise. The following acts, among others, are declared to be unreasonably loud, excessive, unnecessary or unusual noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

a. *Horns, signaling devices, etc.* The sounding of any horn or signaling device on any automobile, motorcycle, bus or other vehicle on any street or public place of the County, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for any unnecessary and unreasonable period of time.

b. *Radios, televisions, phonographs, etc.* The using, operating, or permitting to be played, used or operated any radio receiving set, television set, musical instrument, phonograph, or other

machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such manner as to be plainly audible at a distance of one hundred (100) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

c. *Animals, birds, etc.* The owning, harboring, possessing or keeping of any dog, animal or bird which causes frequent, habitual or long continued noise which is plainly audible at a distance of one hundred (100) feet from the building, structure or yard in which the dog, animal or bird is located.

d. *Whistles.* The blowing of any locomotive whistle or whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger or upon request of the proper municipal or County authorities.

e. *Exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, or motor vehicle except through a muffler or other device which will effectively prevent unreasonably loud or explosive noises therefrom.

f. *Defect in vehicle or load.* The use of any automobile, motorcycle, jet ski, water bike, recreational vehicle, dirt bike or motor Vehicle so out of repair, so loaded or in such manner as to create unreasonably loud or unnecessary grating, grinding, rattling or other noise within a residential area.

g. *Schools, courts, hospitals.* The creation of any excessive or unreasonably loud noise on any street adjacent to any school, institution of learning, house of worship or court while the -same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institutions, or which disturbs or unduly annoys the patients in the hospital, provided conspicuous signs are displayed in such streets indicating that it is a school, hospital or court street.

h. *Hawkers, peddlers.* The shouting and crying of peddlers, hawkers, and vendors which disturbs the peace and quiet of the neighborhood.

i. *Noises to attract attention.* The use of any dram, loudspeaker or other instrument or device for the purpose of attracting attention by creation of any unreasonably loud or unnecessary noise to any performance, show, sale, display or advertisement of merchandise.

j. *Loudspeakers, etc.* The use or operation on or upon the public streets, alleys and thoroughfares anywhere in this County for any purpose of any device known as a sound truck, loud speaker or sound amplifier or radio or any other instrument of any kind or character which emits therefrom loud and raucous noises and in attached to and upon any vehicle operated or standing upon such streets or public places aforementioned. It is provided, however, that this subsection is not intended to be construed in a manner that would interfere with the legitimate use of the foregoing loudspeaker type devices in political campaigns.

k. *Power tools and landscaping equipment.* The operation of noise-producing lawn mowers, lawn edgers, weed trimmers, blowers, chippers, chain saws, power tools and other noise-producing tools which are used to maintain or at a residence out-of-doors between 8:00 p.m. and 7:00 a.m.

l. *Shouting.* Any unreasonably load, boisterous or raucous shouting in any residential area.