

ORDINANCE NO. C-22-11

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 17 – NOISE CONTROL, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, SPECIFICALLY SECTION 17-7. ENTITLED “SPECIFIC RESTRICTIONS”, AND SECTION 17-8. ENTITLED “EXEMPTIONS”, TO AMEND THE PERMISSIBLE TIMES FOR OPERATION OF LANDSCAPING OR YARD MAINTENANCE POWER TOOLS OR MOTORIZED EQUIPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND REPEAL; PROVIDING FOR CORRECTION OF SCRIVENER’S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida, desires to amend Section Chapter 17 entitled “Noise Control” of the Code of Ordinances of the City of Fort Lauderdale, Florida, specifically Section 17-7 entitled “Specific Restrictions” and Section 17.8 entitled “Exemptions”, to amend the permissible times for operation of landscaping or yard maintenance power tools or motorized equipment; and

WHEREAS, notice was provided to the public that this ordinance would be considered at the City Commission meeting to be held on Tuesday, March 15, 2022, and Tuesday, April 5, 2022, at 6:00 o’clock P.M., in the City Commission Room, City Hall, Fort Lauderdale, Florida;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

SECTION 2. Chapter 17 entitled “Noise Control”, specifically Section 17-7 entitled “Specific restrictions” of the Code of Ordinances of the City of Fort Lauderdale is hereby amended as follows:

Sec. 17-7. Specific restrictions.

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions; words, symbols, and letters double underlined are additions added after first reading; words, symbols, and letters ~~double stricken~~ are deletions from the version presented at first reading.

...

- 7. Landscaping and yard maintenance power tools or motorized equipment. No person shall operate or cause to be operated any landscaping or yard maintenance power tools or motorized equipment Monday through Friday before 7:00 a.m. or after 7:00 p.m. in nonresidential areas, Monday through Friday before 8:00 a.m. or after 7:00 p.m. in residential areas, and Saturday and Sunday before 8:00 a.m. or after 6:00 p.m. in any portion of the city. No person shall operate or cause to be operated any landscaping or yard maintenance power tools or motorized equipment or appurtenances thereto with sound-control devices less effective than those provided on the original equipment.

SECTION 3. Chapter 17 entitled "Noise Control", specifically Section 17-8 entitled "Exemptions" of the Code of Ordinances of the City of Fort Lauderdale is hereby amended as follows:

Sec. 17-8. Exemptions.

The following are exemptions to this chapter:

...

- 13. Landscaping and yard maintenance power tools or motorized equipment between 7:00 a.m. and 7:00 p.m. Monday through Friday in nonresidential areas, Monday through Friday before between 8:00 a.m. or after and 7:00 p.m. in residential areas, and between 8:00 a.m. and 6:00 p.m. Saturday and Sunday in any portion of the city. Notwithstanding the preceding sentences, No person shall operate or cause to be operated any landscaping or yard maintenance power tools or motorized equipment or appurtenances thereto with sound-control devices less effective than those provided on the original equipment.

SECTION 4. CODIFICATION AND SCRIVENER'S ERRORS. The City intends that this Ordinance will be made part of the Code of Ordinance; that sections of this Ordinance can be re-numbered or re-lettered to accomplish codification and, regardless of whether this Ordinance is ever codified, the Ordinance can be re-numbered or re-lettered, and typographical errors that do not affect the intent can be corrected with the authorization of the City Manager, or his designee, without the need for a public hearing.

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SECTION 5. That if any clause, section, or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 6. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. That this Ordinance shall be in full force and effect upon final passage.

PASSED FIRST READING this 15th day of March, 2022.

PASSED SECOND READING this _____ day of _____, 2022.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

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