

ORDINANCE NO. 2025-23

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 34, ENVIRONMENT, ARTICLE II, NOISE CONTROL, BY AMENDING SECTION 34-32, MAXIMUM PERMISSIBLE SOUND LEVELS BY LAND USE, AND SECTION 34-34, EXEMPTIONS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Venice (“City”) has encountered situations where water pumps and aerators in ponds and other inland bodies of water serve a necessary purpose but fluctuate between compliant and noncompliant sound levels; and

WHEREAS, the City desires to amend its Code to clarify its noise control ordinance and to allow for the use of water pumps and aerators in a manner that complies with the City’s noise control ordinance; and

WHEREAS, the Venice City Council finds and determines that the provisions of this Ordinance are in the best interest and furtherance of the health, safety, and welfare of the City, its citizens and taxpayers.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

SECTION 1. The above whereas clauses are ratified and confirmed as true and correct.

SECTION 2. Chapter 34, Environment, Article II, Noise Control, Section 34-32, Maximum permissible sound levels by land use, of the City’s Code of Ordinances, is hereby amended as follows:

Sec. 34-32. – Maximum permissible sound levels by land use.

(a) *Continuous sound.* The maximum decibel levels from any activity (unless exempted by section 34-34) shall not exceed for a sustained period of time of at least five (5) minutes, at any point on the receiving property's real property line, the sound level limits listed in Table I below.

TABLE I

Receiving Property Use	Time	Sound Level Limit (dB(A))
Residential and Government/Public Space	7:00 a.m. to 10:00 p.m. on weekdays	60
	10:00 a.m. to 10:00 p.m. on weekends and holidays	60
	10:00 p.m. to 7:00 a.m. on weekdays	55
	10:00 p.m. to 10:00 a.m. on weekends and holidays	55

Commercial/ Office	7:00 a.m. to 10:00 p.m.	65
	10:00 p.m. to 7:00 a.m.	60
Industrial	All times	80

(b) *Impulse sound*. Impulse sounds shall be measured in accordance with section 34-35. The sound level limits set forth in Table I shall be increased by six decibels during the time period between 7:00 a.m. and 8:00 p.m.

SECTION 3. Chapter 34, Environment, Article II, Noise Control, Section 34-34 Exemptions, of the City's Code of Ordinances, is hereby amended as follows:

Sec. 34-34. - Exemptions.

The maximum decibel levels of section 34-32 shall not apply to:

- (1) The unamplified human voice.
- (2) The interstate railways, locomotives and cars.
- (3) Nonstationary farming equipment.
- (4) Airports, landing fields, and aircrafts.
- (5) The construction, maintenance, or repair of any public utility, right-of-way, property, or structure, including the operation of public street sweepers.
- (6) Church bells and carillons.
- (7) The Sarasota County public gun range during operating hours.
- (8) Law enforcement and fire department activities and training.
- (9) Solid waste and recycling operations and collection in residential areas from 7:00 a.m. to 7:00 p.m. and in non-residential areas between 5:00 a.m. and 7:00 p.m. During a declared state of emergency, solid waste and recycling operations are fully exempt from the requirements of section 34-32.
- (10) Motor vehicles operating within public and private streets when functioning with all manufacturer's mufflers and noise reducing equipment in use and in proper operating condition.
- (11) Any special event or recreational activity permitted by the city, county, or school district.
- (12) Generators, pumps, or other equipment used during power outages, floods, or other emergencies. Such equipment must be functioning with all manufacturers' mufflers and sound reduction equipment installed and in proper operating condition at all times.

(13) Dewatering pumps for projects with an approved city construction permit provided such equipment is placed as far away from existing residential properties as possible, is posted with a 24-hour contact name and phone number, and is functioning with all manufacturers' mufflers and sound reduction equipment installed and in proper operating condition at all times.

(14) Operating, playing or permitting the operation or playing of any radio, television, musical instruments or similar device between the hours of 7:00 a.m. and 10:00 p.m.

(15) Operating or permitting to be operated any loudspeaker, musical instrument, sound reproduction device or similar equipment in any place of public entertainment, including restaurants and bars, between the hours of 7:00 a.m. and 10:00 p.m. During all other times, the sound produced shall not be able to be heard in any residential area.

(16) Utilizing power equipment and tools to perform golf course maintenance between the hours of 5:00 a.m. and 9:00 p.m.

(17) Heating and cooling devices, water pumps used for aeration or circulation in bodies of water, chillers, and residential pool and spa equipment, provided the equipment is in proper working order.

(18) Operating or causing the operation of any equipment or tools used in construction, drilling, repair, alteration or demolition work between the hours of 6:00 a.m. and 9:00 p.m. on weekdays, or between 9:00 a.m. and 9:00 p.m. on weekends or holidays. This subsection shall not apply to the use of domestic power tools as specified in subsection (19) of this section.

(19) Operating or permitting the operation of any domestic power tool, powered lawn or garden tool, or similar tool between the hours of 7:00 a.m. to 10:00 p.m. on weekdays, and between the hours of 8:00 a.m. to 10:00 p.m. on Saturdays and legal holidays, and between the hours of 9:00 a.m. to 10:00 p.m. on Sundays. All such equipment shall be properly muffled and maintained in working order so as not to create unusually loud, excessive and unnecessary noise.

SECTION 4. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 5. If any part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 6. This ordinance shall become effective immediately upon its approval and adoption, as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 24TH DAY OF JUNE 2025.

First Reading: June 10, 2025

Second Reading: June 24, 2025

Adoption: June 24, 2025

Nick Pachota, Mayor

ATTEST:

Kelly Michaels, MMC, City Clerk

I, Kelly Michaels, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the City of Venice Council, a meeting thereof duly convened and held on the 24th day of June 2025, a quorum being present.

WITNESS my hand and the official seal of said City this 24th day of June 2025.

Kelly Michaels, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney