



MEMORANDUM TO VENICE CITY COUNCIL

THROUGH CHARTER OFFICER: Edward Lavalley, City Manager **E-SIGN:**
FROM: James R. Clinch, PE, Assistant City Manager
DEPARTMENT: City Manager

DATE: 11/22/2022

MEETING DATE: 12/13/2022

SUBJECT / TOPIC: Ordinance 2022-36; Noise Control

BACKGROUND INFORMATION:

City staff, including the City Attorney, Police Department and Assistant City Manager, have developed a comprehensive rewrite and update of the City of Venice Noise Control Ordinance. The existing noise ordinance was drafted and adopted in 1979 and the code language is very outdated. This existing ordinance language is also inconsistent with the Sarasota County standards and has proven to be ineffective for proper application and enforcement.

The approach to crafting the new Noise Control Ordinance was to incorporate the current Sarasota County standards wherever possible, in order to provide consistency in application and enforcement. Staff also worked to include any existing City of Venice specific provisions that were found to be beneficial and appropriate. The proposed updated ordinance includes significant revisions and several of the more notable items are detailed further below:

- 1) **Standards for both Generating and Receiving Property (Sec. 34-32):** The new Ordinance provides decibel level limits for the generating property, which is where the sound levels will now be measured. For cases in which the generating property cannot be safely accessed, there are still standards for the receiving property that apply.
- 2) **Standards for Specific Land Use and Time of Day (Sec. 34-32):** Decibel level limits vary based on the land use type and the time of day. These values are consistent with Sarasota County standards.
- 3) **Clarified Prohibitions Section (Sec. 34-33):** Some of these specific items were moved into the Exemptions Sec. 34-34. Please note, all of the designated hours for certain activities to occur were carried over from the existing City code.
- 4) **Comprehensive Exemptions (Sec. 34-34):** Exemptions have been expanded to include items that were previously included in the code as well as other commonly occurring activities which are typically permitted in the City. Please note, all of the designated hours for certain activities to occur were carried over from the existing City code.
- 5) **Specific Method of Measurement Criteria (Sec. 34-35):** Including where and how to properly take the sound level measurements.
- 6) **Practical Enforcement Measures (Sec. 34-37):** Provides for issuance of a "warning" first, then provides for issuance of code citation by code or law enforcement officer, and finally includes criminal enforcement for extreme situations.

This proposed updated Noise Control Ordinance has been updated to be consistent with current industry standards and to create more uniformity with Sarasota County. City staff have discussed the proposed Noise Control Ordinance with Sarasota County, and received positive feedback on the general functionality of their Noise Ordinance which was adopted in 2014. This draft ordinance is presented for discussion and additional revision as directed by City Council.

SUPPORTS STRATEGIC PLAN: Goal Two: Provide Efficient, Responsive Government with High Quality Services

COUNCIL ACTION REQUESTED: Approve Ordinance 2022-36

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Yes	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Document(s) Reviewed for ADA compliance <small>(required if for agenda posting)</small>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	City Attorney Reviewed/Approval
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Risk Management Review
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Finance Department Review/Approval
		Funds Availability (account number): Click or tap here to enter text.

cc: