

DIVISION 2. - NOISE

Sec. 36-429. - Title.

This division shall be known as the "Hillsborough County Noise Control Ordinance."

(Ord. No. 12-12, § 1, 6-27-2012)

Sec. 36-430. - Definitions.

As used in this division, the following terms shall be defined and applied:

Noise disturbance means any sound which:

- (1) Injures or endangers human or animal health or property;
- (2) Is unreasonably loud, raucous, jarring, disturbing or a nuisance to a reasonable person of ordinary sensibility; or
- (3) Disturbs the peace, quiet and comfort of the neighborhood and the vicinity thereof.

Person means any individual, firm, association, partnership, joint venture, or corporation.

Sound means an oscillation or alteration in pressure, stress, particle displacement, particle velocity or other physical parameter, in an elastic medium; or an auditory sensation evoked by the oscillations or alterations described in this definition. The description of sound may include any characteristic of that sound, including duration, intensity and frequency.

(Ord. No. 12-12, § 5, 6-27-2012)

Sec. 36-431. - Purpose.

This division is enacted to protect, promote, and preserve the health, safety, welfare, peace and quiet of the citizens of Hillsborough County through the reduction, control, and prevention of noise disturbance.

(Ord. No. 12-12, § 2, 6-27-2012)

Sec. 36-432. - Findings.

- (a) Noise disturbance degrades the environment of Hillsborough County to a degree that:
 - (1) Is harmful to the health, welfare, and safety of its inhabitants and visitors;
 - (2) Interferes with the comfortable enjoyment of life and property;
 - (3) Interferes with the well being, tranquility, and privacy of the home; or
 - (4) Causes or aggravates health problems.
- (b) Both the effective control and the elimination of noise disturbance are essential to the health and welfare of Hillsborough County's inhabitants and visitors, and to the conduct of the normal pursuits of life, including recreation, work, and communication.
- (c) The use of sound amplification equipment creates noise that may, in a particular manner and at a particular time and place, substantially and unreasonably invade the privacy, peace, and freedom of inhabitants of, and visitors to, Hillsborough County.

- (d) Certain easing of noise restrictions is essential to allow the construction and maintenance of structures, infrastructure, and other elements necessary for the physical and commercial vitality of Hillsborough County.

(Ord. No. 12-12, § 3, 6-27-2012)

Sec. 36-433. - Scope.

This division applies to the control of all sound originating within the jurisdictional limits of unincorporated Hillsborough County.

(Ord. No. 12-12, § 4, 6-27-2012)

Sec. 36-434. - General prohibition.

No person shall make, continue, or knowingly permit to be made or continued any noise disturbance.

(Ord. No. 12-12, § 6, 6-27-2012)

Sec. 36-435. - Exemptions.

Sounds caused by the following are exempt from the prohibitions set out in this division:

- (1) Construction, maintenance or repair of utility infrastructure, bridges, streets, highways or railroads.
- (2) Sirens, whistles, bells or alarms lawfully used by emergency vehicles or emergency providers, or sounds associated with the normal operation of railroads and locomotives.
- (3) Activities conducted on County athletic facilities and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including but not limited to athletic, musical, and entertainment events at public or private schools.
- (4) The lawful discharge of firearms.
- (5) Sounds associated with religious activities, including but not limited to bells and chimes, if not unreasonably loud to a reasonable person of ordinary sensibility.
- (6) Barking of dogs and other sounds made by domesticated animals, if intermittent and not unreasonably loud to a reasonable person of ordinary sensibility.
- (7) Sounds made by animals on lands zoned for agricultural purposes, or by nondomesticated animals.
- (8) Competitive motor vehicle events which have received an Authorization from the Environmental Protection Commission of Hillsborough County (EPC) pursuant to EPC Rule 1-10.05.
- (9) Activities on Florida State Fair Authority property.
- (10) Sounds from motor vehicles which are subject to the Florida Uniform Traffic Control Law, F.S. Ch. 316.
- (11) Sounds regulated under Chapter 1-10 of the Rules of the Environmental Protection Commission of Hillsborough County emanating from phosphate mining operations.
- (12) Construction activity for which the County has issued all applicable permits, or which is exempt from County permits, provided such activity occurs between 6:00 a.m. and 8:30 p.m.
- (13) Sounds emanating from agricultural land which are exempt from local government regulation pursuant to F.S. § 823.14.

(Ord. No. 12-12, § 7, 6-27-2012)

Sec. 36-436. - Penalties.

- (a) Pursuant to F.S. § 125.69, a person who violates any provision of this division shall be subject to prosecution in the name of the state in the same manner as misdemeanors are prosecuted and, upon conviction, such person shall be punished by a fine not to exceed \$500.00 or by imprisonment in the County Jail not to exceed 60 days, or by both such fine and imprisonment.
- (b) Each occurrence of a violation, or, in the case of continuous violations, each day a violation occurs or continues, constitutes a separate offense and may be punished separately.

(Ord. No. 12-12, § 8, 6-27-2012)

Sec. 36-437. - Non-conflicting construction.

The provisions of this division shall be liberally construed such that its purpose is effectively rendered in the interest of the health, safety and welfare of the citizens and residents of Hillsborough County. Likewise, said provisions shall be interpreted so as to not conflict with, but be supplemental to, any prohibitions or requirements delineated pursuant to law, rule, or regulation of the Environmental Protection Commission of Hillsborough County or other governmental agency charged with jurisdiction relative to prohibited noises.

(Ord. No. 12-12, § 9, 6-27-2012)

Sec. 36-438. - Severability.

It is the intent of this Board of County Commissioners that should any provision of this division be declared unconstitutional or invalid, the remainder hereof shall not be affected thereby.

(Ord. No. 12-12, § 11, 6-27-2012)

Secs. 36-439—36-453. - Reserved.