



City of North Miami Beach, Florida

Date: January 20, 2026

To: Mayor and City Commission

Via: Andrew Plotkin, Interim City Manager

From: Tarik Rahmani, CFO & Interim Deputy City Manager

Subject: First Reading – Update to Noise Ordinance Addressing Residential Landscaping Equipment and Outdoor Amplified Sound

Purpose of the Ordinance Update

The purpose of this ordinance update is to provide clearer, more practical standards for noise that most often affects residential neighborhoods. The focus is not on expanding enforcement authority, but on clarifying expectations for residents, contractors, and event organizers so that noise issues can be addressed consistently and fairly.

Existing Ordinance and Identified Issues

The City's current noise ordinance was last substantially updated in 2017. It generally prohibits loud, excessive, or unusual noise and includes provisions addressing construction activity and other specific sources. However, the ordinance does not clearly regulate outdoor landscaping equipment used at residences, nor does it establish defined quiet hours for that activity.

As a result, early-morning and late-night use of lawn mowers, leaf blowers, and similar equipment has generated recurring complaints. While some of these situations can be addressed under the general noise provisions, the absence of a specific standard has made enforcement inconsistent and difficult to explain to residents.

In addition, the existing ordinance does not directly address how outdoor amplified sound at permitted events should be evaluated when distance and site layout reduce impacts on nearby homes. This has led to questions about when sound is noticeable but not disruptive, and when it crosses into a residential impact.

Summary of Proposed Ordinance Changes

The proposed ordinance amends Chapter IX, Section 9-4 of the City Code in two focused areas.

First, it establishes defined quiet hours for outdoor landscaping equipment used at residences. Under the ordinance, such equipment may not be operated outdoors between 8:00 p.m. and 8:00 a.m. if the noise is plainly audible within another residential dwelling unit or can be heard at a distance of one hundred (100) feet from the property where the equipment is being used. The ordinance includes clear definitions and allows limited exceptions for emergency work necessary to address immediate threats to life, health, safety, or property.

Second, the ordinance adds a new subsection addressing outdoor amplified sound associated with permitted events. This provision evaluates impact rather than volume alone. Amplified sound at an outdoor event is not allowed if it is plainly audible within a residential dwelling unit or can be heard at a distance of one hundred (100) feet or more from the source of the sound, unless the event permit specifically authorizes it. For this purpose, distance is measured from the source of the amplified sound to the nearest residential dwelling unit.

The ordinance also clarifies how existing penalty provisions apply and expressly exempts municipal operations carried out by or on behalf of the City, including park and athletic field maintenance, recreation facilities, special events, and City contractors performing official municipal work, to ensure essential City services are not restricted.

Basis for Distance-Based Standards

Florida municipalities commonly use a “plainly audible” standard tied to distance as an objective way to evaluate noise impacts without requiring specialized sound-measuring equipment. This approach focuses on the effect of sound on surrounding properties rather than subjective volume levels.

For reference, Exhibit B includes an example from the City of Sunny Isles Beach, which amended its noise ordinance to provide that amplified sound plainly audible at a distance of one hundred (100) feet constitutes prima facie evidence of a violation. This example is provided for context only and is not proposed for adoption by the City.

The proposed ordinance uses this enforcement concept in a limited and careful way. It does not introduce new penalties, does not require decibel meters, and does not prohibit permitted events. Instead, it provides a clear, consistent reference point that can be applied and explained in a straightforward manner.

Process and Next Steps

If approved on first reading, the ordinance will be advertised and returned to the City Commission for second reading in accordance with applicable legal requirements. Prior to second reading, staff will continue to coordinate with the City Attorney’s Office to ensure the ordinance is clear, enforceable, and aligned with existing City procedures.

Attachments

Exhibit A – Ordinance No. 2025-XX (Noise Ordinance Amendment – First Reading).

Exhibit B – Example of Florida Municipal Noise Ordinance Using a Distance-Based “Plainly Audible” Standard (City of Sunny Isles Beach).