

Noise Ordinance: Recommended Changes

City of Marco Island

10/18/2021



Recap of Noise Ordinance 20-05

Objective: *To create a fair, reasonable, constitutional, and enforceable ordinance for the City of Marco Island*

Policy decisions voted on last October 2020

- Time of day
- How far away (distance from source)
- Decibels vs. non-decibels (how loud is too loud)
- Enforcement / Penalties

Clarifications

- Noise is measured 2 ways: Decibel Standard and Plainly Audible
 - Decibel levels exist at all times of the day: 7am-8pm (66 dBa) 8pm-7am (60 dBa)
 - Standards were reached based on studies from similar communities (9/21/20 & 10/5/20)
 - Plainly Audible part only exists from 8pm-7am (more strict / subjective)
 - During a sampling of properties 50-120 ft apart, plainly audible conversations (measured from lanai to lanai) registered 44-56 dBa, below the 60 dBa standard for decibel meters.
- Noise is measured on the receiving property and their standards (residential v commercial)
- No warning is given from 11pm-7am (automatic fine)
- Fines can be assessed to both the renter and the property owner
 - **Separate report for collection / interest**

Current Standards of Ordinance

1. Plainly Audible standard:

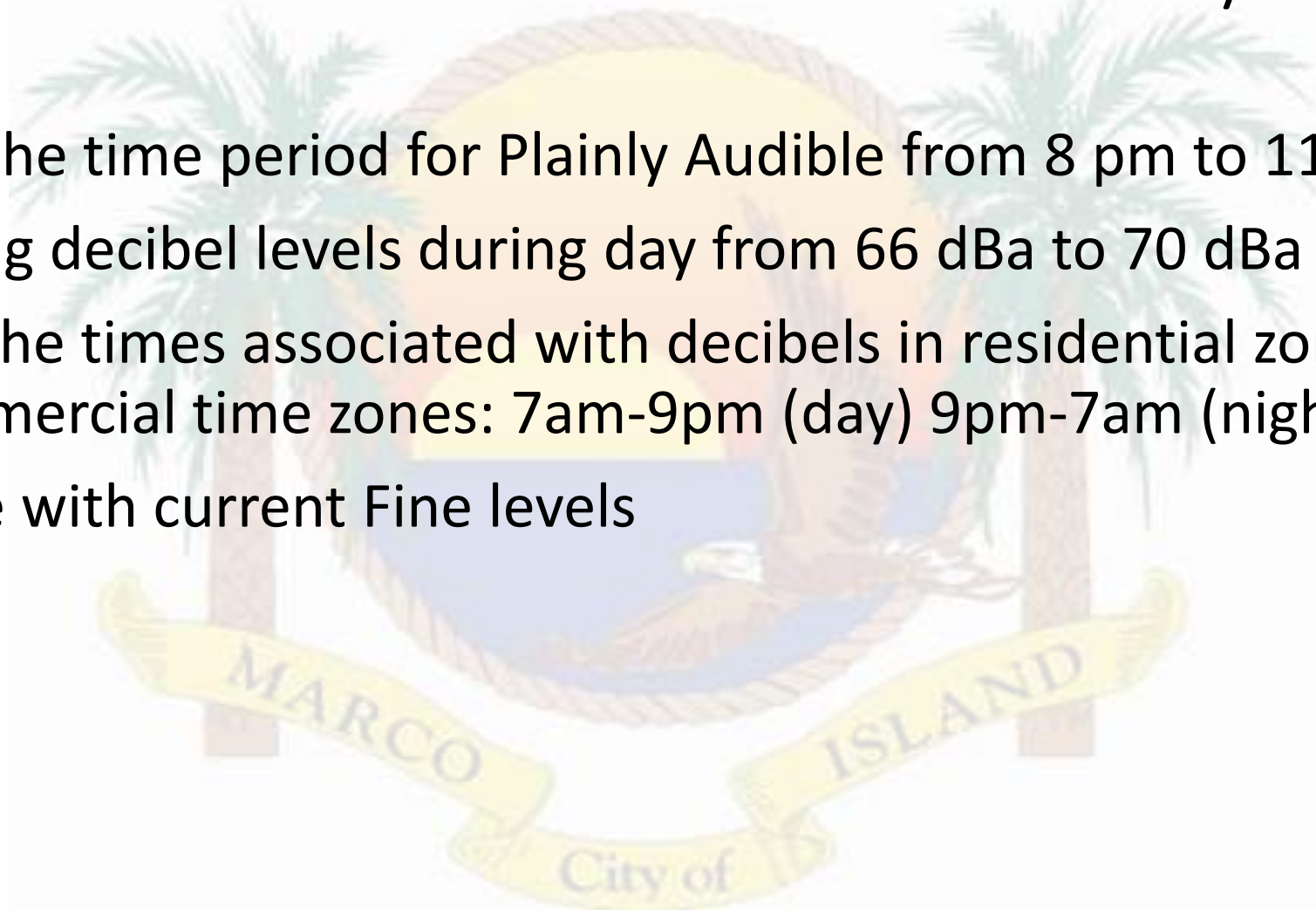
- Between the hours of 8pm and 7am
- 50 feet from the property line of the source of the sound **OR** within a fully enclosed structure or residence on any receiving property.
- Set to strengthen the ordinance, sound that does not meet decibel but problematic.

2. Decibel levels:

| Receiving Land Use Category | Time | Sound Pressure Level Limit (dBA) |
|---|---------------------|----------------------------------|
| Residential zone, public space, or institutional zone | 7:00 a.m.—8:00 p.m. | 66 |
| | 8:00 p.m.—7:00 a.m. | 60 |
| Commercial zone | 7:00 a.m.—9:00 p.m. | 72 |
| | 9:00 p.m.—7:00 a.m. | 65 |

Recommendations Presented 8/16/21

- Moving the time period for Plainly Audible from 8 pm to 11 pm
- Increasing decibel levels during day from 66 dBa to 70 dBa in residential
- Change the times associated with decibels in residential zones to match the commercial time zones: 7am-9pm (day) 9pm-7am (night)
- Continue with current Fine levels



New Recommendations

Based on Input Received 8/16/2021

- Moving the time period for Plainly Audible from 8 pm to 10 pm (11pm); still less standard than the decibel but at a time that is reasonable.
- Increasing decibel levels during day from 66 to 68 in residential (70)
- Change the times associated with decibels in residential zones to match the commercial time zones: 7am-9pm (day) 9pm-7am (night) “Marco Midnight”
- Continue with current Fine levels

What the ordinance does not address

- Collection of fines – separate report
- The difference between a rental property and residence
- Permitting, registration, or licensing of rental properties

