MEMORANDUM

Agenda Item No. 4(J)

TO:	Honorable Chairman Anthony Rodriguez and Members, Board of County Commissioners	**DATE:**	October 20, 2026
FROM:	Geri Bonzon-Keenan County Attorney	**SUBJECT:**	Ordinance relating to noise regulation; amending section 21-28 of the Code; modifying and clarifying the applicability and enforcement of noise regulations in the incorporated and unincorporated areas; providing regulations relating to use of amplified speakers, megaphones, and other devices to amplify sound for tours provided on or from vessels; directing the County Mayor to enforce such regulations

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Vicki L. Lopez.

Geri Bonzon-Keenan
County Attorney

GBK/gh

MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: October 20, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 4(J)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
✓	
_____	**6 weeks required between first reading and public hearing**
✓	
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Statement of social equity required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
_____	**No committee review**
_____	**Requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 votes (majority of membership) ____, CDMP 2/3 members present but not less than 7 votes (majority of membership) ____, CDMP 9 votes (2/3 membership) _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(J)
10-20-26

ORDINANCE NO. _____

ORDINANCE RELATING TO NOISE REGULATION; AMENDING SECTION 21-28 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; MODIFYING AND CLARIFYING THE APPLICABILITY AND ENFORCEMENT OF NOISE REGULATIONS IN THE INCORPORATED AND UNINCORPORATED AREAS; PROVIDING REGULATIONS RELATING TO USE OF AMPLIFIED SPEAKERS, MEGAPHONES, AND OTHER DEVICES TO AMPLIFY SOUND FOR TOURS PROVIDED ON OR FROM VESSELS; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ENFORCE SUCH REGULATIONS; PROVIDING SEVERABILITY, INCLUSION IN AND EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the noise regulations codified in section 21-28 of the Code of Miami-Dade County, Florida, are designed "to protect the health and quality of life of Miami-Dade County's residents and visitors through the regulation of unreasonably loud, excessive, unnecessary, or unusual noise" in both the incorporated and unincorporated areas; and

WHEREAS, in the unincorporated areas, the noise regulations are enforced by the County, and in the incorporated areas, they are enforced by municipalities; and

WHEREAS, the regulations further provide that municipalities may adopt their own noise regulations, but that the County may continue to enforce the County's noise regulations within a municipality that has not adopted its own noise regulations; and

WHEREAS, noise does not respect jurisdictional boundaries and may travel and cause negative impacts across municipal boundary lines, whether those lines fall on land or water; and

WHEREAS, it may also be more challenging for enforcement officers to track jurisdictional boundaries when conducting code enforcement on Biscayne Bay and other County

waters than it is to track such boundaries on land, where roads and other geographic land features and signage may provide helpful jurisdictional demarcations; and

WHEREAS, as the population of Miami-Dade County grows, development becomes denser, and tourism even more prominent, noise presents an ever-growing challenge and impediment to the quality of life in Miami-Dade County; and

WHEREAS, this Board therefore wishes to expand and clarify the applicability and enforcement of County noise regulations within municipalities, while still providing municipalities the opportunity to craft their own noise regulations and elect to manage their own noise enforcement; and

WHEREAS, boating, whether for recreational or commercial purposes, is an integral component of Miami-Dade County's culture, economy, and daily life; and

WHEREAS, many individuals in Miami-Dade County either reside or spend quality time on or near the water in Miami-Dade County; and

WHEREAS, while tourism is likewise a crucial aspect of the County economy, tourism should not create undue negative impacts on the quality of life for residents and visitors; and

WHEREAS, an increase in visitors to Miami-Dade County has led to an increase in the number of tours being conducted on or from vessels operating on County waters; and

WHEREAS, the use of amplified speakers, megaphones, and other sound-amplifying devices for such tours can cause negative impacts for residents and visitors who wish to enjoy County waters, whether on their own vessels or landside; and

WHEREAS, this Board therefore wishes to prohibit the use of amplified speakers, megaphones, and any other devices to amplify sound for paid tours being conducted on or from

vessels, while still allowing flexibility for tours to be conducted from vessels in other ways that do not disturb the quiet enjoyment of residents and visitors,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The foregoing recitals are approved and incorporated herein.

Section 2. Section 21-28 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Sec. 21-28. - Noises; unnecessary and excessive prohibited.

(1) *Intent, applicability, and enforcement.*

* * *

(b) This section shall apply to both the incorporated and unincorporated areas. In the unincorporated area, this section shall be enforced by the County, and in the incorporated areas, this section shall be enforced by >>both<< the municipalities >>and the County, unless a municipality has both (i) adopted its own regulations as provided in paragraph (c) below and (ii) submitted to the Miami-Dade County Clerk of the Board written notice from the municipality's governing body, in the form of a resolution or ordinance, that the municipality does not want the County to enforce within all or certain of the municipality's boundaries<<. It is provided[[~~, however,~~]] >>further<< that this shall not be construed to limit the County's authority to enforce this section within a municipality that has not adopted its own regulations as provided in paragraph (c) below.

(c) Each municipality may establish and enforce its own noise regulations, whether more or less stringent than

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

the provisions of this section. A municipality that adopts or has previously adopted its own noise regulations shall file the applicable legislation with the Miami-Dade County Clerk of the Board, but the enforceability of such municipal regulation shall not be contingent on such filing.

>>(d) Any law enforcement officer with jurisdiction may also enforce this section.<<

(2) *Prohibition*. It shall be unlawful for any person to make, continue, or cause to be made or continued any unreasonably loud, excessive, unnecessary, or unusual noise.

* * *

(4) *Acts declared to be violations.* The following acts are declared to be unreasonably loud, excessive, unnecessary, or unusual noises in violation of this section, but this enumeration shall not be deemed to be exclusive. It is further provided that all acts enumerated and prohibited herein shall be independent of each other, and the violation of any one of the following paragraphs herein shall be a separate violation of this section:

* * *

(b) *Radios, televisions, phonographs, etc.* The using, operating, or permitting to be played, used or operated any radio receiving set, television set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in or on the room, vehicle, vessel, floating structure, or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such manner as to be plainly audible at a distance of 100 feet or more from the building, structure, or vehicle in or on which it is located, or 25 feet or more from the vessel or floating structure in or on which it

is located shall be prima facie evidence of a violation of this section. >>In addition, it shall be prohibited for any person providing a tour on or from a vessel for consideration, whether from tour patrons or otherwise, to use an amplified speaker, a megaphone, or any other device to amplify sound for purposes of the tour, but it shall be permissible for any such person to use a microphone or similar device for the sole purpose of broadcasting sound for purposes of the tour into personal audio headset devices or similar devices worn by tour patrons, provided that such use does not violate any other restriction set forth in this section.<<

* * *

Section 3. The County Mayor or County Mayor's designee is further directed to enforce section 21-28 of the Code of Miami-Dade County, Florida, using code inspectors from such departments as the County Mayor or County Mayor's designee deems appropriate for the type of noise violation. The Board may make future amendments to this section 3 by resolution or motion.

Section 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 5. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision but excluding section 3, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 6. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency: GBL

Prepared by: CJW

Christopher J. Wahl
Cristina M. Rabionet

Prime Sponsor: Commissioner Vicki L. Lopez