

MEMORANDUM

Agenda Item No. 11(A)(8)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: March 15, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution supporting a plan for
peace and tranquility in
residential neighborhoods;
directing the County Mayor to
develop a plan for reducing
excessive noise in residential
neighborhoods and ensuring that
regulations pertaining to events
and noise are enforced, and
requiring a report

Resolution No. R-274-22

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.



Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: March 15, 2022

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County Attorney

SUBJECT: Agenda Item No. 11(A)(8)

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
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ 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. 11(A)(8)
3-15-22

RESOLUTION NO. R-274-22

RESOLUTION SUPPORTING A PLAN FOR PEACE AND
TRANQUILITY IN RESIDENTIAL NEIGHBORHOODS;
DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S
DESIGNEE TO DEVELOP A PLAN FOR REDUCING
EXCESSIVE NOISE IN RESIDENTIAL NEIGHBORHOODS
AND ENSURING THAT REGULATIONS PERTAINING TO
EVENTS AND NOISE ARE ENFORCED, AND REQUIRING A
REPORT

WHEREAS, unreasonably loud, excessive, unnecessary, or unusual noises can harm human health and welfare and negatively impact the premium quality of life that residents and visitors of Miami-Dade County enjoy; and

WHEREAS, excessive noise has been implicated in a variety of health problems, including, but not limited to, permanent hearing loss; and

WHEREAS, according to the United States Centers for Disease Control and Prevention (CDC), exposure for even a few minutes to extreme loud sounds can lead to hearing loss; and

WHEREAS, loud noise can also be dangerous at lower levels over longer periods of time, as listening to loud sounds for a long time can likewise contribute to hearing loss; and

WHEREAS, according to the CDC, exposure to dangerous sound levels can also contribute to stress, anxiety, and fatigue; and

WHEREAS, excessive noise also can interfere with residents' quiet enjoyment of their properties; and

WHEREAS, the National Institute for Occupational Safety and Health (NIOSH), a federal agency under the umbrella of the CDC, has issued recommendations for noise limits, based on time exposure and decibel level, and according to NIOSH, these recommendations are designed to prevent hearing loss; and

WHEREAS, major contributors to excessive noise in Miami-Dade County include, but are not limited to, events, motor vehicles, loudspeakers, whistles, animals, power tools and landscaping equipment, and unreasonable shouting; and

WHEREAS, the County has existing regulations on excessive noise in section 21-28 of the Code of Miami-Dade County; and

WHEREAS, the County also imposes permit requirements on activities such as construction work and short-term events; and

WHEREAS, nevertheless, excessive noise remains an issue within the County; and

WHEREAS, inadequately controlled loud noise presents a hazard to the health and welfare of the County's population; and

WHEREAS, this Board desires to promote an environment for all residents of the County free from excessive noise that may jeopardize their health or welfare or may infringe on the quiet enjoyment of their homes; and

WHEREAS, this Board desires to support a plan that preserves the peace and tranquility of residential neighborhoods,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Supports a plan for peace and tranquility in the residential neighborhoods of Miami-Dade County.

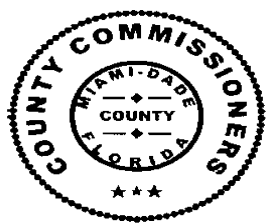
Section 2. Directs the County Mayor or County Mayor’s designee to develop a plan for reducing excessive noise in residential neighborhoods and ensuring that regulations and requirements pertaining to events and noise are being enforced.

Section 3. Directs the County Mayor or County Mayor’s designee to provide a report or recommendation regarding the directive in section 2 to this Board within 60 days of the effective date of this resolution and to place the completed report on an agenda of this Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. It was offered by Commissioner **Sen. Javier D. Souto** , who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

	Jose “Pepe” Diaz, Chairman	aye	
	Oliver G. Gilbert, III, Vice-Chairman	aye	
Sen. René García	aye	Keon Hardemon	nay
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of March, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to be "RC", written over a horizontal line.

Ryan Carlin
Anita Viciano Zapata