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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Amended
Agenda Item No. 7(B)

(Second Reading 5-5-26)

TO:	Honorable Chairman Anthony Rodriguez and Members, Board of County Commissioners	**DATE:**	February 18, 2026
FROM:	Geri Bonzon-Keenan County Attorney	**SUBJECT:**	Ordinance relating to noise regulation; amending section 21-28 of the Code; modifying the circumstances that establish a prima facie violation of the noise regulations governing radios, televisions, and similar devices

Ordinance No. 26-25

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Micky Steinberg, and Co-Sponsors Senator René García and Commissioner Vicki L. Lopez.

For
Geri Bonzon-Keenan
County Attorney

GBK/smm

Memorandum

MIAMI-DADE COUNTY

Date: May 5, 2026

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

From: Daniella Levine Cava
Mayor

Subject: Fiscal Impact and Social Equity Statements for Ordinance Relating to Noise Regulation

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The proposed ordinance modifies the application of the County's noise ordinance by maintaining the existing 100-foot standard for sound emanating from buildings and structures, while reducing the standard to 25 feet for sound originating from vehicles, vessels, and floating structures, consistent with state law.

Fiscal Impact Statement

It is not anticipated that this ordinance will have a fiscal impact to the County. Enforcement of the ordinance will continue to be carried out by existing entities, including law enforcement and marine patrol units, using current personnel and operational resources. The amendment primarily clarifies enforcement standards and aligns certain provisions with state law, and therefore does not require additional staffing, equipment, or administrative infrastructure.

To the extent that the revised standard may facilitate enforcement of noise violations associated with vehicles and vessels, the County could experience a minor increase in citation activity and associated revenues; however, such revenue cannot be estimated at this time. Any administrative costs related to enforcement and citation processing are expected to be absorbed within existing budgets.

Social Equity Statement

The proposed ordinance could provide a social equity benefit to the residents of Miami-Dade County. The ordinance applies uniformly to all individuals operating vehicles, vessels, or floating structures within the County, and is not expected to disproportionately impact any particular population group. Overall, the measure supports equitable access to quiet enjoyment of residential areas and public spaces while maintaining reasonable allowances for recreational activities.

Carladenise Edwards
Chief Administrative Officer

MEMORANDUM
(Revised)

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

DATE: May 5, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Amended Agenda Item No. 7(B)

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 _____

Amended
Agenda Item No. 7(B)
5-5-26

ORDINANCE NO. **26-25**

ORDINANCE RELATING TO NOISE REGULATION; AMENDING SECTION 21-28 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; MODIFYING THE CIRCUMSTANCES THAT ESTABLISH A PRIMA FACIE VIOLATION OF THE NOISE REGULATIONS GOVERNING RADIOS, TELEVISIONS, AND SIMILAR DEVICES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, residents and visitors enjoy playing music and other audio while spending time outdoors, whether in their car, their boat, or their backyard; and

WHEREAS, while music and other audio enliven cultural life in the County, the County must ensure that such noise does not become a nuisance undermining public health and welfare, such as by disrupting sleep, creating traffic hazards on roadways and waterways, and otherwise interfering with the peaceful enjoyment of private property and public spaces; and

WHEREAS, for example, over the past several years there has been an increasing number of boaters on County waters who are playing music from their boats at unreasonably high volumes in close proximity to residences; and

WHEREAS, section 21-28 of the Code of Miami-Dade County, Florida (the "Code") generally prohibits "unreasonably loud, excessive, unnecessary, or unusual noise"; and

WHEREAS, section 21-28 also sets forth a non-exhaustive list of specific acts that are declared to be unreasonably loud, excessive, unnecessary, or unusual noises and that thus violate section 21-28; and

WHEREAS, those prohibited acts include, among others, "[t]he 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"; and

WHEREAS, that prohibition further provides that "[t]he 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 one hundred (100) feet from the building, structure, vessel, floating structure, or vehicle in or on which it is located shall be prima facie evidence of a violation of this section"; and

WHEREAS, under a similar provision of state law, section 316.3045, Florida Statutes, it is a noncriminal infraction for a person operating or occupying a motor vehicle on a street or highway to operate or amplify the sound produced by a radio, stereo, or other sound-making device or instrument, which sound emanates from the motor vehicle, so that the sound is plainly audible at a distance of 25 feet or more from the motor vehicle; and

WHEREAS, vessels and floating structures may pass through publicly accessible areas, and such transience and mobility create the potential for sound emanating from vessels or floating structures not only to adversely impact more persons and properties than sound emanating from buildings and non-floating structures, but also to cause such spatially broader impacts in unanticipated ways; and

WHEREAS, to promote public health and welfare, this Board wishes to reduce the Code's 100-foot standard to 25 feet as it relates to vessels and floating structures; and

WHEREAS, this Board also wishes to make certain clarifying changes,

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.

* * *

(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:

* * *

[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.

(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 [[~~one hundred (100)~~]] >>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[[~~, or vehicle~~]] in or on which it is located shall be prima facie evidence of a violation of this section.

* * *

Section 3. 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 4. 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, 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 5. 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: May 5, 2026

Approved by County Attorney as to form and legal sufficiency: JMM FAR

Prepared by: CJW

Christopher J. Wahl

Prime Sponsor: Commissioner Micky Steinberg
Co-Sponsors: Senator René García
Commissioner Vicki L. Lopez