

ARTICLE III. - NOISE ^[72]

⁽⁷²⁾ **Editor's note**— Ord. No. 2006-37, §§ 6—8, adopted Feb. 9, 2006, repealed §§ 14-151—14-153. Section 9 of said ordinance enacted provisions designated as a new § 14-151 to read as herein set out. See also the Code Comparative Table.

[Sec. 14-151. - Excessive noise prohibited.](#)
[Secs. 14-152—14-175. - Reserved.](#)

Sec. 14-151. - Excessive noise prohibited.

(a) *Prohibition of excessive noise.* It shall be unlawful for any person(s), to permit, cause, allow, amplify, create, emit, or sustain excessive noise on any property, including air space thereof, located in the City of Tampa. Excessive noise shall be that noise which exceeds the limitations set forth in this section.

(b) *Noise limitations.* The maximum dBA and dBC sound levels permitted on any property within the City of Tampa, shall be as follows:

(1) In the Central Business District, the Ybor City Historic District and the Channel District as each is delineated in Chapter 27, City of Tampa Code, the average measurement taken between ten (10) and twenty (20) seconds shall be no greater than the maximum levels set out below. The measurement shall be taken from the property line, or individual lease boundary in the case of property which has been subdivided by the execution of individual leases, of the noise generating property:

- a. Eighty-five (85) dBA or eight-seven (87) dBC between the hours of 6:00 p.m. and 3:00 a.m.
- b. Sixty-five (65) dBA or seventy-five (75) dBC between the hours of 3:00 a.m. and 6:00 p.m.

(2) In all areas of the City of Tampa other than those areas listed in subsection (b)(1) above, the average measurement taken between (10) and twenty (20) seconds shall be no greater than the maximum levels set out below. The measurement shall be taken from a receiving property at the property line closest to the noise generating property:

- a. Sixty (60) dBA or sixty-five (65) dBC between the hours of 7:00 a.m. and 10:00 p.m.
- b. Fifty-five (55) dBA or sixty-five (65) dBC between the hours of 10:00 p.m. and 7:00 a.m.

(3) Unless otherwise exempted under subsection (c) hereof, all persons or businesses who own or operate devices, equipment or machinery which generate noise levels in excess of the maximum dBA or dBC levels listed in subsection (b)(2)b above, shall turn off such devices, equipment, or machinery by 10:00 p.m., or at the conclusion of operating hours for the business if

CODE OF ORDINANCES
Chapter 14 - OFFENSES
ARTICLE III. - NOISE

such operating hours conclude prior to 10:00 p.m., unless such persons or business can demonstrate that such devices, equipment, or machinery must remain in operation beyond the operating hours of the business in order to avoid personal injury to persons or physical damage to property.

(4) Other agencies with jurisdiction over noise in the City of Tampa shall have concurrent jurisdiction and any applicable rules and regulations established by such agencies shall remain in full force and effect. In the event of a conflict between this section and regulations of any other agency, the stricter regulation shall apply. The City of Tampa shall enforce this section in a cooperative effort with such agencies.

(5) The noise limitation standards for industrial, manufacturing and processing operations are contained in section 27-136, City of Tampa Code.

(6) The noise limitation standards for construction are contained in section 5-301.2, City of Tampa Code.

(7) The noise limitation standards for material recovery facilities are contained in section 27-272, City of Tampa Code.

(c) *Exemptions.* The provisions of this section shall not apply to:

(1) The use of amplified sound on school or church grounds during school or church sponsored activities;

(2) Common carrier stations, including, but not limited to, bus stations, transit malls, train stations, ship wharves and docks and airports;

(3) The operation of buses, trains, ships, airplanes, helicopters and trucks in good repair;

(4) Activities in the fields, grounds or facilities of any sporting arena, stadium, or sports complex to which the public or community has access;

(5) Road festivals, parades, fireworks displays and special events for which an appropriate permit has been obtained from the City of Tampa in compliance with any conditions imposed by that permit and within the permitted area and any privately owned property located contiguous with any public right of way that is closed pursuant to a parade, road festival, or special event permit;

(6) Theme parks and amusement attractions as defined by Florida Statutes, water parks, zoos and aquariums and their related amenities and service areas;

(7) The reasonable playing of unamplified musical instruments;

(8) Noise which results from the reasonable use, recreational enjoyment or maintenance of residential property located in the City of Tampa including, but not limited to, noise made by children, lawn mowers, chippers, clippers, blowers, tools, power tools and tractors;

(9) Noise which results from the reasonable maintenance of commercial and governmental property including, but not limited to, lawn mowers, chippers, clippers, blowers, tools, power tools and tractors;

CODE OF ORDINANCES
Chapter 14 - OFFENSES
ARTICLE III. - NOISE

- (10) Reasonable noise made at the direction of a governmental entity or utility;
- (11) Church bells and chimes;
- (12) Reasonable noise made at events associated with public or private schools or religious institutions, such as fairs, festivals, cultural events, carnivals, recreational activities, etc.;
- (13) The reasonable use of the unamplified human voice;
- (14) The emission of sound for the purpose of alerting the public of an emergency or the performance of emergency work;
- (15) Reasonable intermittent or occasional excessive noise that is infrequent;
- (16) The reasonable and intermittent barking of dogs and sounds made by other animals as governed by sections 19-47 and 19-77, City of Tampa Code;
- (17) The sounds made by children and adults on school and athletic grounds during school curricular and extra-curricular activities; and
- (18) Festivals or events occurring on public parks which are permitted or approved by the parks and recreation department of the city.

(d) *Prohibition against speakers in rights-of-way and air space.* It shall be unlawful for any person to place, locate or permit the placement of speakers or sound systems within public rights-of-way, including the air space above such public rights-of-way.

(e) (1) *Enforcement.* Whenever a law enforcement officer observes a violation of this section, the officer shall issue a warning in writing to the individual, or individuals, responsible for the violation. The warning shall state the dBA and/or dBC readings obtained by the officer during measurement, and the maximum dBA and dBC levels established by this section. The warning shall also inform the individual, or individuals, that the generated sound level on the property must be reduced within five (5) minutes. Thereafter, each remeasurement which exceeds the maximum permissible sound levels established by this section shall constitute a separate violation.

(2) *Prosecution and penalties.* Any violation of this section by an individual, who has received a written warning within the past twelve (12) months of the violation, shall be prosecuted and punished in accordance with section 1-6, City of Tampa Code.

(3) Upon the issuance of a notice to appear in court, or arrest, pursuant to subsection (e)(2) above, the city shall provide a letter, to the property owner of the premises where the violation occurred, by certified mail, return receipt requested. The letter shall inform the property owner of the violation which occurred on their property, and inform the property owner that, if the property where the violation occurred is zoned for the sale of alcoholic beverages, a conviction on this, or subsequent violations, could result in the setting of a public hearing before city council for the purpose of determining whether the property should be reverted to a dry status pursuant to section 3-100.

(Ord. No. 89-238, § 2(24-101), 9-28-89; Ord. No. 90-88, § 1, 3-22-90; Ord. No. 2006-37, § 9, 2-9-06)

CODE OF ORDINANCES
Chapter 14 - OFFENSES
ARTICLE III. - NOISE

Secs. 14-152—14-175. - Reserved.

⁽⁷²⁾ **Cross reference—** Loud noise generated by construction activity near residentially zoned property, § 5-467; watercraft unnecessarily using horns, whistles, bells or blowing steam whistles, §§ 14-210, 14-211; hours of dredging operations, § 14-219; offensive conditions declared public nuisance, § 19-47. (Back)