

ORDINANCE NO. 02-14

**AMENDMENT OF TITLE 11, CHAPTER 4, OF THE CITY OF SPRING HILL
MUNICIPAL CODE**

WHEREAS, it has increasingly become a problem in the City of Spring Hill that nuisances arising from noise abuse by area business and residences, and

WHEREAS, the Board of Mayor and Aldermen desires to amend the Municipal Code so as to amend Title 11, Chapter 4.

NOW THEREFORE, in consideration of the premises be it hereby ordained by the Board of Mayor and Aldermen that Title 11, Chapter 4, of the Spring Hill Municipal Code shall be amended to add the foregoing as a new Section 11-402 (l) (m) as follows:

11-402 (l) (m). Operations.

At no point on or beyond the boundary of any lot which abuts a lot in the same direction, shall the sound pressure level resulting from any use or activity, whether open or enclosed, (except noise not directly under control of the property user, noises resulting from the construction and maintenance of buildings and facilities including site preparation and the noises of safety signals, warning devices, and railroads) exceed the maximum permitted decibel levels for the designated octave band as set forth in the table below:

| Octave Band, Frequency in Cycles Per Second | Sound Pressure Level In Decibels |
|--|-------------------------------------|
| 0-74 | 85 |
| 75-149 | 80 |
| 150-299 | 70 |
| 300-599 | 65 |
| 600-1,199 | 56 |
| 1,200-2,399 | 50 |
| 2,400-4,799 | 48 |
| 4,800-and over | 45 |

Where any property zoned M-1, M-2, or M-3 or any property being used for industrial purposes which adjoins a district permitting residences the maximum permitted decibel levels at any point on or beyond the district boundary shall be reduced by six decibels from the maximum permitted level in the table set forth hereinabove.

Where in the opinion of the Chief of Police or his designee, there is a probable violation of any provision of this section; he is empowered to have a qualified technician perform such investigations, measurements, and analysis as may be necessary to determine whether or not there is in fact a violation of this ordinance. Upon confirmation of a

violation, the offending industry or activity shall bear the cost incurred by the City in retaining the qualified technician. This cost shall be imposed in addition to any other fine or penalty provided for the violation of this or any other ordinance.

In all other respects, Section 11-402 *et seq.* remain unchanged.

BE IT FURTHER ENACTED that all ordinances in conflict herewith be, and the same hereby, are repealed or modified as the case may be.

BE IT FURTHER ENACTED that this ordinance shall take effect from and after its passage the public welfare demanding it.

Enacted this 15th day of July, 2002.



MAYOR

ATTEST:



CITY RECORDER

APPROVED AS TO FORM:



CITY ATTORNEY

JUNE 17, 2002
PASSED FIRST READING

JULY 15, 2002
PASSED SECOND READING