

Sponsor: Chief Holt

ORDINANCE NO. _____

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, ALABAMA, that Chapter 15 of the Code of Florence, Alabama, is hereby amended to read as follows:

Chapter 15 NOISE

ARTICLE I. IN GENERAL

Sec. 15-1. Purpose.

This chapter is enacted to protect, preserve, and promote the health, safety, welfare, peace and quiet for the citizens of the City of Florence through the reduction, control, and prevention of noise. It is the intent of this article to establish standards that will eliminate and reduce unnecessary and excessive motor vehicle and community noise, which are physically harmful and otherwise detrimental to individuals in the community in the enjoyment of life, property, and conduct of business. Nothing in this article is intended to deter individuals from lawfully exercising the individual right of freedom of speech or any other freedom guaranteed under the Constitutions of the United States of America or of the State of Alabama.

Sec. 15-2. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ambient sound level shall mean the A-weighted sound level of all sound associated with a given environment, exceeded ninety (90) percent of the time (L90) measured and being a composite of sounds from many sources during the period of observance while the sound from the noise source of interest is not present.

A-weighted sound pressure level shall mean the sound pressure level as measured with a sound level meter using the A-weighting network. The standard notation is dBA. Commercial or business property category shall mean such property as is zoned B-1, B-1H, B-2, B-3, R-B, 1-1, 1-2, H-1, SD, and/or FAR in Appendix C to the Florence Municipal Code.

Daytime hours shall mean (a) the hours of 7:00 a.m. to 9:00 p.m. for residential property; (b) the hours of 7:00 a.m. to 9:00 p.m. Sunday - Thursday for commercial property; and (c) the hours of 7:00 a.m. to 10:00 p.m. Friday and Saturday for commercial property.

Decibel shall mean a logarithmic unit of measure often used in measuring magnitudes of sound. The symbol is dB.

Impulsive sound is a sound having a duration of less than one (1) second with an abrupt onset and rapid decay that is not repetitive.

Nighttime hours shall mean (a) the hours of 9:00 p.m. to 7:00 a.m. for residential property; (b) the hours of 9:00 p.m. to 7:00 a.m. Sunday - Thursday for commercial property; and (c) the hours of 10:00 p.m. to 7:00 a.m. Friday and Saturday for commercial property. Public right-of-way shall mean any public street, road, alley, highway, or other way in the corporate limits of the city dedicated or used for vehicular travel, which includes public parking spaces upon or adjacent thereto.

Real property line is the line, including its vertical extension that separates one (1) parcel of real property from another.

Residential property category shall mean such property as is zoned R-1, R-2, and/or R-3 in Appendix C to the Florence Municipal Code.

Sound shall mean an oscillation in pressure, stress, particle, displacement and particle velocity which includes auditory sensation.

Vehicle shall mean a device in, upon, or by which a person or property is or may be transported or drawn upon a public right-of-way, which includes self-propelled and human-powered vehicles.

Sec. 15-3. Noise sound pressure level measurement instrumentation.

The instrumentation for determining noise sound pressure levels shall be a sound level meter of standard design which measures sound in dB.

Secs. 15-4-15-25. Reserved.

ARTICLE II. SOUND CONTROL

Sec. 15-26. Violation.

(a) Premises. It shall be unlawful for any person to emit or cause to be emitted any noise which leaves the premises on which it originates, crosses a property line, and enters onto any other public or private premises in excess of the sound level pressures during the time periods specified in Table A.

- (i) Sound will be measured while the source under investigation is operating at normal, routine conditions and, as necessary, at other conditions, including, but not limited to, design, maximum and fluctuating rates. All noise measurements shall be made at or within the property line of the impacted site, unless otherwise directed in this article. For the purposes of this article, noise measurements are measurements measured on the A- or C-weighted sound scale, as applicable, of a sound level meter of standard design.
- (ii) Measurements shall be taken by police officers trained in the use of a sound level meter.
- (iii) If a noise is found to be in violation of this article, the noise control officer or other official responsible for enforcement of any provision of this article shall first issue a warning or oral order requiring abatement of any source of sound or vibration alleged to be in violation of this article and allow reasonable time to comply.
- (iv) If the abatement order is not complied with as soon as practicable, the officer may issue the appropriate citation for violating this article.

TABLE A

Source premises	dbA allowance receiving property within the City of Florence
Residential	70—80 during the daytime hours 50—60 during the nighttime
Commercial	80—90 during the daytime hours 60—70 during the nighttime

(b) Vehicle. It shall be unlawful for any person to emit or cause to be emitted any noise which leaves a vehicle on a public right-of-way and enters onto any other public or private area in excess of the sound level pressure of 60 dbA.

- (i) Sound will be measured from a spot no closer than six feet from the vehicle. For the purposes of this article, noise measurements are measurements

measured on the A- or C-weighted sound scale, as applicable, of a sound level meter of standard design.

- (ii) Measurements shall be taken by police officers trained in the use of a sound level meter.
- (iii) If a noise is found to be in violation of this article, the noise control officer or other official responsible for enforcement of any provision of this article may issue the appropriate citation for violating this article.

Sec. 15-27. Exemptions.

(a) Nothing in this article shall be construed to prohibit special performances by a band or orchestra in a hall, building, or in the open air after proper permits have been obtained from chief of police.

(b) Nothing in this article shall be construed to prohibit routine, short-lived broadcasts, including, but not limited to, bells and chimes, relating to a service, observance, or other regularly-scheduled activity.

(c) The ringing of bells or chimes for religious purposes within the city.

(d) Nothing in this article shall be construed to prohibit any noises or sounds produced by radios, sirens, or other equipment attached to, or being operated by, any police, fire, rescue, or other emergency vehicles or personnel.

(e) Nothing in this article shall be construed to prohibit the conducting of live remote broadcasts by duly licensed radio stations upon business premises, at the request of the owner of the business. Said live remote broadcasts shall be limited to daylight hours only.

(f) Nothing in this article shall be construed to apply to the unamplified human voice.

(g) Nothing in this article shall be construed to apply to impulsive sounds that are not repetitive.

(h) Nothing in this article shall be construed to apply to any public program, activity, event, demonstration, protest or parade authorized by the City of Florence, so long as such public program, activity, event, demonstration, protest or parade complies with the terms of any such authorization or permit.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, ALABAMA, that the City Clerk-Treasurer is hereby authorized and directed to publish this ordinance in the *TimesDaily*, and that this ordinance shall go into effect upon its passage, approval, and publication as provided by law.

ADOPTED this _____ day of _____, 2025.

CITY COUNCIL

APPROVED this _____ day of _____, 2025.

MAYOR

ADOPTED & APPROVED this _____ day of _____, 2025.

CITY CLERK-TREASURER