

ORDINANCE NO. 35-25

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, CHAPTER 99, "NOISE CONTROL," BY REPEALING THE ADOPTED CHAPTER 99 IN ITS ENTIRETY AND READOPTING SAME, AS REVISED, IN ORDER TO AMEND AND UPDATE THE CITY'S REGULATIONS FOR THE APPROPRIATE LEVEL OF NOISE OUTPUT ORIGINATING WITHIN THE LIMITS OF THE CITY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City of Delray Beach Code of Ordinances provide authority for the City Commission to amend, change, supplement, or repeal the Code from time to time; and

WHEREAS, the City Commission directed staff to consider amendments to the City's noise ordinance; and

WHEREAS, the existing language in Chapter 99, "Noise Control" requires changes to make the City's noise regulations more understandable to the public, predictable to business owners, and efficient for the City to administer; and

WHEREAS, the City Commission finds this Ordinance would further promote, protect, and improve the public health, welfare, and safety of the residents and public at large.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The recitations set forth above are incorporated herein.

Section 2. Chapter 99, "Noise Control," of the Code of Ordinances of the City of Delray Beach, Florida as provided in Exhibit A is hereby repealed in its entirety and replaced in its entirety with a new Chapter 99, provided as Exhibit B.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 5. Specific authority is hereby given to the City Clerk to codify this Ordinance.

Section 6. This Ordinance shall become effective immediately upon its passage on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this the ____ day of _____, 2025.

ATTEST:

Alexis Givings, City Clerk

Thomas F. Carney, Jr., Mayor

First Reading_____

Second Reading_____

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney