

ORDINANCE NO. 2026-004

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING SECTION 9-5 OF CHAPTER 9 ENTITLED "NOISE" OF THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES, TO AMEND THE LIST OF EXEMPTIONS TO DEFINE CONSTRUCTION HOURS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance 2020-006 adopted on July 9, 2020, the Town Council of the Town of Southwest Ranches created Chapter 9 of the Code of Ordinances, entitled "Noise" in order to establish standards for the acceptable levels of noise to protect the quiet enjoyment of the Town; and

WHEREAS, within Chapter 9, Section 9-5 delineates several exemptions; and

WHEREAS, one such exemption provides that hours for noise from Construction shall be defined by the Town's Code; and

WHEREAS, currently no section of the Town's Code defines the hours for construction noise; and

WHEREAS, the Town Council finds that the amendment to the Code contained herein is in the best interest of and will reasonably protect the health, safety, and welfare of the Town's residents.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

SECTION 1. Recitals. The above recitals are true, correct and incorporated herein by reference.

SECTION 2. Amendment. Chapter 9, Section 9-5 "Exemptions" of the Code of Ordinances of the Town is hereby amended as follows:

Sec. 9-5. - ***Exemptions.***

The provisions of section 9-3 shall not apply at any time to:

- (1) Motor vehicles legally operating on a public right-of-way;
- (2) The unamplified human voice;
- (3) Any noise generated by new products or interstate motor and rail carrier

vehicles to the extent that local regulation of noise levels of such new products and interstate motor and rail carrier vehicles has been preempted by the Noise Control Act of 1972 (49 U. S. C. Section 4901 et seq.) or other applicable federal laws or regulations;

- (4) Farming equipment;
- (5) Any noise generated by the movement of aircraft in accordance with or pursuant to applicable federal laws or regulations;
- (6) Maintenance and installation of public service utilities;
- (7) Noise generated for the purpose of alerting persons to the existence of an emergency or noise generated in the performance of emergency work;
- (8) Any noise generated by any noncommercial public speaking and public assembly activities conducted on any public space or public right-of-way pursuant to lawful authority; and
- (9) Any noise generated by the operation or testing of engines, landscaping equipment, generators, pumps, mechanical equipment, construction tools, emergency equipment or similar noises that are common to residential properties;
- (10) Refuse collection;
- (11) Residential and/or Commercial Construction as long as it occurs between the hours of 7 a.m. and 7 76 p.m. on weekdays and between 9 a.m. and 7 6 p.m. Saturdays and Sundays.~~in accordance with the construction hours set forth in the Town Code;~~
- (12) Any noise generated on a Town owned property, which is authorized by the Town;
- (13) Any noise generated by the Town or by a Town event;
- (14) Farm animals;
- (15) Home workshops in accordance with the construction hours set forth in the Town Code; and Any special event that has been approved by the Town.
- (16) Any special event that has been approved by the Town.

SECTION 3. Severability. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word hereof be declared unconstitutional or invalid, the invalidity thereof shall not affect the validity of any of the remaining portions of this Ordinance.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon its Passage and adoption.

PASSED ON FIRST READING this 12th day of February, 2026 on a motion made by Vice Mayor Jablonski and seconded by Council Member Kuczenski.

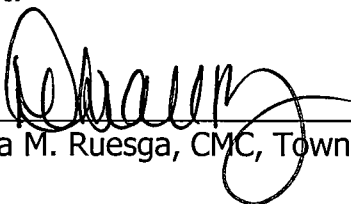
PASSED ON SECOND READING this 26th day of February, 2026 on a motion made by V/M JABLONSKI and seconded by C/M ALLBRITTON.

Breitkreuz	<u>YES</u>
Jablonski	<u>YES</u>
Allbritton	<u>NO</u>
Hartmann	<u>NO</u>
Kuczenski	<u>YES</u>

Ayes	<u>3</u>
Nays	<u>2</u>
Absent	<u>—</u>
Abstaining	<u>—</u>


Steve Breitkreuz, Mayor

Attest:


Debra M. Ruesga, CMC, Town Clerk

Approved as to Form and Correctness:


Keith Poliakoff, Town Attorney
1001.2026.016