

Interoffice Memorandum

DATE: July 21, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

FROM: Tanya Wilson, AICP, Director, Planning, Environmental, and Development Services Department 

CONTACT: Renée H. Parker, LEP, Manager, Environmental Protection Officer

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DIVISION: Environmental Protection Division

ACTION REQUESTED:

Approval of An Ordinance Amending Chapter 15, Article V, Of The Orange County Code Of Ordinances, Known As The "Noise Control Ordinance Of Orange County, Florida"; Amending Provisions Pertaining To Definitions, Sound Level Limits, Standards For Measuring Sound, Exemptions, Variances, And Methods Of Enforcement; And Providing An Effective Date.

and

Authorize staff to correct any non-substantial grammatical or scrivener's errors within the Ordinance. All Districts. (Environmental Protection Division)

PROJECT: August 5, 2025 – BCC Public Hearing Proposed Revisions to Chapter 15, Article V, Noise Pollution Control Ordinance

PURPOSE: Orange County's Noise Control Ordinance (Chapter 15, Article V, Orange County Code) prohibits noise that either (1) exceeds allowable sound level limits or (2) is plainly audible from a specified distance. These standards apply to all private and public property, whether commercial or residential, including rights-of-way. Enforcement of these standards is implemented by the Environmental Protection Division (EPD) under Section 15-182, Table 1 and Table 1.1, and the Orange County Sheriff's Office (OCSO) under Section 15-183, Table 2 and Table 2.1.

During the summer of 2023, the County received an increased number of complaints from citizens challenging the implementation and effectiveness of the Noise Control Ordinance. Of specific concern to the residents was the "plainly audible" distance standard found under Section 15-183(b) of the Code, currently used by OCSO. Residents requested that the distance standard be reduced, along with other

modifications relating to enforcement, to better manage noise complaints within residential areas. Additionally, several County Commissioners expressed concerns from their constituents regarding loud music, unamplified human voices, and commercial bar establishments near residential areas.

Following an internal staff review of the issues, in coordination with the OCSO, and including briefings with several commissioners, staff recognized the County would benefit from a comprehensive study of the technical provisions of the current ordinance. EPD was directed by County Administration to hire a consulting firm that specializes in noise assessment to assist in a thorough review of the ordinance and provide recommendations for revision.

The project was managed under two phases:

- Phase I involved a comparative analysis of noise ordinances (Orange County, City of Orlando, City of Jacksonville, Hillsborough County, Seminole County, City of Gainesville, City of Winter Park, and the U.S. Environmental Protection Agency Model Noise Ordinance). This analysis highlighted Orange County having the largest distance limit for plainly audible standard. Deliverables were completed in March 2024.
- Phase II provided proposed code revisions in several areas: definitions; addition of land use category to distinguish limits for commercial and industrial areas in Section 15-182, Table 1; decreasing the plainly audible standard distance limits in Section 15-183, Table 2; additions of specific prohibitions; and an increase in penalty amounts. Deliverables were completed in July 2024.

On September 10, 2024, staff presented a work session to the Board of County Commissioners (BCC) providing background on the issues, a comprehensive overview of the study and proposed revisions, summary, and next steps. EPD was directed to work with the County Attorney's Office and OCSO to draft an updated ordinance.

On September 25, 2024, staff presented a work session to the Environmental Protection Commission (EPC) providing background on the issues, a comprehensive overview of the study and proposed revisions, summary, and next steps.

On November 18, 2024, staff presented a work session to the Development Advisory Board (DAB) providing background on the issues, a comprehensive overview of the study and proposed revisions, summary, and next steps. The DAB emphasized that improving response timeliness is critical for effectively enforcing noise regulations, as citations require witnessing the violation. The DAB indicated that there was support for the ordinance revision but noted that they will be ineffective without procedural changes particularly regarding the need for dedicated staffing and better coordination with OCSO, including clarity on response times, call closures, and enforcement practices.

On November 21, 2024, staff presented a work session to the Planning and Zoning Commission (PZC) providing background on the issues, a comprehensive overview of the study and proposed revisions, summary, and next steps. PZC discussed refining ordinance language and procedures, including clarifying residential and non-residential definitions, improving distance measurement methods, and ensuring coordination with Orange Code and Vision 2050. PZC key concerns included enforcement clarity between EPD and OCSO, the lack of commercial/industrial land uses within Table 1, and the need for further input on cost implications.

On December 4, 2024, staff held a public hearing with the EPC outlining the proposed changes to the Article. The EPC recommended approval of the draft Ordinance with additional proposed language amendments to the concrete pour exemption.

An ordinance was prepared for presentation for adoption at the February 25, 2025, BCC meeting. However, the item was pulled from the agenda on February 14, 2025, following a detailed review of additional stakeholder feedback. This review identified that key land use categories had not been included in the noise limit tables and definitions. Since then, the Planning Division has contributed to further revisions. The updated proposed ordinance now aligns with Orange County's Comprehensive Plan particularly regarding Mixed Use, Industrial, and Regional Center land use categories. New tables were added to the Ordinance (Table 1.1 and Table 2.1) to identify maximum allowable sound level limits and plainly audible standard distances for Regional Centers consistent with expected higher noise levels.

Concurrent with the ordinance update, staff will present the proposed amendments to the Noise Control Ordinance and seek BCC approval of proposed amendments to Chapter 15, Article V, of the Orange County Code, consisting of sections 15-176 through 15-215.

BUDGET: N/A