

**Price Boulevard Widening
Project: Typical Roadway
Cross Section between
Sumter Boulevard and
Toledo Blade Boulevard
Backup Documents**

Chapter 46 - OFFENSES AND MISCELLANEOUS PROVISIONS

Sec. 46-42. - Specific prohibitions.

In addition to the general prohibitions set forth in section 46-41 above and the maximum permissible sound levels set forth in this division and unless otherwise exempted by this division or by any other act of this governing body, the following specific acts or the causing or permitting thereof are hereby declared in violation of this division:

- (1) Radios, television sets, musical instruments and similar devices: operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument or similar device which produces or reproduces sound:
 - a. Between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to create excessive and unnecessary noise across a residential real property line or within a noise-sensitive area; or
 - b. In such a manner as to exceed the levels for public space set forth herein, measured at a distance at least 50 feet (15 meters) from such device operating on a public right-of-way or public space.
- (2) Loudspeakers: using or operating for any purpose any loudspeaker, loudspeaker system or similar device between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and 10:00 p.m. to 10:00 a.m. on weekends and holidays in areas within or adjacent to residential, commercial or noise-sensitive zones, except for public speaking, public assembly or other activity for which a variance has been issued by the city commission.
- (3) Street or garage sales: offering for sale or selling anything or advertising by shouting or outcry within any residential or commercial area or a noise-sensitive zone, except by variance issued by the city commission.
- (4) Animals: owning, possessing or harboring any animal or bird which frequently or for continued duration howls, barks, meows, squawks or makes other sounds which create excessive and unnecessary noise across a residential or commercial real property line or within a noise-sensitive zone. This provision shall apply to public zoos or private animal attractions operated for profit to which the general public has general admission and which are regulated by the city commission.
- (5) Loading and unloading: loading and unloading, opening, closing or other handling of boxes, crates, containers, equipment, building materials, garbage cans or similar objects between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and between 7:00 p.m. and 10:00 a.m. on weekends or holidays in or within 50 yards of any residential property line or noise-sensitive zone.
- (6) Construction and demolition: operating or permitting the operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between the hours of 9:00 p.m. and 7:00 a.m. the following day on weekdays or 9:00 p.m. and 7:30 a.m. on weekends and holidays in or within 50 yards of any residential area or noise-sensitive zone, except for emergency work by public service utilities or by a variance approved by the city commission.
- (7) Powered model vehicles: operating or permitting the operation of powered model vehicles between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and 7:00 p.m. and 10:00 a.m. on weekends or holidays in or within 100 feet of any residential area or noise-sensitive zone or in such a manner as to exceed the levels set for public space land use as set forth herein, measured at a distance of not closer than 100 feet (30 meters) from any point on the path of a vehicle operating on a public space or public right-of-way.
- (8) Emergency signaling devices: the intentional sounding or permitting the sounding outdoors of any fire, burglary or emergency management alarm, fire whistle or similar stationary emergency signaling device, except for emergency signaling devices shall not occur before 7:00 a.m. or

COMPARITIVE EXAMPLES OF NOISE LEVELS

| Noise Source | Decibel Level | Decibel Effect |
|--|---------------|---|
| <p>Jet take-off (at 25 meters) Recommended product: Outdoor Noise Barriers</p> | 150 | Eardrum rupture |
| Aircraft carrier deck | 140 | |
| Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB). | 130 | |
| Thunderclap, chain saw. Oxygen torch (121 dB). | 120 | Painful. 32 times as loud as 70 dB. |
| Steel mill, auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Riveting machine (110 dB); live rock music (108 - 114 dB). | 110 | Average human pain threshold. 16 times as loud as 70 dB. |
| Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor , jackhammer, garbage truck . Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB); Bell J-2A helicopter at 100 ft (100 dB). | 100 | 8 times as loud as 70 dB. Serious damage possible in 8 hr exposure. |
| Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB); power mower (96 dB); motorcycle at 25 ft (90 dB). Newspaper press (97 dB). | 90 | 4 times as loud as 70 dB. Likely damage in 8 hour exposure. |
| Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB). | 80 | 2 times as loud as 70 dB. Possible damage in 8 hour exposure. |
| Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio , vacuum cleaner (70 dB). | 70 | Arbitrary base of comparison. Upper 70s are annoyingly loud to some people. |
| Conversation in restaurant, office, background music , Air conditioning unit at 100 feet. | 60 | Half as loud as 70 dB. Fairly quiet. |

| Noise Source | Decibel Level | Decibel Effect |
|--|---------------|---|
| Quiet suburb, conversation at home. Large electrical transformers at 100 feet. | 50 | One-fourth as loud as 70 dB. |
| Library, bird calls (44 dB); lowest limit of urban ambient sound | 40 | One-eighth as loud as 70 dB. |
| Quiet rural area. | 30 | One-sixteenth as loud as 70 dB. Very Quiet. |
| Whisper, rustling leaves | 20 | |
| Breathing | 10 | Barely audible |

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Julie:

Below are decibel noise levels associated with construction type equipment. The milling machine and paver fall within the 90 – 100db level and dump trucks at about 80db.

Please note that an air conditioner or loud TV only gets to 60db, so all construction equipment used for Price Blvd will be louder than anything in the house that could “Drown Out” the noise.

Construction Equipment Noise Levels

OSHA regulations for noise exposure:

| Allowed to be unprotected | At this noise level |
|---------------------------|---------------------|
| Up to 8 hours | 90 decibels |
| Up to 4 hours | 95 decibels |
| Up to 1 hour | 105 decibels |

When noise reaches 95 decibels, OSHA requires you to work less than 4 hours without hearing protection. This does not mean that 95 decibels is a safe level of noise: 1 in 5 people exposed regularly to 90 decibels will lose some hearing, while short, very loud noises do the most harm.

| Equipment | Decibels | Equipment | Decibels |
|-----------------------|----------|------------------|----------|
| Pneumatic chip hammer | 103-113 | Earth Tamper | 90-96 |
| Jackhammer | 102-111 | Crane | 90-96 |
| Concrete joint cutter | 99-102 | Hammer | 87-95 |
| Portable saw | 88-102 | Earthmover | 87-94 |
| Stud welder | 101 | Front-end loader | 86-94 |
| Bulldozer | 93-96 | Backhoe | 84-93 |
| See videos, below. | | | |

Libby Fuste

From: John Mills
Sent: Tuesday, February 27, 2018 10:29 AM
To: Julie Bellia
Cc: Libby Fuste
Subject: Noise Level

Julie:

The only description for our noise ordinance is as described below.
FDOT recommends a decibel of 66 as the threshold for construction without notifying people or making sound deadening devices be put in place.

NORTH PORT LAND DEVELOPMENT CODE

(c) Noise. The permitted level of noise or sound emission shall not exceed the values in any octave band of frequency in the following table. Sound pressure levels shall be measured with a sound level meter and an octave band analyzer that conforms to the specifications published by the American National Standards Institute (ANSI) or other recognized standards organizations.

(i) For industrial zoned property:

Maximum Sound Pressure Level of Decibels
(Decibel = 0.0002 Dynes per Square Centimeter)

| <u>Cycles Per Second</u> | <u>ILW</u> |
|--------------------------|------------|
| Below 75 | 70 |
| 75 - 150 | 65 |
| 150 - 300 | 57 |
| 300 - 600 | 50 |
| 600 - 1,200 | 44 |
| 1,200 - 2,400 | 38 |
| 2,400 - 4,800 | 32 |
| Over 4,800 | 30 |

(ii) For all other property. It shall be unlawful for any person to permit the level of noise or sound emission to exceed at any time the average noise level prevailing for the same hour as generated by street and traffic activity. The determination of noise level shall be measured with a sound-level meter conforming to the specifications published by the American National Standards Institute (ANSI) or other recognized standards organizations.

John Mills
Engineering Division
Engineer 1
City of North Port
1100 N. Chamberlain Blvd
North Port, FL 34286

Phone 941.240.8066

Cell 941.628.8449

Fax 941.240.8073

jmills@cityofnorthport.com<mailto:jmills@cityofnorthport.com>

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Sec. 74-85. - General prohibitions.

- (a) It shall be unlawful to permit any vehicle to stand, stop and/or park in any of the following places, except in compliance with the direction of a police officer:
- (1) In any intersection or crosswalk.
 - (2) Upon any bridge or viaduct or the approach thereto.
 - (3) Between a safety zone and the adjacent curb.
 - (4) Within 30 feet (9.15 meters) of a traffic signal, beacon or sign on the approaching side.
 - (5) Within 20 feet (6.10 meters) of any intersection or crosswalk.
 - (6) Within 15 feet (4.57 meters) of a fire hydrant.
 - (7) Anyplace where a vehicle would block the use of any driveway.
 - (8) Within 20 feet (6.10 meters) of the driveway entrance to any fire department station nor on the side of the street opposite the entrance to any fire department station.
 - (9) On and/or across any sidewalk.
 - (10) At any place where official signs prohibit parking.
 - (11) Any area clearly marked "fire zone" and/or "safety zone."
 - (12) On a median.
 - (13) On the area in the center or unpaved portion of a cul-de-sac.
- (b) Vehicles can be parked off the roadway (on the berm or shoulder and/or swale) in a manner which conforms to the flow of traffic and in which the vehicle is completely off the roadway (wearing surface). The vehicle must be parallel to the roadway and must be parked on the right-hand side of the roadway (headed in the same direction as the flow of traffic) except where official traffic control devices designate otherwise.
- (c) It shall be unlawful for any person to park or leave standing any vehicle in a space designated for physically handicapped persons. Parking spaces designated for the physically handicapped shall be posted with a sign known as the "international wheelchair symbol," consisting of a profile view of a stylized wheelchair with occupant, in white on a blue background. All such handicapped persons shall obtain the proper license plate insignia indicating such disability.
- (d) Double parking on any roadway is prohibited.
- (e) No vehicle shall be parked with the left side (driver's side) of such vehicle next to the curb, except on a one-way roadway. No person shall be permitted to stand and/or park any vehicle off the roadway pavement other than by parallel parking, with the left two wheels (driver's side) off the roadway pavement, except where official traffic control devices designate otherwise.
- (f) The city commission shall have the authority to designate, by resolution, additional areas as no-parking areas upon a finding that the designation of such areas is necessary for the health, safety and general welfare of the citizens of the city. Upon the adoption of such a resolution, the road and drainage district shall post appropriate official traffic control devices at the designated areas.

(Code 1990, §§ 217-32 (A)-(D), (M))

Lori Hollingshead

From: Julie Bellia
Sent: Monday, March 19, 2018 12:44 PM
To: Lori Hollingshead
Subject: FW: Price Boulevard Widening Project Typical Cross Sections: Presentation to City Manger

Lori:

Can you please print 6 copies of this email?

Thank you.

Juliana B. Bellia

Director

Department of Public Works

1100 N. Chamberlain Blvd.

North Port, FL 34286

Phone 941.240.8051

Cell 941.628.8455

Fax 941.240.8063

jbellia@cityofnorthport.com

www.cityofnorthport.com

A City where you can "Achieve Anything."

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From: Slater, Keith <Keith.Slater@dot.state.fl.us>

Sent: Monday, March 19, 2018 10:16 AM

To: Benjamin E. Newman <bnewman@cityofnorthport.com>

Cc: Julie Bellia <jbellia@cityofnorthport.com>; Gerardo Traverso <gtraverso@cityofnorthport.com>; Churaman, Rovindra <Rovindra.Churaman@dot.state.fl.us>; Heuer, Jamie <Jamie.Heuer@dot.state.fl.us>; Wheeler, David <David.Wheeler@dot.state.fl.us>

Subject: RE: Price Boulevard Widening Project Typical Cross Sections: Presentation to City Manger

Ben

Good morning.

I'm currently not aware of any department rules that enforce or prohibit the action you've outlined. Typically, the department forward the complaints of this nature to law enforcement.

You may already be aware of this, but Florida Statutes 316.1945 (1)(b)(6) prohibits the parking of vehicles on an exclusive bike lane.

Thanks

Keith Slater, P.E.

District Traffic Operations Engineer

District One - Florida Department of Transportation

801 N. Broadway Ave. | P.O. Box 1249 | Bartow, FL 33831 | Mail Station 1-8

Phone: 863.519.2490 | Fax: 863.534.0915

From: Benjamin E. Newman [<mailto:bnewman@cityofnorthport.com>]

Sent: Monday, March 19, 2018 8:35 AM

To: Slater, Keith <Keith.Slater@dot.state.fl.us>

Cc: Julie Bellia <bellia@cityofnorthport.com>; Gerardo Traverso <gtraverso@cityofnorthport.com>

Subject: FW: Price Boulevard Widening Project Typical Cross Sections: Presentation to City Manger

Importance: High

Keith:

The City of North Port is trying to accommodate access for single family homes abutting a 100 foot wide arterial roadway, when widening it from a two lane/two direction roadway to a five lane (dual left center turn lane), including seven foot wide buffered bicycle lanes.

As the proposed road widening will only allow one car to park in the shortened driveways, an issue for these residents is the accommodation of parking for service vehicles (such as lawn mowing, pool maintenance, delivery trucks, etc.). They now park in the grassed right-of-way between the travel lane and sidewalk. One potential issue we have discussed is if the seven feet wide bicycle lane and the adjacent two wide utility strip are used as parking for these service vehicles (essentially "on-street" parking). The only other alternative that we discussed was the lawn service companies parking along the nearest side street and driving their mowers on the sidewalk – or bike lane – to the residence they are mowing.

Outside of local law enforcement (City of North Port Police Department) are you aware of any state rules, laws, pertaining to vehicular parking in bicycle lanes?

I apologize for the short notice as I am looking for a response before a 3:00pm meeting this afternoon.

Thank you in advance!

Ben Newman

City of North Port

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316.1945 Stopping, standing, or parking prohibited in specified places.—

(1) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(a) Stop, stand, or park a vehicle:

1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
2. On a sidewalk.
3. Within an intersection.
4. On a crosswalk.
5. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the Department of Transportation indicates a different length by signs or markings.
6. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
7. Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
8. On any railroad tracks.
9. On a bicycle path.
10. At any place where official traffic control devices prohibit stopping.
11. On the roadway or shoulder of a limited access facility, except as provided by regulation of the Department of Transportation, or on the paved portion of a connecting ramp; except that a vehicle which is disabled or in a condition improper to be driven as a result of mechanical failure or crash may be parked on such shoulder for a period not to exceed 6 hours. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle in obedience to the directions of a law enforcement officer or to a person stopping a vehicle in compliance with applicable traffic laws.
12. For the purpose of loading or unloading a passenger on the paved roadway or shoulder of a limited access facility or on the paved portion of any connecting ramp. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle.

(b) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

1. In front of a public or private driveway.
2. Within 15 feet of a fire hydrant.
3. Within 20 feet of a crosswalk at an intersection.
4. Within 30 feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway.
5. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance (when property signposted).
6. On an exclusive bicycle lane.
7. At any place where official traffic control devices prohibit standing.

