



## Legislation Text

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**File #:** 18-898, **Version:** 1

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**TO:** Honorable Mayor & Members of the North Port Commission

**FROM:** Peter D. Lear, CPA, CGMA, City Manager

**TITLE:** Ordinance 2018-60, first reading, repealing Ordinance 2017-13, pertaining to noise exemptions for pumps, air-conditioning, and air handling equipment in planned developments with certain side setbacks, GEN-18-253.

### **Recommended Action**

Approve and continue Ordinance 2018-60, for second reading on February 12, 2019.

### **Background Information**

On April 11, 2017, staff presented to Commission for their consideration amendments to City Code, Chapter 46, Article II, Division 2. Noise. The amendments proposed would exempt homes located in planned developments from the noise regulations for maximum sound levels relating to pumps, air-conditioning or air handling equipment and would include definitions for planned developments and side setbacks. After discussing the item, Commission directed staff to bring forward an ordinance to amend Chapter 46, Article II, Division 2, of the Code of the City of North Port with the amendments as presented by staff.

Ordinance 2017-13 amending Chapter 46, Article II, Division 2. Noise, Section 46-40 and Section 46-42 of the Code of the City of North Port was heard by City Commission for first reading on July 25, 2017 and adopted by City Commission at the second reading on October 10, 2017.

On November 5, 2018, the City Commission directed staff to draft an ordinance to remove subsection (a) from Section 46-42 (13) of the Code of the City of North Port and to remove definitions relating to planned development and side setbacks, thereby repealing Ordinance 2017-13 and restoring these code sections to the former language.

The City Attorney has reviewed and approved Ordinance 2018-60, repealing Ordinance 2017-13, as to form and correctness. Ordinance 2018-60 was advertised in a newspaper of general circulation within the City of North Port on January 15, 2019 pursuant to the provisions of Section 166.041, Florida Statutes and Section 9.01(b) of the Charter of the City of North Port.

### **Strategic Plan**

Mission: To provide exceptional service to our entire community for the continuous enrichment of quality of life.

### **Financial Impact**

None at this time.

### **Procurement**

Not Applicable

**Attachments:**

1. Ordinance 2018-60, Repealing Ordinance 2017-13
2. Ordinance 2017-13, Amended City Code Chapter 46, Art. II, Division 2. Noise

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