

ORDINANCE 2022-04

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING SECTION 38-3, "NOISE", OF ARTICLE I "IN GENERAL" OF CHAPTER 38 "PARKS AND RECREATION", OF THE TOWN'S CODE OF ORDINANCES, TO PROHIBIT ANY UNREASONABLY LOUD, EXCESSIVE, UNNECESSARY OR UNUSUAL NOISE WITHIN PARK PROPERTIES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the Town Council of the Town of Lake Clarke Shores has received complaints from Town residents regarding excessively loud noise within the Town's park properties; and

WHEREAS, the Town Council finds it to be in the public interest to make certain amendments to the Town Code of Ordinances to prohibit any unreasonably loud, excessive, unnecessary, or unusual noise within park properties.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AS FOLLOWS:

SECTION 1. Section 38-3 of Article I "In General" of Chapter 38, "Parks and Recreation" entitled "Noise" of the Code of Ordinances is hereby amended by repealing the subsection in its entirety and adopting a new Section 38-3, "Noise" as follows:

Sec. 38-3. Noise.

~~No person shall make noise as defined in Chapter 34 within the park properties.~~

It shall be unlawful for any person to make, continue or cause to be made or continued any unreasonably loud, excessive, unnecessary, or unusual noise, as provided in Section 34-43, et seq. of the Code of Ordinances, within park properties.

SECTION 2. The provisions of this Ordinance will be made a part of the Code of Ordinances of the Town of Lake Clarke Shores, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION 3. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of the Ordinance.

SECTION 4. The provisions of this Ordinance shall become effective immediately upon adoption.

PASSED this ____ day of _____, 2022, on first reading.

PUBLISHED this ____ day of _____, 2022, in _____.

PASSED AND ADOPTED this ____ day of _____, 2022, on second and final reading.

	FOR	AGAINST
BY: _____ Paul R. Shalhoub, Mayor	_____	_____
_____	_____	_____
Robert M. W. Shalhoub, Vice Mayor	_____	_____
_____	_____	_____
Gregory Freebold, President Pro Tem	_____	_____
_____	_____	_____
Valentin Rodriguez, Jr., Council Member	_____	_____
_____	_____	_____
Robert O. Gonzalez, Council Member	_____	_____

ATTEST:

BY: _____
Mary Pinkerman, CMC, Town Clerk