

Chapter 127

OPERATIONAL PERFORMANCE STANDARDS*

* **Cross References:** Concurrency, ch. 106; land use districts, ch. 109; development design standards, ch. 115; construction standards, ch. 118.

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Sec. 127-1. Purpose and intent.

It is the purpose of this chapter to provide appropriate standards relating to the operation of certain activities throughout the city. Such operations may create or maintain such excessive noise, vibration, air pollution, fire and explosive hazards, or electromagnetic interference as to be a detriment to the public health, safety, and welfare. These standards are, therefore, provided to protect the public interest and promote the public health and welfare.

(Ord. No. 01-02, § 2, 2-15-01)

Sec. 127-2. Applicability.

These standards shall apply to all land uses and land development activities within the city:

- (1) Standard measuring devices, if required, shall be as specified in applicable state or federal regulations. Where such devices have not been identified, the most appropriate device shall be used. All measuring devices shall be operated in conformance with manufacturers' directions.
- (2) No land use or land development activity may be conducted in a manner inconsistent from the normal manner of conduct of such activity and in a way which results in the unusual or extraordinary generation of noise, air pollution, dust, uncontrolled or uncontained fire and explosive hazard materials, electromagnetic interference, or which involves unusual activity not immediately and directly required for the normal operation of the permitted use present on the property.

(Ord. No. 01-02, § 2, 2-15-01)

Sec. 127-3. Noise.

No activity, which results in excessive and offensive noises to the general public, shall be permitted within the city. Noises from construction activities after normal working hours, including weekends, shall be controlled or limited. Noise shall be in accordance with the standards of the American National Standards Institute. Excessive and offensive noises shall be reduced or terminated at the source at the discretion of the

city.

(Ord. No. 01-02, § 2, 2-15-01)

Sec. 127-4. Vibration.

Activity resulting in excessive vibration, offensive and irritative to the general public, shall be prohibited. Vibration shall be in accordance with state and federal codes. Offensive vibration shall be reduced or terminated at the source at the discretion of the city.

(Ord. No. 01-02, § 2, 2-15-01)

Sec. 127-5. Air pollution.

No activity, which results in excessive and offensive smoke, dust, radiation and other pollutants to the general public, shall be permitted within the city. Air pollutants shall not exceed those permitted by the Environmental Protection Agency (Code of Federal Regulations, Title 40) and the Florida Department of Environmental Regulation (Florida Administration Code, Chapter 17-2) and other regulatory agencies having jurisdiction over the pollutants. Air pollutants offensive to general public health shall be reduced or terminated at the source at the discretion of the city.

(Ord. No. 01-02, § 2, 2-15-01)

Sec. 127-6. Hazards and toxic materials.

Hazardous or toxic material means any material as defined in the fire prevention code, or state or federal regulation. Storage and/or use of such hazardous materials shall be in compliance with the fire prevention code, and state and federal regulations. No hazardous waste may be stored or disposed of except in compliance with the fire prevention code, and state and federal regulations. Any nonresidential use or activity, which generates hazardous wastes, shall be registered with the FDER and the city fire department. Materials which constitute a fire or explosive hazard as defined in the fire prevention code, or by state or federal regulation shall be stored, used, or manufactured in compliance with the code or requirement which provides the greatest degree of life safety. Any drainage conveyance from a hazardous or toxic material area shall be directed to a permitted holding tank for the purpose of containing contaminants to be removed by an authorized disposal company.

(Ord. No. 01-02, § 2, 2-15-01)

Sec. 127-7. Electromagnetic interference.

No activity shall be conducted which produces electric or magnetic fields which adversely affect public health, safety, and welfare, including but not limited to, interference with normal radio, telephone, or television reception. Excessive electromagnetic interference shall be reduced or terminated at the source at the discretion of the city.

(Ord. No. 01-02, § 2, 2-15-01)