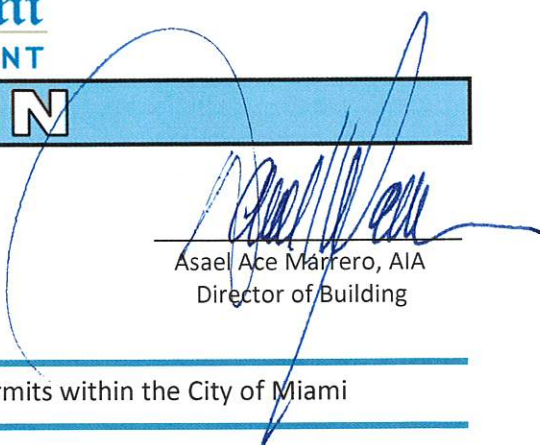


BULLETIN

Date: May 6, 2024

Bulletin No: 2024-001


Asael Ace Marrero, AIA
Director of Building

SUBJECT: Noise Waiver Permits

EFFECTIVE DATE: Immediately

EXECUTIVE SUMMARY: Establishing a policy for Noise Waiver permits within the City of Miami

APPLICABILITY

All properties within the City of Miami's boundaries engaging in commercial or residential construction must abide by the provisions of Chapter 36, of the City of Miami Code of Ordinances, as amended, regulating Noise. In an effort to eliminate or reduce any dangerous or hazardous condition which endanger life or property, a contractor may request a Noise Waiver permit through the following link:

<https://www.miamigov.com/Services/Building-Permitting/Apply-for-a-Construction-Noise-Waiver>

This application will be reviewed for consideration by the Building Director, to allow construction outside the parameters set by the noise ordinance. The contractor must provide a complete application, which will require a detailed noise control/management plan for consideration and review.

NOISE CONTROL/ MANAGEMENT PLAN

Every Noise Waiver application shall contain a Noise Control/ Management Plan addressing the following requirements:

- Contractor name, project name and location.
- Detailed description of work to be performed outside normal work hours.
- A list of 24-hour contacts for on-site personnel to address any concerns from City staff and neighboring properties.
- Details of equipment that will be used during extended hours.
- Details of vibratory control measures that will be implemented.
- Details on how complaints will be resolved or mitigated.
- Details on strategies that will be implemented to retrofit equipment and reduce noise generated.
- Details on how noise levels will be monitored.

POLICY

In the City of Miami, all construction projects on the ROW (right of way) require a Maintenance of Traffic (MOT) permit before proceeding. Regular construction activities are only allowed between the hours of 8:00 am and 6:00 pm Monday through Saturday.

Applications for Noise Waiver permits require the submittal of an approved Building permit, active Public Works application, approved MDC permit, and/or approved FDOT permit.

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Each permit application will be reviewed based on the location of the construction site, the distance to the property lines and neighboring buildings, the impact of dangerous and hazardous conditions to be mitigated, the proximity to the public right of way, and recommendations from Public Safety officials. Noise Waivers are contingent upon the City Manager's approval.

NOISE WAIVER COMPLIANCE RULES

Noncompliance with the following requirements may result in the revocation of a current Noise Waiver and/or bar the applicant from requesting or obtaining further or future Noise Waivers, as well as other penalties as enumerated in the City of Miami Code of Ordinances.

- Reason for request must provide an explanation detailing how the Noise Waiver will eliminate or reduce any dangerous or hazardous condition which endangers life or property.
- If required by the City of Miami Police Department and/or the Public Works Department, an Off-Duty Police Officer must be retained.
- The back-up sound signal system for trucks and all other equipment and machinery must be retrofitted to emit only white noise and a construction company employee shall function as a flag/safety person for the duration of the time the Noise Waiver is required.
- Sound dampening sheds or other methods must be installed on the pistons of the concrete pump to reduce noise impact to neighbors.
- Implementation of wind protection to prevent concrete spray and dust and debris must be demonstrated.

CONSEQUENCES FOR NONCOMPLIANCE

The following consequences will occur if complaints are received by a neighbor or observed by any City of Miami inspector.

- 1st verifiable infraction – a written notice of violation or a ticket warning letter will be provided to the project manager/superintendent.
- 2nd verifiable infraction – Code Enforcement fines for noise ordinance violation will be applied.
- 3rd verifiable infraction – revocation of Noise Waiver permit, reverting back to standard requirements in the noise ordinance.

THIS POLICY WILL GO INTO EFFECT IMMEDIATELY