

ORDINANCE NO. 2025-10

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 13 ("OFFENSES AND MISCELLANEOUS PROVISIONS"), ARTICLE II ("NOISE STANDARDS"), SECTION 13-7 ("SPECIFIC PROHIBITIONS") OF WELLINGTON'S CODE OF ORDINANCES TO PROHIBIT THE OPERATION OF MACHINERY AND LAWN EQUIPMENT DURING CERTAIN TIMES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Wellington Council is authorized and empowered to adopt and amend legislation to govern the affairs of its citizens and promote the public health, safety, and welfare of the community; and

WHEREAS, Chapter 13, Article II, Section 13-7 prohibits certain activities within Wellington except as specifically authorized therein; and

WHEREAS, Wellington's Council believes it is in the best interest of the community to amend Section 13-7 of the Code of Ordinances to prohibit the operation of machinery and lawn equipment except for the times expressly set forth therein.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF WELLINGTON, FLORIDA THAT:

SECTION 1. Chapter 13 of the Code of Ordinances, OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE II. – NOISE STANDARDS, is amended as follows [in ~~striketrough~~-(deleted) and underlined (added) format]:

Sec.13-7. – Specific prohibitions.

The following activities are prohibited:

- A. *Horns, signaling devices:* The sounding of any horn or audible signal device of any motor vehicle, boat, engine, machine, or stationary boiler of any kind except as required by law or as a warning. The sounding of any warning device for an unnecessary or unreasonable period of time is also prohibited.
- B. *Public streets and parks:* The operating or playing of any radio television, phonograph, musical instrument or similar device on the public rights-of-way or in public parks in a manner as to be plainly audible at a distance of 100 feet from the sound source at any time, except as may be exempted by the chapter.
- C. *Loud speakers and sound amplifiers:* The using or operating of any loud speaker, loud speaker system, sound amplifier, radio, television, phonograph, musical instrument or other similar device within or adjacent to inhabited residential land such that the sound therefrom is plainly audible across the property line of the inhabited residential land at any time. This section shall not apply to any special events, such as parades, festivals, or sporting events, but shall apply to lounges, restaurants, and nightclubs.

- 52 D. *Street sales advertising*: The use or operation of any loudspeaker, sound amplifier or
53 musical instrument that produces or reproduces sound that is cast or emitted upon the
54 public streets and sidewalks for the purpose of commercial advertising or for attracting
55 the attention of the public to any particular building, structure, or place when such
56 sound that is emitted is plainly audible across the property line of any inhabited
57 residential land.
58
- 59 E. *Machinery operation and construction work*: The operation, including warm-ups,
60 maintenance, or loading/unloading, of any machinery, demolition equipment,
61 construction equipment, excavating equipment, power tools, equipment of semi-
62 mechanical devices or undertaking construction work or land clearing, that emits
63 sound across the property line of an inhabited residential land between the hours of
64 ~~4:00 PM~~ 8:00 PM and 7:00 AM, Monday through Friday and 8:00 PM and 8:00 AM,
65 Saturday. All machinery operation and ~~major~~ construction work, including grading and
66 site preparation, assembly, erection, substantial repair, alteration or demolition of the
67 building or structure is prohibited anytime on Sunday. This shall not prohibit individuals
68 from performing home repair or maintenance, between the hours of 9:00 AM and 6:00
69 PM on Sunday nor shall it prohibit the use of pumps or machinery that, because of its
70 very nature and purpose, is required to be operated 24 hours a day.
71
- 72 F. *Lawn equipment*: The operation of lawn and garden equipment that emits sound
73 across a property line to inhabited residential land except between the hours of ~~7:00~~
74 AM 8:00 AM and ~~4:00 PM~~ 8:00 PM Monday through Saturday and between the hours
75 of 9:00 AM and 6:00 PM on Sunday.
76
- 77 G. *Animal noise*: Pursuant to section 4-1 of this Code, Wellington has adopted Chapter
78 4, entitled "Animals" of the Palm Beach County Code of Ordinances, designated as
79 the "Palm Beach County Animal Care and Control Ordinance." In addition to the Palm
80 Beach County Animal Care and Control Ordinance, animal noise originating from real
81 property in Wellington is subject to the noise provisions set forth in this chapter.
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83 **SECTION 2.** Should any section, paragraph, sentence, clause, or phrase of this
84 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
85 Ordinance, Resolution, or Municipal Code provision, in that event the provisions of this
86 Ordinance shall prevail to the extent of such conflict.
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88 **SECTION 3.** Should any section, paragraph, sentence, clause, or phase of this
89 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not
90 affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part
91 so declared to be invalid.
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93 **SECTION 4.** This Ordinance shall become effective immediately upon adoption of the
94 Village Council following second reading.
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99 *Intentionally left blank.*
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PASSED this ____ day of _____ 2025, upon first reading.

PASSED AND ADOPTED this _____ day of _____ 2025, on second and final reading.

WELLINGTON

	FOR	AGAINST
BY: _____ Michael J. Napoleone, Mayor	_____	_____
_____	_____	_____
John T. McGovern, Vice Mayor	_____	_____
_____	_____	_____
Tanya Siskind, Councilwoman	_____	_____
_____	_____	_____
Maria Antuña, Councilman	_____	_____
_____	_____	_____
Amanda Silvestri, Councilwoman	_____	_____

ATTEST:

BY: _____
Chevelle D. Hall, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney