

RESOLUTION NO. _____

RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE ADMINISTRATION TO ESTABLISH A NOISE METER AND CAMERA PILOT PROGRAM TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAWS, WITH THE OBJECTIVE OF ISSUING WARNINGS TO MOTORISTS CREATING EXCESSIVE, UNREASONABLE NOISE IN VIOLATION OF STATE, COUNTY AND/OR CITY LAWS, IN ORDER TO IMPROVE QUALITY OF LIFE FOR RESIDENTS AND VISITORS BY REDUCING VEHICLE NOISE POLLUTION IN THE CITY; AND FURTHER AUTHORIZING THE ADMINISTRATION TO SECURE AND IMPLEMENT THE APPROPRIATE NOISE METER AND CAMERA TECHNOLOGY ON A PILOT BASIS (SUCH AS THROUGH A LOAN OF A LIMITED NUMBER OF DEVICES FOR USE DURING THE TRIAL PERIOD), WITH ANY FUNDING REQUIRED TO IMPLEMENT THE PROGRAM TO BE PRIORITIZED AS PART OF THE ANNUAL BUDGET PROCESS.

WHEREAS, various State, Miami-Dade County, and City laws prohibit unreasonable, excessive noise, which creates a nuisance in areas where the excessive noise takes place, particularly in residential areas, where unreasonable, excessive noise deprives residents of the peaceful enjoyment of their homes; and

WHEREAS, City Code Section 46-152 provides that "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," and, further, identifies a list of acts that are "declared to be unreasonably loud, excessive, unnecessary, or unusual noises"; and

WHEREAS, recently, vehicle noise disturbances throughout the City, especially in heavy traffic corridors, continue unabated, particularly noise emanating from vehicle exhausts, revving of engines, or sound systems; and

WHEREAS, some jurisdictions, including Paris, France, London, England, and Singapore, established programs using "noise cameras" to detect vehicles exceeding pre-defined noise limits and contributing to noise pollution; and

WHEREAS, the noise meter and camera device technology is triggered by sound, by using noise meter devices with a filter designed to pick up on noisy vehicles and exhaust sounds that exceed pre-defined noise limits; and

WHEREAS, inspired by cities such as London and Singapore, the City of New York established a pilot program using noise cameras to record decibel levels of the vehicles and match it to a license plate using a camera; and

WHEREAS, similarly, the City of Knoxville, Tennessee, has taken steps to establish a trial program designed to record vehicle data when the traffic camera is triggered, including audio levels as vehicles pass by, with the vehicle data uploaded to a server where a technician then decides to proceed with issuing a warning; and

WHEREAS, the City of Knoxville secured, at little or no cost to the taxpayers, a loan of technology devices for purposes of implementing their pilot program; and

WHEREAS, the Mayor and City Commission direct the City Administration to establish a Noise Meter and Camera Pilot Program similar to that established in the City of Knoxville, to monitor vehicle noise pollution by issuing warnings to motorists exceeding legal noise limits, and desire for the Administration to use its best efforts to secure noise meter and camera technology on a pilot basis at no cost or little cost to the City for use during the pilot program, such as through a loan of the relevant technology devices during the City's trial period; and

WHEREAS, if the Administration anticipates that the implementation of the pilot program will have a fiscal impact, the costs should be prioritized as part of the annual budget process; and

WHEREAS, the implementation of a Noise Meter and Camera Pilot Program would permit the City to evaluate the effectiveness of emerging technology and the data that was collected before deciding if the tool would be beneficial to implement on a permanent basis.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and authorize the Administration to establish a Noise Meter and Camera Pilot Program to the fullest extent permitted by applicable laws, with the objective of issuing warnings to motorists creating excessive, unreasonable noise in violation of State, County and/or City laws, in order to improve quality of life for residents and visitors by reducing vehicle noise pollution in the City; and further authorize the Administration to secure and implement the appropriate noise meter and camera technology devices on a pilot basis (such as through a loan of a limited number of devices for use during the trial period), with any funding required to implement the Pilot Program to be prioritized as part of the annual budget process.

PASSED and ADOPTED this ____ day of June, 2022.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Steven Meiner)

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

6-13-22

Date