

Excerpt from A Sarasota Citizen Email to Commissioners and City Attorney, Robert Fournier

**From:** [A Sarasota Citizen]

**Date:** February 25, 2022 at 2:21:13 PM EST

**To:** Robert Fournier <[robert.fournier@sarasotafl.gov](mailto:robert.fournier@sarasotafl.gov)>

The standards which shall be considered in determining whether sound annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of a reasonable person of normal sensibilities shall include, but shall not be limited to, the following:

- (1) The volume of the sound.
- (2) The intensity of the sound.
- (3) Whether the nature of the sound is usual or unusual.
- (4) The volume and intensity of the background sound, if any.
- (5) The **proximity of the sound to residential sleeping facilities.**
- (6) The nature and zoning of the area within which the sound emanates.
- (7) The time of the day or night the sound occurs.
- (8) The duration of the sound.
- (9) Whether the sound is produced by a commercial or noncommercial activity
- (5). Is the intent to retain these standards for unreasonable sound?

#### **IV. Section 20-4 Unreasonable Sound: Plainly Audible**

My view and that of others is that Plainly Audible is plainly clear in the current Sound Ordinance as applying *to all sources of sound*.

My view is based on my research of the legislative history of creating the Plainly Audible provisions in 2013 in the current Sound Ordinance as well as what the ordinance contained prior to 2013:

**In my view, Plainly Audible applying to any sound already exists in the current Sound Ordinance and should be enforced, and if the current Sound Ordinance is amended, this should continue.**