

Neighborly Nuisances–Part Two, the Noises  
By: Kim Douglas Sherman, Esquire  
Please go to: [www.shermanlegal.com](http://www.shermanlegal.com)

A nice neighbor is a nice thing to have, but a bad neighbor is a nightmare. Sometimes it is just the little things that are annoying. Perhaps they have a dog that barks incessantly or maybe it is a parrot cackling to itself night and day. In this series of articles we are talking about the neighbors' animals, trees, yard, garbage, and noises that get under your skin.

Lighthouse Point City Code section 10-33, declares that it is a public nuisance if the neighbor allows any animal to habitually bark, whine, howl, crow, cackle in a manner that annoys or interferes with neighboring residents' sleep or peace of mind. Section 30-63 makes the conduct unlawful. To get the City to act against the noisy animal's owner, you need to make a series of complaints to the police or animal control officers, because it must be shown that the noises are "habitual."

Do you hate those loud yard machines? There is no stopping progress, but you can stop the use of motorized lawn maintenance devices between the hours of eight p.m. and eight a.m.. Section 30-65 of the City Code makes it unlawful to operate mowers, edgers, trimmers, shears, blowers, and other motorized lawn tools during those hours. Hopefully, you do not work the night shift.

If your neighbor has a quirky burglar alarm or a car that has a alarm which goes off at the drop of a hat–those can be a real nuisance. If the alarms do not go off within 15 minutes, they are unlawful according to Section 30-67. If it is not the time that the alarms go off, but it is the amount of times, then you may find some relief in the Code that pertains to noises in general.

During the "day" hours of seven a.m. to ten p.m. no noise may exceed 60 decibels (abbreviated "dB") measured at the property line, and during the "night" hours the decibel level is limited to 55 dB. Air conditioners may not exceed a level of 65 dB. For those of us who are not sound experts, here are some average sound comparisons: a refrigerator 50dB, a washing machine 62.5dB, a ringing telephone 80dB, a baby crying 110dB. This kind of complaint is going to require a sound expert.

If you are annoyed, try the peaceful approach. Perhaps, consider a sound barrier like a line of bushes. If you know your rights, you can teach your annoying neighbor and ask for voluntary compliance. In our next articles on Neighborly Nuisances we will take up the subjects of offending animals, flooding, and property use. Stay tuned; there will be something to annoy everyone.