VILLAGE OF KEY BISCAYNE

Office of the Village Manager

Village Council
Robert Oldakowski, *Mayor*
Robert L. Vernon, *Vice Mayor*
Enrique Garcia
Steve Liedman
Jorge E. Mendia
Thomas Thornton
Patricia Weinman

Village Manager
Jacqueline R. Menendez

DT: November 1, 2005

TO: Honorable Mayor and Members of the Village Council

FR: Jacqueline R. Menendez, Village Manager

RE: Noise Ordinance

Due to unforeseen circumstances associated with Hurricane Wilma, staff was unable to amend the ordinance that was discussed at your last meeting. As such, the attached ordinance does not include any of the changes that were requested by Council. If we can schedule a meeting with the represenatives from the Ritz Hotel and prepare the amended ordinance, we will provide copies to the Council at your meeting.

88 West McIntyre Street • Suite 210 • Key Biscayne, Florida 33149 • (305) 365-5500 • Fax (305) 365-8936
MISSION STATEMENT: "TO PROVIDE A SAFE, QUALITY COMMUNITY ENVIRONMENT FOR ALL ISLANDERS THROUGH RESPONSIBLE GOVERNMENT."
www.keybiscayne.fl.gov

Memo

DATE : October 6, 2005

TO: Honorable Mayor and Members of the Village Council

FROM: Jacqueline R. Menendez, Village Manager

RE: Proposed Noise Ordinance

In June of this year, the Council deferred action on the attached Ordinance to provide an opportunity for the Mayor and staff to address certain concerns by property owners within the Hotel Resort, Planned Unit Development, and Private Club zoning districts. While we have made significant progress in addressing the concerns, there remain several issues which need Council input and direction. They are as follows:

1. Whether a decibel standard (as opposed to a reasonable person standard) should be utilized within the Hotel Resort, Planned Unit Development and Private Club zoning districts or whether both should apply.

2. Whether by special permit a property owner is allowed to exceed the standards established by the Ordinance.

It is recommended that the Village Council defer further action on the proposed Ordinance in order to provide staff with comment and direction on each of these issues as well as any other matter of concern.

ORDINANCE NO. 2005-

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 17 ENTITLED "NOISE" OF THE VILLAGE CODE BY REPEALING SECTIONS 17-1 THROUGH AND INCLUDING SECTION 17-7 OF CHAPTER 17 AND ADOPTING NEW SECTIONS 17-1 THROUGH AND INCLUDING SECTION 17-7 OF CHAPTER 17 "NOISE" PROVIDING COMPREHENSIVE REGULATIONS AND RESTRICTIONS ON ALL ACTIVITIES CREATING NOISE IN THE VILLAGE AND PROVIDING SPECIAL EVENT PERMIT REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council wishes to amend Chapter 17 "Noise" of the Code of Key Biscayne, Florida to enhance the regulations and restrictions on noise disturbances within the limits of the Village;

WHEREAS, the Village Council appointed the Noise Ordinance Review Committee (the "Committee") to consider noise issues, accept public comment, and recommend revisions to the noise ordinance; and

WHEREAS, the Committee has completed its task and has made its recommendations to the Village Council; and

WHEREAS, the Village Council finds that the amendment of Chapter 17 "Noise" as provided herein is in the best interest of the Village.

IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals Adopted.** That each of the above stated recitals is hereby adopted and confirmed.

Section 2. **Repeal.** That the Code of Key Biscayne, Florida is hereby amended by repealing Section 17-1 through and including Section 17-7 of Chapter 17 "Noise", which reads as set forth in Exhibit "A" attached hereto and incorporated herein.

Section 3. **Code Amended.** That the Village Code of the Village of Key Biscayne, Florida, is hereby amended by revising Chapter 17 "Noise", to consist of new Sections 17-1 through and including Section 17-7, to read as follows:

Sec. 17-1. Definitions.

The following words, terms and phrases when used in this chapter shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Construction.* Any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action, on public or private rights-of-way, structures, utilities or property.

(2) *Emergency.* Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage demanding immediate attention.

(3) *Holidays.* New Year's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Columbus Day, Washington's Birthday (the third Monday in February), Martin Luther King, Jr. Birthday (the third Monday in January), Thanksgiving Day, and Christmas Day.

(4) *Leaf Blower.* Any device used, designed or operated to produce a current of air by fuel, electricity or other means to push, propel or blow lawn, tree or plant cuttings, refuse or debris.

(5) *Motor Vehicle.* A two or more wheel vehicle, or machine, propelled or drawn by mechanical power, gas or diesel, and used on the public roads and highways in the transportation of people or property.

(6) *Motorboat.* Any vessel equipped with machinery for propulsion, irrespective of whether the propulsion machinery is in actual operation.

(7) *Noise Disturbance.* Any sound in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, or which unnecessarily interferes with the enjoyment of life or property, including outdoor recreation, of a reasonable person with normal sensitivities. Any sound generated by activities described in Section 17-2 shall be deemed a Noise Disturbance. Any activity not

specifically listed in Section 17-2 but that exceeds the permitted decibel levels established in Section 17-3 shall be deemed to be a Noise Disturbance and shall constitute a violation of this chapter.

(8) *Noise Receptor Site.* An area, parcel, building, structure, hotel room or unit, or dwelling unit which is the recipient of noise emanating from another area, parcel, building, structure, hotel room or unit, or dwelling unit.

(9) *Plainly Audible.* A noise which is unreasonably loud, raucous or jarring.

(10) *Special Event.* Any event on the beach seaward of the Erosion Control Line or in the public right-of-way, or any event whether indoors or outdoors, regardless of location, that is likely to cause noise in violation of this chapter or requires the provision of support services by police, fire, administrative, or other Village departments in order to maintain safety or to escort participants.

(11) *Sound Level Meter.* An instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter and A-Weighted sound level network with fast and slow integrating time constants, used to measure sound pressure levels. The sound level meter should be capable of measuring the A-Weighted equivalent sound level (Leq) and maximum sound level.

(12) *Vessel.* A boat as referenced in Section 1(b), Art. VII of the Florida Constitution and includes every description of watercraft, barge and air boat, other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

Sec 17-2. Prohibited Acts.

Except as permitted pursuant to Section 17-5, it shall be unlawful for any person to make, continue or cause to be made or continued any Noise Disturbance within the limits of the Village. The following activities are declared to be a Noise Disturbance and shall constitute a violation of this chapter:

(1) *Horns, Signaling Devices, etc.* The sounding of any horn or signaling device on any Motor Vehicle or Motorboat, except as a danger warning or the creation by means of any such signaling device of any Plainly Audible sound or the sounding of any such device for any unnecessary and unreasonable period of time.

(2) *Sound Amplifying Equipment and Musical Instruments.* The using, operating, playing, or permitting to be played, used or operated any radio, television, phonograph, musical instrument, loudspeaker, loudspeaker system, sound amplifier, or other machine or device for the producing or reproducing of sound so as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, Motor Vehicle, Motorboat or area in which such machine or device

is operated and who are voluntary listeners thereto, or the operation of any such radio, television, phonograph, musical instrument, loudspeaker, loudspeaker system, sound amplifier, or other machine or device:

(a) Before 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday and Friday;

(b) Before 8:00 a.m. on Saturday, Sunday and Holidays;

(c) After 11:00 p.m. on Sunday, Monday, Tuesday, Wednesday and Thursday;

(d) After 12:00 p.m. on Friday, Saturday and Holidays,

in such a manner as to be Plainly Audible at a distance of 100 feet from the building, structure, Motor Vehicle, Motorboat or area in which it is located.

(3) *Set Up and Breakdown of Certain Events.* The creation of any Plainly Audible noise during the setting up and breaking down of parties, shows, exhibitions and Special Events or any other gathering outside the permitted hours in paragraph (2) above.

(4) *Animals, Pets, Birds, etc.* The owning, possessing or harboring of any animal, pet or bird which causes frequent or continued noise which is Plainly Audible from any property or residential dwelling unit other than the property or residential dwelling unit where the animal, pet, or bird is located.

(5) *Exhausts.* The discharge into the open air of the exhaust of any engine; stationary internal combustion engine (including power generators), Motor Vehicle or Motorboat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(6) *Idling of Engines.* The idling of any internal combustion engine outside the permitted hours in paragraph (7) below.

(7) *Construction.* The creation of any Plainly Audible sound in connection with Construction:

(a) Before 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday and Friday;

(b) After 6:30 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday;

(c) At any time on Saturday, Sunday and Holidays, except for Emergency work.

Notwithstanding the foregoing, the creation of loud or excessive noise in connection with the use and operation of heavy equipment for earth moving and compacting, concrete demolition or pile driving is prohibited at any time on Saturdays. If

Emergency work is to be performed, the owner of the property upon which such Emergency work is performed or the property owner's authorized representative shall notify the Village Police Department prior to the commencement of such Emergency work.

(8) *Firearms or Explosives*. The use or firing of any explosives, firearms or similar devices, except in an Emergency, or using or firing firecrackers, skyrockets or the like without the prior approval of the Village Manager.

(9) *Loading or Unloading*. The creation of any Plainly Audible sound in connection with the loading, unloading, opening, closing or other handling of boxes, crates, containers, refuse cans or other objects:

(a) Before 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday and Friday;

(b) Before 8:00 a.m. on Saturday, Sunday and Holidays;

(c) After 6:30 p.m. on any day.

(10) *Commercial Maintenance Equipment*. The commercial operation of maintenance equipment (including but not limited to pressure cleaners, blowers, sweepers or vacuums) which creates a Plainly Audible sound within 100 feet of any residential area:

(a) Before 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday and Friday;

(b) After 6:30 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday;

(c) At any time on Saturday, Sunday and Holidays.

(11) *Power Tools and Landscaping Equipment*. The operation of noise-producing lawn mowers, lawn edgers, weed trimmers, chippers, Leaf Blowers, chain saws, power tools and other noise-producing tools:

(a) Before 8:00 a.m. on Monday, Tuesday, Wednesday, Thursday and Friday;

(b) After 6:30 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday;

(c) At any time on Saturday, Sunday and Holidays. However, non-commercial operation of noise producing tools may occur on Saturday, Sunday and Holidays after 10:00 a.m. and before 6:30 p.m., unless otherwise prohibited herein.

(12) *Defect In or Condition of Motor Vehicle, Vessel or Motorboat*. The use of any Motor Vehicle, Vessel, or Motorboat so out of repair, maintained in such condition

or loaded in such a manner as to create a Plainly Audible grating, grinding, rattling or other sound. This prohibition also precludes the use of sail cables and riggings in a manner which creates a Plainly Audible sound.

(13) *Hawkers/Peddlers*. The shouting and crying of peddlers, hawkers, and vendors.

(14) *Schools, Courts, Hospitals, Places of Religious Worship*. The creation of any noise on any street or place adjacent to any school, court, hospital or place of religious worship, while the same are in use, which unreasonably interferes with the operation of such institution or which disturbs or unduly annoys the persons within such institutions, excluding those located in single family districts and single family and two-family districts.

(15) *Aircraft*. The use of any mechanical loudspeakers or amplifiers in any moving airplane or any other kind of aircraft, over any part of the Village, for advertising or other purposes.

(16) *Open Air Concerts, Musical Broadcasts, etc.* The playing, broadcasting or transmitting of music in such a manner as would reasonably be calculated to attract a crowd or cause persons to congregate in or on any open space, lot, yard, park, sidewalk or street, or to permit the same to occur on or from any property owned, leased or occupied by said person(s).

(17) *Leaf Blowers*. The use or operation of any Leaf Blower, ~~to blow leaves, dirt, and other lawn, plant or tree debris off or upon sidewalks, driveways, lawns, or other surfaces~~ unless said machine has a stamp from the manufacturer or testing laboratory certifying a rating of no more than sixty-five (65) decibels. From and after May 24, 2006, the use and operation of any Leaf Blower unless said machine has a stamp from the manufacturer certifying a rating of no more than sixty-five (65) decibels and incorporates the best available technology for the reduction of noise.

(18) *Fixed Mechanical Equipment.* The creation of a Plainly Audible sound from the use, operation, or maintenance of fixed mechanical equipment, including but not limited to swimming pool filtration system pumps and air conditioning or ventilation systems.

(19) *False Burglar Alarms*. False Burglar Alarms as defined in Section 17-8.

Sec. 17-3. Noises Exceeding Established Decibel Levels.

(1) *Permitted Decibel Level.* The permitted decibel level for noise which emanates from indoor or outdoor activities or outdoor operations (including those conducted from a tent or any other partial enclosure) in Hotel Resort (HR), Planned Unit Development (PUD), or Private Club (PC) zoning districts, as measured outdoors at the property line of the Noise Receptor Site which is closest to the site from which the noise emanates, shall at all times be no more than sixty-five (65)

decibels as measured with a calibrated Sound Level Meter. The generation of any sound in excess of the permitted decibel levels established herein shall be deemed a Noise Disturbance and constitute an independent violation of the prohibition established under Section 17-2. Sections 17-2 and 17-3 shall serve as independent bases for a violation under this chapter and compliance with either section shall not excuse failure to comply with the other.

~~*(1) Permitted Decibel Levels.* Any noise which emits a sound measured at an A-Weighted equivalent sound level (Leq) in excess of fifty-seven (57) decibels upon any Noise Receptor Site which is situated within any of the Single Family Zoning Districts, the PS Parkside Residential District, RM-10 Low Density Multiple Family District, RM-16 Medium Density Multiple Family District, and RM-30 High Density Multiple Family District, the Office District (O-1), Low Intensity Commercial District (C-1), Institutional District (I), Hotel Resort (HR), or Planned Unit Development (PUD) between the hours of 7:00 a.m. and 11:00 p.m. on Monday, Tuesday, Wednesday, Thursday and Sunday and between the hours of 7:00 a.m. and 12:00 Midnight on Friday, Saturday and Holidays (the "Daytime Decibel Levels") or in excess of fifty-two (52) decibels between the hours of 11:00 p.m. and 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday and Sunday, and between the hours of 12:00 Midnight and 7:00 a.m. on Friday, Saturday and Holidays (the "Nighttime Decibel Levels").~~

~~*(2) Measurement Procedures.* Except as otherwise provided herein, the measurements of noise which are taken for enforcement of this section shall be taken with a calibrated Sound Level Meter within the enclosed room, unit or structure of the complaining party with the doors and windows closed. Notwithstanding the permitted Daytime and Nighttime Decibel Levels, the permitted decibel level for noise which emanates from indoor or outdoor activities or outdoor operations (including those conducted from a tent or any other partial enclosure) in Hotel Resort (HR), Planned Unit Development (PUD), or Private Club (PC) zoning districts, as measured outdoors at the property line of the Noise Receptor Site which is closest to the site from which the noise emanates, shall at all times be sixty-five (65) decibels.~~

~~(3)~~(2) *Exemption.* Noises exceeding the permitted decibel levels for a period of less than one continuous minute shall not constitute a violation of this section unless such noise is purposely interrupted, before again resuming, in an effort to circumvent the prohibitions of this section.

Sec. 17-4. Exemptions.

The terms and prohibitions of this chapter shall not be applied to or enforced against:

(1) Any Motor Vehicle, Motorboat or other Vessel or vehicle of the Village, the

County, the State or licensed public utility vehicle within the Village while engaged in necessary public business.

(2) Excavation or repairs of bridges, streets, highways, street lights or utilities, by or on behalf of the Village, the County, or the State, or performance of such work during the night if the public welfare and convenience renders it impossible to perform such work during the day.

(3) The Construction of public improvement projects of the Village, including, but not limited to, beach renourishment projects, but solely to the extent authorized by and subject to the conditions set by resolution of the Village Council, as adopted after a public hearing. Any violation of the conditions of the resolution shall cause a waiver of the exemption and shall constitute a violation of this chapter.

(4) The Construction of public school improvements as a project of the School Board of Miami-Dade County, Florida (the "School Board"), including, but not limited to, the improvement of existing schools or construction of new schools, but solely to the extent authorized by and subject to the conditions set by resolution of the Village Council, as adopted after a public hearing. Any violation of the conditions of the resolution shall cause a waiver of the exemption and shall constitute a violation of this chapter.

(5) A reasonable use of amplifiers or loudspeakers in the course of public addresses or gatherings which are noncommercial in character; noise generated in the course of a special activity or event which has obtained a Special Event ~~P~~permit pursuant to Section 17-5; noise generated for the purpose of alerting persons to the existence of an Emergency or noise generated in the performance of Emergency work.

(6) Holiday celebrations held on July 4 and December 31 to January 1, except that this exemption shall not apply and an authorized Village employee may enforce the provisions of Section 17-7 if the celebration is injurious to human health or welfare. Holiday celebrations held on Holidays other than July 4, and December 31 to January 1, shall also be exempt, but solely to the extent authorized by and subject to the conditions set by resolution of the Village Council, as adopted after a public hearing:

(a) If conducted for social, noncommercial purposes at private residences <u>or within common areas of multifamily properties</u>;

and/or

(b) If conducted at restaurants or hotels.

Any violation of the conditions of the resolution shall cause a waiver of the exemption and shall constitute a violation of this chapter.

(7) Noise produced from lawful governmental activities at parcels located in GU

or PROS zoning districts.

Sec. 17-5. Permits for Special Events.

Upon written application to the Village Manager, or his or her designee, submitted a minimum of ten (10) days prior to a Special Event ~~an event at which noise levels are expected to violate this chapter~~, the prohibitions or hour restrictions contained herein may be modified subject to such conditions as the Village Manager may impose. The decision of the Village Manager shall be final and not subject to appeal.

(1) *Permit application information.* Except as provided herein, the permit applicant shall be the owner of the property where the Special Event shall take place. The permit applicant for Special Events held on the public beach or in the public-right-of-way ~~associated with an upland property~~ shall be the adjacent ~~upland~~ property owner. The application for a Special Event ~~P~~permit under this section shall contain the following information:

(a) The name, date of birth, address, and telephone number of the person who will be in charge of the activity or event for which a permit is requested;

(b) The name of the person or entity seeking the permit;

(c) The exact date and time for which the permit is sought;

(d) The exact location of the activity or event for which a permit is requested; and

(e) A description of the activity or event for which a permit is requested.

(2) *Permit contents, time restrictions.* Permits issued under this section shall specify the date and time during which the activity or event authorized by permit may be conducted. No permit shall be issued which encompasses more than one calendar day, or a span of hours in excess of eight hours.

(3) *Procedures for administrative permits.* The Village Manager is hereby authorized to promulgate reasonable rules and procedures for the application, issuance and revocation of such permits.

(4) *Criteria for permit issuance; posting of bond.* Issuance of a permit under this section shall be based on a determination by the Village Manager or his or her designee that the activity or event for which a permit is requested does not constitute a threat to public safety or constitute a danger or impediment to the normal flow of traffic. The Village Manager or his or her designee may require that a bond be posted in an amount sufficient to secure full compliance with the terms and conditions of the permit and to secure the costs of cleanup, repair or replacement of damage or destruction of property, and shall be subject to forfeiture for purposes of paying any

such costs.

(5) *Persons designated as being in charge to be present.* The person designated in the permit application required in this section as being the person in charge of the activity or event for which the permit is sought must remain at the location of said activity or event during the entire time stated in the permit. It shall be unlawful and a violation of this section for said designated person in charge to fail to remain in attendance at the location of the activity or event authorized by the permit for the entire time specified in the permit.

(6) *Conditions on Special Event Permits.* The Village Manager shall impose conditions on the issuance of Special Event Ppermits necessary or appropriate to protect the life, safety and welfare of the Village residents, <u>including, but not limited to, hours of the Special Event</u>.

(7) Denial. The Village Manager is hereby authorized to deny a Special Event permit where the applicant has been issued more than two (2) citations or civil violation notices pursuant to Section 17-7 of this Chapter during the preceding twelve (12) month period or where more than two (2) citations or civil violation notices were issued for activities located upon applicant's property during the preceding twelve (12) month period.

(8) *Application fees and delinquency penalty.* A permit application fee, as established by Resolution of the Village Council, shall be due and payable at the time of the application. Those applications not timely filed shall be considered delinquent and subject to a delinquency penalty as established by Resolution of the Village Council.

Sec. 17-6. Enforcement.

This chapter shall be enforced by the Village Police Department or any other official of the Village authorized to enforce this chapter.

Sec. 17-7. Penalties.

(a) *Generally.* Any authorized Village employee who finds a violation of this chapter, shall issue a verbal warning to the violator requiring immediate correction of the violation. If the violation is not corrected immediately by the violator after issuance of the verbal warning, or the violation recurs within a 12-month period, the authorized Village employee shall issue a citation or civil violation notice to the violator requiring immediate correction of the violation, and shall impose a fine in the amount of $150.00 for which the violator shall be liable. If the violation is not corrected immediately by the violator after issuance of the citation or civil violation notice, or the violation recurs within a 12-month period, the authorized Village

employee shall issue a second citation or civil violation notice and shall impose an additional fine in the amount of $500.00. In the event that the violation continues after issuance of the second citation or civil violation notice to the violator, the violation shall constitute a public nuisance and may subject the violator to arrest by a Village police officer pursuant to State law or additional fines of $500.00.

(b) *Additional notice requirements for violations of Section 17-2(7).* For citations or civil violation notices issued under Section 17-2(7), Construction, if the violator is not the property owner or the property owner's authorized representative, a copy of each citation or civil violation notice shall be provided to the property owner or the property owner's authorized representative. If the violation is caused by a subcontractor involved in Construction, a copy of the citation or civil violation notice shall also be provided to the general contractor of the work. Further, the general contractor and subcontractor shall be cited and be responsible for a violation of Section 17-2(7).

(c) *Repeat violations.* Repeat violations of Section 17-2 or Section 17-3 of this chapter shall be subject to enhanced fines as authorized for repeat violations by F.S. 162.09(2)(a).

(d) *Violations of Section 17-2(19).* Violations of Section 17-2(19) concerning False Burglar Alarms are subject to the penalties set forth in Section 17-8.

Section 4. **Severability.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. **Inclusion in the Code.** That it is the intention of the Village Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of the Village of Key Biscayne; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. **Effective Date.** That this Ordinance shall be effective immediately upon adoption on second reading.

PASSED AND ADOPTED on first reading this 26th day of April, 2005.

PASSED AND ADOPTED on second reading this ___ day of _____, 2005.

_____
MAYOR ROBERT OLDAKOWSKI

ATTEST:

_____
CONCHITA H. ALVAREZ, CMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
VILLAGE ATTORNEY

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