

Chapter 8.48 - NOISE

Sections:

8.48.010 - Construction hours limitations.

It shall be unlawful to operate equipment or perform any construction in the erection, demolition, alteration, or repair of any building or structure or the grading or excavation of land during the following hours, except as hereinafter provided:

- (1) After six p.m. on any day, and before seven a.m., Monday through Friday, and before eight a.m. on Saturday;
- (2) All day on Sunday; and
- (3) On any federal holiday.

(Ord. 3109 § 1 (part), 1978)

(Ord. No. CS-211, § 2, 4-30-2013)

8.48.020 - Exceptions.

- (1) An owner/occupant or resident/tenant of residential property may engage in a home improvement or home construction project between the hours of eight a.m. and six p.m. on Sundays and holidays, subject to modification by subsection (2) below, provided such project is for the benefit of said residential property and is personally carried out by said owner/occupant or resident/tenant.
- (2) The building official, city engineer, or other official designated by the city manager may modify the hours of construction specified in Section 8.48.010. In making a determination to lengthen or shorten the hours of construction, the city official shall consider the following:
 - a. Whether the project is an emergency repair required to protect the health and safety of any member of the community;
 - b. Whether the construction would be less objectionable at night than during daylight hours;
 - c. The character and nature of the neighborhood in the vicinity of the work site;
 - d. The potential for great economic hardship;
 - e. If the work is in the interest of the general public;
 - f. Whether there is a previously unforeseen effect on the health, safety or welfare of the public; and
 - g. Any history of complaints regarding compliance with the limitation on hours of construction.

(Ord. 3109 § 1 (part), 1978)

(Ord. No. CS-211, § 2, 4-30-2013)

8.48.030 - Signage.

Signs shall be posted at jobsite entrance(s) indicating hours of work as prescribed by this title or as modified by the designated city official. Letters shall be a minimum of four inches high with a minimum stroke width of one-half inch.

(Ord. No. CS-211, § 2, 4-30-2013)

(For Entertainment Establishments)

8.09.110 - Sound or noise measurement.

- (a) Any sound or noise level measurement shall be measured with a sound level meter using an A-weighted (forty-phon) filter and an electrical time-constant equal to one second (i.e., "slow" meter response) pursuant to applicable manufacturer's instructions.
- (b) The sound level meter shall be appropriately calibrated and adjusted both before and after a test to ensure meter accuracy within the tolerances set forth by the American National Standards Institute (ANSI) test designation S1.40-1984 for Type II instrumentation.
- (c) For outdoor measurements, the microphone shall be not less than four feet above the ground, at least four feet distant from walls or other reflecting surfaces. The sound level meter shall be either mounted to a tripod, or handheld in a manner so as not to be directly in front of the abatement officer. The sound level meter shall be protected during any test from the effects of wind noises by the use of appropriate manufacturer specified windscreens.
- (d) The location of the any sound level measurement used for the purposes of noise abatement shall be taken at the property line of the entertainment establishment that is creating the noise source. The sound level meter shall be oriented such that the microphone is facing the noise source and is elevated approximately forty-five degrees vertically with respect to the ground. Under no circumstances should a measurement be performed closer than six feet from the noise source regardless of property line orientation.
- (e) Measurements shall be performed for a period of sixty seconds at each property line of interest using a time-energy average approach (i.e., equivalent sound level or Leq based on a meter exchange rate of three dB). Each measurement shall be logged by the abatement officer on the reporting sheet as "xx.x" dBA Leq-1m, where "xx.x" is the reading from the sound level meter.
- (f) If the noise source is intermittent, then for each halving of the hour in which the source is expected to occur, the effective noise level at the property line can be reduced by 3.0 dBA Leq.

(Ord. NS-859 § 3 (part), 2007)