

9.44.030 - Construction hours and prohibited days.

- A. Construction activity shall occur only between 7:30 a.m. and 6:00 p.m. on weekdays, and between 9:00 a.m. to 6:00 p.m. on Saturdays.
- B. There shall be no construction activity on Sundays or on City-recognized holidays, including the following:
  - 1. New Year's Day.
  - 2. Martin Luther King Jr's Day.
  - 3. Presidents' Day.
  - 4. Memorial Day.
  - 5. Independence Day.
  - 6. Labor Day.
  - 7. Columbus Day.
  - 8. Veterans Day.
  - 9. Thanksgiving Day..
  - 10. Friday after Thanksgiving.
  - 11. Christmas Day.
- C. The presence of workers or delivery trucks at the site of construction, even if no actual work or unloading is being done, constitutes construction activity for purposes of this section.
- D. The presence of equipment, tools or supplies, vehicles being started, idled or unloaded and loud talking at the site of construction activity constitutes construction activity for purposes of this section.
- E. In connection with any project that requires a discretionary permit, the Planning Commission or City Council may impose more restrictive hours of construction.
- F. The City Council or Director may modify construction hours as follows:
  - 1. Director authorization. Upon request, the Director may modify the hours for interior construction activity on commercial property under limited circumstances. The Director shall consider the noise disturbance criteria listed in Section 5.48.140 in determining whether to modify the hours. The Director may impose conditions to mitigate or eliminate any potential adverse impacts arising from the activities and shall provide prior notice to persons and businesses in the vicinity, at the owner's expense. The Director shall notify the Council of the decision at the next City Council meeting. The Director may forward a request to the City Council for its consideration.
  - 2. Council authorization. Upon request, the City Council may modify the hours for construction activity under limited circumstances. The Council shall consider the noise disturbance criteria listed in Section 5.48.140 in determining whether to modify the hours. The Council may impose conditions to mitigate or eliminate

any potential adverse impacts arising from the activities and shall provide prior notice to persons and businesses in the vicinity, at the owner's expense.

G. Exceptions.

1. An owner-builder who resides on the property while that property is under construction may perform construction activity between the hours of 9:00 a.m. and 6:00 p.m. on Sundays and City-recognized holidays; provided, however, that no subcontractors perform any work on Sundays or City-recognized holidays.
2. In the case of an emergency, the Building Official may authorize construction activity at times other than the hours specified in subsection A and on Sundays and City recognized holidays. For the purpose of this subsection 2, an emergency is defined as substantial property damage or a threat to the public health or safety. Such authority shall lapse once the site and structure(s) are safe. The Building Official may require the permittee to notify affected residents.

(§ 1, Ord. 16-0020, eff. November 19, 2016)