

9.07.035 CONSTRUCTION.

A. All construction activity shall be prohibited, except between the hours of:

8:00 a.m. and 8:00 p.m. Mondays through Fridays

9:00 a.m. and 7:00 p.m. Saturdays

10:00 a.m. and 7:00 p.m. Sundays

B. It is prohibited for any person to operate a device, which amplifies music or sound, at a construction site in a manner that results in noise levels that are audible beyond the construction site property line.

C. Construction activity of a specific nature (such as the pouring of concrete), with a limited duration, in non-residential zoning districts (as set forth in Article 2 of Title 17, Zoning, of this Code), on construction sites one (1) acre or greater in size, during the times prohibited by Subsection A. of this Section may be authorized, provided such exception has been determined to be in the public interest and one (1) of the following permits has been issued:

1. A land use permit, processed in accordance with the provisions of Article 5 of Title 17, Zoning, of this Code. The request for extended construction hours shall accompany the land use permit application and include detailed facts showing that the public interest will be served by allowing the extended construction hours. The request shall be considered in conjunction with the project as a whole and shall be subject to conditions of approval as determined to be necessary by the decision making authority.

2. A Temporary Use Permit approved by the City Council, processed in accordance with the provisions of [Chapter 17.520](#). At least fifteen (15) days prior to the anticipated date of decision on the Temporary Use Permit application, notice of the Temporary Use Permit application shall be mailed to all property owners and occupants within a one thousand (1,000) foot radius of the construction site. Applications for a Temporary Use Permit shall set forth detailed facts showing that the public interest will be served by the issuance of such permit.

D. In the case of an emergency, the Building Official may issue a permit for construction activity for periods during which construction activity is prohibited by Subsection A. of this Section. Such permit shall be issued for only the period of the emergency.

E. The City Council shall retain the right to impose more restrictive hours of construction upon any project by adding appropriate conditions to the approval of any Use Permits that are required for the project.

F. Home repairs and routine maintenance of personal property such as automobiles or boats are not considered construction.

G. All minor exterior home improvement construction activities such as, but not limited to roof replacement, and patio construction shall be subject to the provisions of this Chapter. ('65 Code, § 23-44.7) (Ord. No. 95-004 § 2 (part); Ord. No. 95-014 § 1; Ord. 2016-011 § 1)