

ORDINANCE NO. 2016-_____

AN ORDINANCE OF THE CITY OF CULVER CITY,
CALIFORNIA, AMENDING SECTION 9.07.035,
CONSTRUCTION, OF CHAPTER 9.07, NOISE REGULATIONS,
OF THE CULVER CITY MUNICIPAL CODE, TO ALLOW THE
LIMITED EXPANSION OF CONSTRUCTION HOURS UNDER
CERTAIN CIRCUMSTANCES, AS AUTHORIZED BY PERMIT.

WHEREAS, the existing provisions of Culver City Municipal Code (CCMC)
Section 9.07.035 limits construction activity to the following hours: 8:00 a.m. to 8:00 p.m.
Mondays through Fridays; 9:00 a.m. to 7:00 p.m. Saturdays; and, 10:00 a.m. to 7:00 p.m.
Sundays; and

WHEREAS, the CCMC does not allow for deviation from the prescribed hours
except in cases of emergency; and

WHEREAS, the City Council desires to allow for the limited expansion of
construction hours under certain circumstances, where the public interest is served, as
authorized by permit.

NOW THEREFORE, the City Council of the City of Culver City, California,
DOES HEREBY ORDAIN as follows:

SECTION 1. Section 9.07.035, Construction, of Chapter 9.07, Noise
Regulations, of the Culver of the Culver City Municipal Code is hereby amended to read as
follows (additions indicated by underlined text; deletions indicated by ~~strikethrough~~ text):

§ 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 any radio, disc player or cassette player or similar device at a construction site in a manner that results in noise levels that are audible beyond the construction site property line.

C. Construction activity in non-residential zoning districts (as set forth in Article 2 of Title 17, Zoning, of this Code) 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 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, processed in accordance with the provisions of Chapter 17.520. At least 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 500 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.

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

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

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

10 FG. All minor exterior home improvement construction activities such
11 as, but not limited to roof replacement, and patio construction shall be subject
12 to the provisions of this Chapter.
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15 **SECTION 2.** Pursuant to Section 619 of the City Charter, this Ordinance shall
16 take effect thirty (30) days after the date of its adoption. Pursuant to Sections 616 and 621
17 of the City Charter, prior to the expiration of fifteen (15) days after the adoption, the City Clerk
18 shall cause this Ordinance, or a summary thereof, to be published in the Culver City News
19 and shall post this Ordinance or a summary thereof in at least three places within the City.

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SECTION 3. The City Council hereby declares that, if any provision, section, subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this ordinance and as such they shall remain in full force and effect.

APPROVED AND ADOPTED this _____ day of _____, 2016.

JIM B. CLARKE, Mayor
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

JEREMY GREEN, Deputy City Clerk

A16-00739

CAROL A. SCHWAB, City Attorney