



Legislation Details (With Text)

**File #:** ID 2021-121    **Version:** 1    **Name:**

**Type:** Ordinance - 2nd Reading    **Status:** Agenda Ready

**File created:** 3/18/2021    **In control:** Regular City Commission Meeting

**On agenda:** 5/5/2021    **Final action:** 5/5/2021

**Title:** AN ORDINANCE AMENDING CHAPTER 9 - BUILDINGS, ADDING NEW SECTION 9-6. CONSTRUCTION HOURS OF OPERATION; AMENDING CHAPTER 33 - POLICE AND LAW ENFORCEMENT; OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE VIII - NOISE CONTROL CODE, SECTION 33-79 - SPECIFIC PROHIBITIONS, SUBSECTION (g) CONSTRUCTION NOISE; AMENDING CHAPTER 35 - ARTICLE I - IN GENERAL, ADDING NEW SECTION 35-0.6 CONSTRUCTION HOURS OF OPERATION IN RIGHT-OF-WAY; PROVIDING FOR CONSTRUCTION OPERATING HOURS; PROVIDING FOR SPECIAL PERMIT; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORDINANCE

Date	Ver.	Action By	Action	Result
5/5/2021	1	Regular City Commission Meeting		

**TO:** Mayor and City Commission

**FROM:** Cale Curtis, City Manager

**DATE:** May 5, 2021

AN ORDINANCE AMENDING CHAPTER 9 - BUILDINGS, ADDING NEW SECTION 9-6. CONSTRUCTION HOURS OF OPERATION; AMENDING CHAPTER 33 - POLICE AND LAW ENFORCEMENT; OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE VIII - NOISE CONTROL CODE, SECTION 33-79 - SPECIFIC PROHIBITIONS, SUBSECTION (g)CONSTRUCTION NOISE; AMENDING CHAPTER 35 - ARTICLE I - IN GENERAL, ADDING NEW SECTION 35-0.6 CONSTRUCTION HOURS OF OPERATION IN RIGHT-OF-WAY; PROVIDING FOR CONSTRUCTION OPERATING HOURS; PROVIDING FOR SPECIAL PERMIT; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**BACKGROUND:** City Code currently provides for operating days and hours for construction only as it relates to noise. The proposed ordinance addresses operating days and hours while taking into consideration noise, traffic flow, emergencies, and other conditions that may impact public health, safety, welfare as well as enjoyment of property. This ordinance also provides for the department director with most knowledge of the project, such as the Building Official for building construction or the DEES Director for utility work in City streets, to approve the special permit for construction during restricted days and hours.

**RECOMMENDATION:** For approval.

**FISCAL IMPACT:** None

**CONTACT PERSON:** Curt Keyser, DEES Director  
Richard Nixon, Building Official