



# Construction and Landscape Noise

Council Study Session  
June 10, 2021



# Construction and Landscape Noise

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Resident has requested the Town Council consider

- Banning construction and landscaping Friday afternoon through Sunday to further enhance tranquility



## Previous Construction/Landscape Noise Code Changes

- October, 2015 Town Council considered requests from contractors to grant Town Manager the authority waive the time and day restrictions for some construction work that needs to occur on weekends.
- August, 2016 Planning Commission and Council discuss Quality of Life Initiatives.
- On July 19, August 16 and September 6 and September 20, 2016 the Planning Commission discussed construction noise and leaf blower noise amendments
- October 27, 2016 Council considered Planning Commission recommendations during a Study Session.
- November 3, 2016, Council adopted consolidation of all noise provisions into Article 8-10 Nuisance Noise. Significant revisions including: added definitions; prohibited Heavy Equipment on weekends and holidays, limited other outdoor equipment to 9-5 on weekends, revised Sunday noise level from 45 db(A) to more realistic 75 db (A), set start on weekdays at 7 AM (versus “sunrise”)

Section 8-10-2  
DECLARATION OF  
CERTAIN ACTS  
CONSTITUTING  
DISTURBING,  
EXCESSIVE, OR  
OFFENSIVE  
NOISES

- B. Yard/Landscape Maintenance Equipment
  - 1. Definition
    - a. “Summer” shall mean those months from May through September, inclusive.
    - b. **“Yard/Landscape Maintenance Device” as used in this section, shall mean any portable, hand–held or propelled, ridden, carried, or pushed device, which is capable of and intended for landscape and yard maintenance purposes. This includes, but is not limited to, leaf blowers, chain saws, lawn mowers, edgers, or weed or string cutters.**
  - 2. Violations. Except for those properties where a special use permit provides for a more specific set of noise restrictions, **it shall be unlawful for any person to operate, or cause to be operated, a Yard/Landscape Maintenance Device, except between 7 AM and 5 PM on Monday through Friday and between 9 AM and 5 PM on Saturdays and Sundays and on the legal holidays** defined in Section 10-7-2 (10) of this Code. Summer hours of operation may start one (1) hour earlier.

# Section 8-10-2

## D. Construction and Related Activities

### 1. Definitions.

- a. “Decibel” shall mean a logarithmic unit of measurement which indicates the ratio between two quantities commonly referred to as electric or sound energy levels, or pressure levels. One decibel on the A-weighted scale is abbreviated “dB (A).”
- b. “Emergency” means a sudden or unforeseen situation that requires immediate work to prevent or mitigate injury or damage to persons or property. An Emergency exists only for the time necessary to remedy the immediate risk of harm.
- c. “Heavy Equipment” means mechanical equipment that typically generates significant and offensive noise, such as, but not limited to, a loader or backhoe.
- d. “Summer” shall mean those months from May through September, inclusive.

2. Except for those properties where a special use permit provides for a more specific set of noise restrictions it shall be unlawful for any person to operate or permit to be operated any Heavy Equipment in any construction, demolition, land clearing, excavation or similar outside construction activity, except between 7 AM and 5 PM on Monday through Friday. **Operation of Heavy Equipment is unlawful at all times on Saturdays, Sundays and legal holidays** (as defined in Section 10-7-2(10) of this Code). Summer hours of operation may start one (1) hour earlier.

## Section 8-10-2

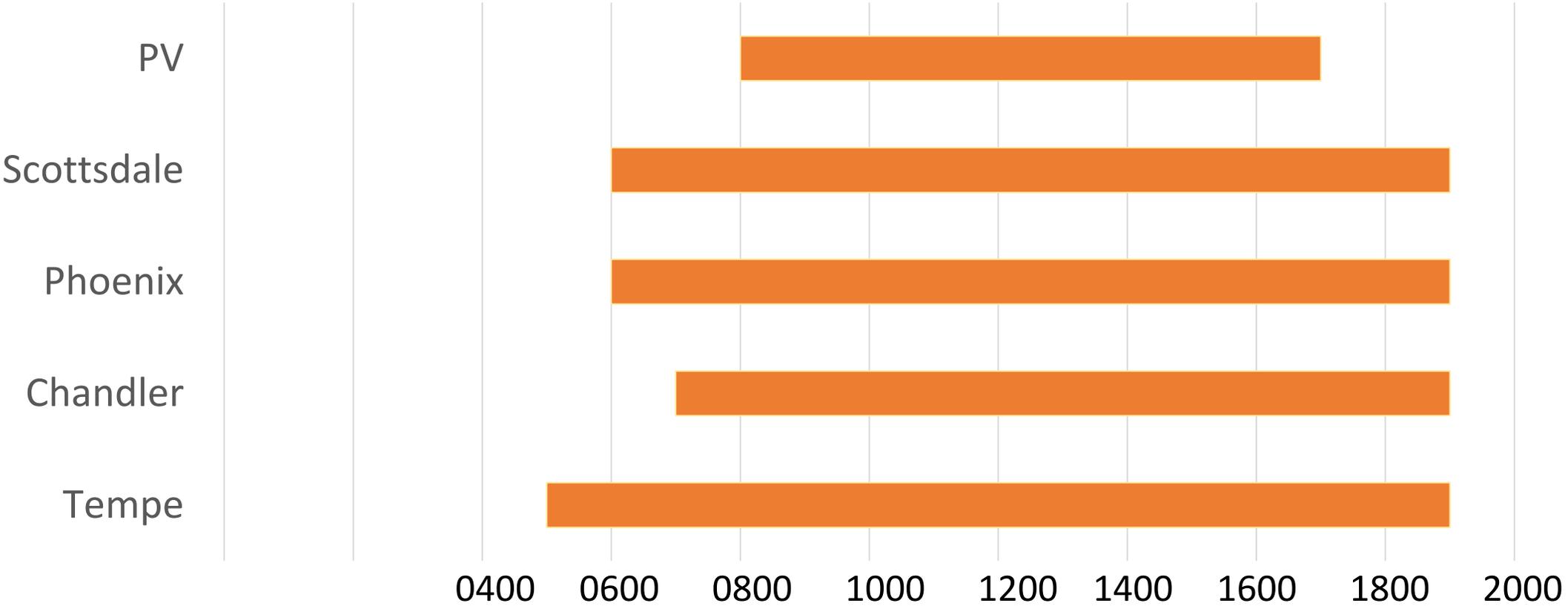
### D. Construction and Related Activities

3. It shall be unlawful for any person to deliver or cause to be delivered construction equipment or materials to a construction site except between 7 AM and 5 PM Monday through Saturday. **Delivery of construction equipment or materials to a construction site is unlawful on Sundays and legal holidays** (as defined in Section 10-7-2 (10) of this Code), except that sprayed termite prevention material may be applied at any time. Summer delivery hours may start one (1) hour earlier. The Town Manager, or his designee, may grant exceptions upon written request.
4. It shall be unlawful for any person to operate or permit to be operated any other device or equipment (that is, equipment that is not already subject to the Heavy Equipment restriction in Section D.1 above) in any building, **construction, demolition, land clearing, excavation or similar outside construction activity, alteration, or repair work on any buildings, structures or projects**, except between 7 AM and 5 PM Monday through Friday, and **between 9 AM and 5 PM on Saturdays, Sundays and legal holidays**, (as defined in Section 10-7-2 (10) of this Code). **The noise level created on Sundays shall not exceed 75 Decibels measured at the nearest property line.** Summer hours may start one (1) hour earlier. The Town Manager, or his designee, may grant exceptions upon written request.

# Comparative Construction Noise Regulations

	Tempe	Chandler	Phoenix	Scottsdale	Paradise Valley		
<b>SUMMER</b>					Heavy Equipment	Construction/ Landscaping	Leaf Blowers*
<ul style="list-style-type: none"> <li>• Weekday</li> <li>• Weekend &amp; Legal Holidays</li> </ul>	5 am to 7 pm	5 am to 10 pm	6 am to 7 pm	6 am to 7 pm	6 am to 5 pm	6 am to 5 pm	6 am to 5 pm
	5 am to 7 pm	7 am to 7 pm	6 am to 7 pm	6 am to 7 pm	<b>Prohibited</b>	8 am to 5 pm No material delivery Sun/Holidays	8 am to 5 pm
<b>WINTER</b>							
<ul style="list-style-type: none"> <li>• Weekday</li> <li>• Weekend &amp; Legal Holidays</li> </ul>	6 am to 7 pm	5 am to 10pm	7 am to 7 pm	7 am to 5 pm	7 am to 5 pm	7 am to 5 pm	7 am to 5 pm
	6 am to 7 pm	7 am to 7 pm	7 am to 7 pm	8 am to 5 pm (not Sunday)	<b>Prohibited</b>	9 am to 5 pm Sun<75 dB(A)	9 am to 5 pm

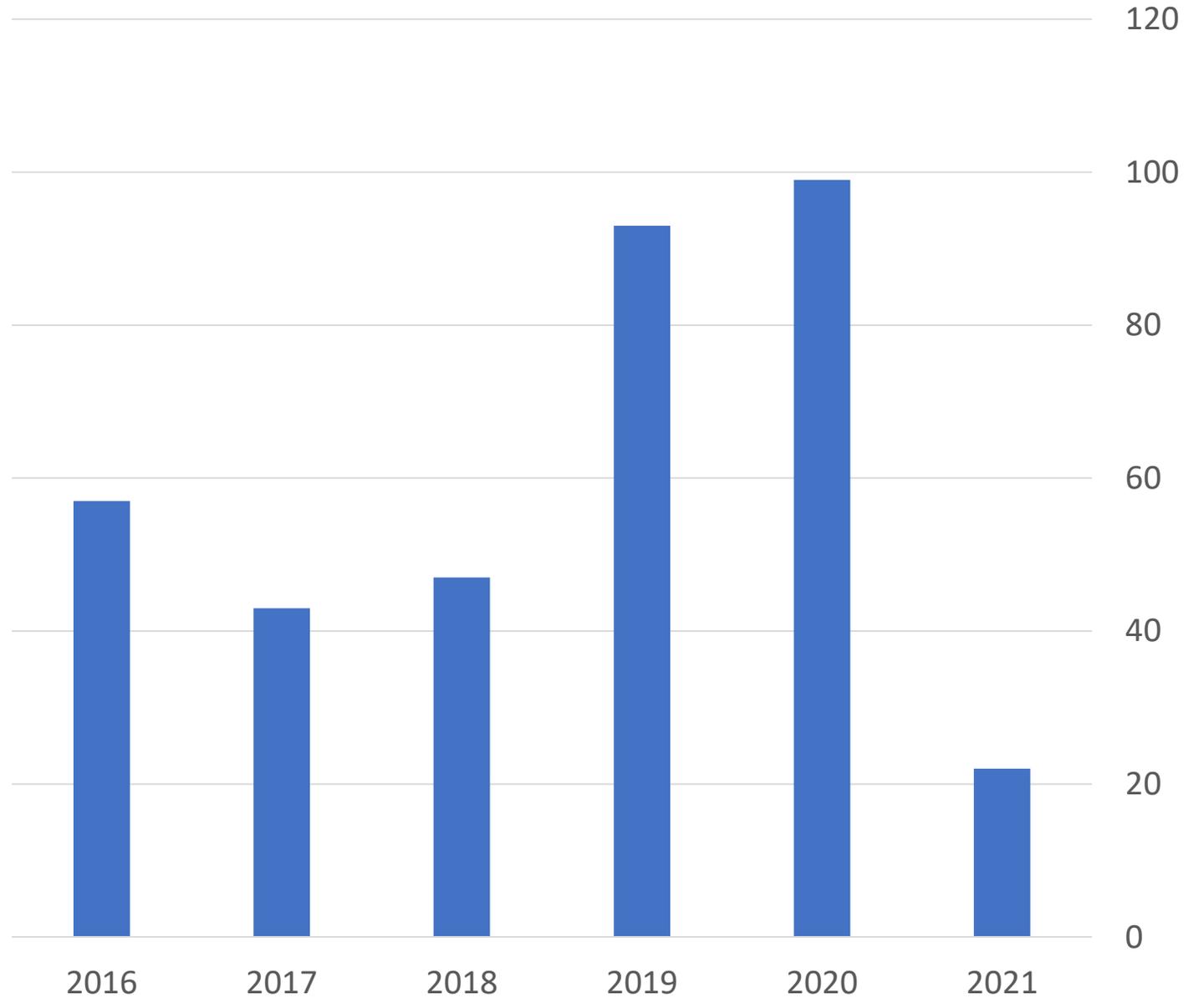
# Summer Weekend Permitted Construction Times



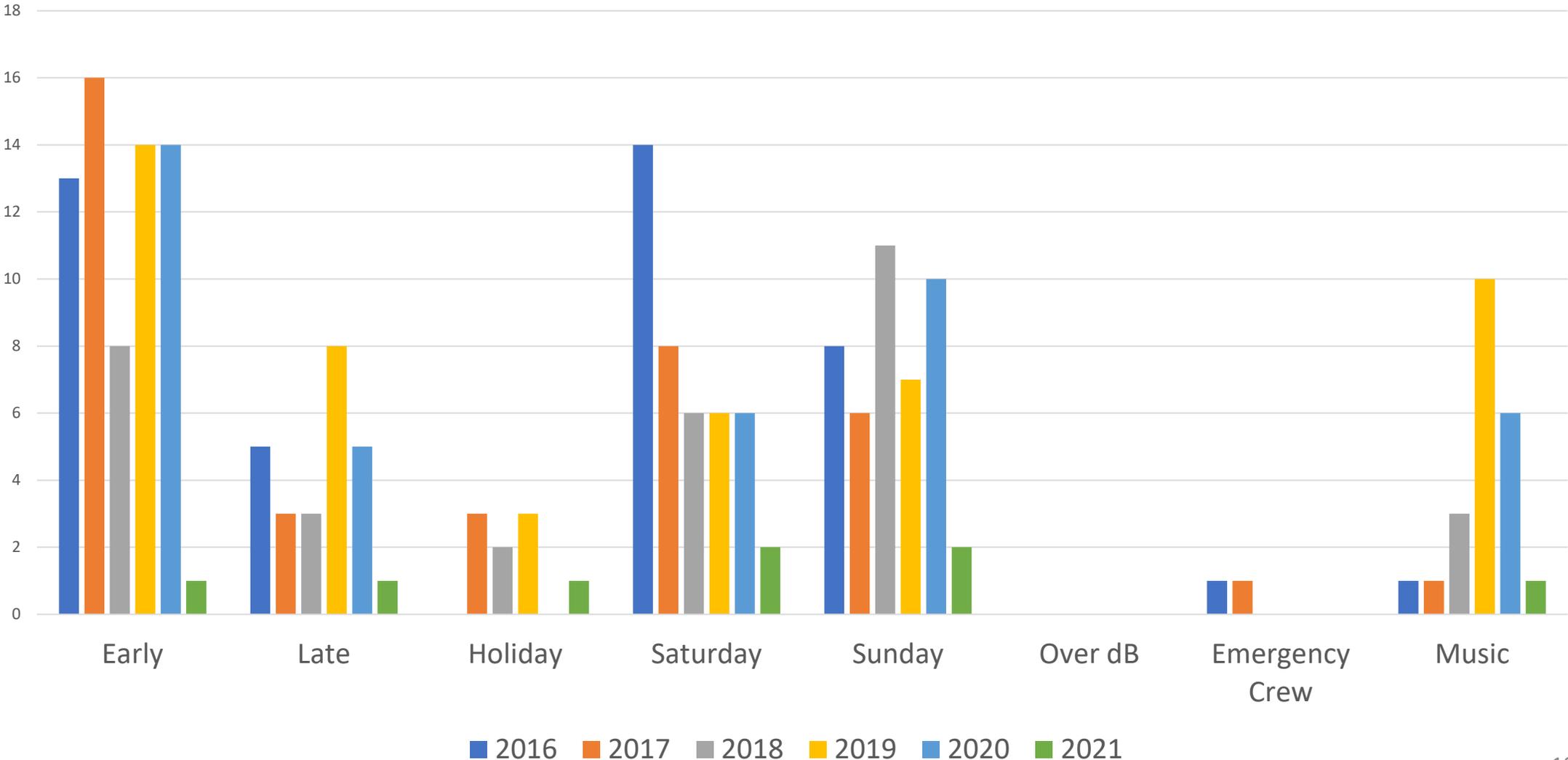
# Annual Construction Noise Complaints

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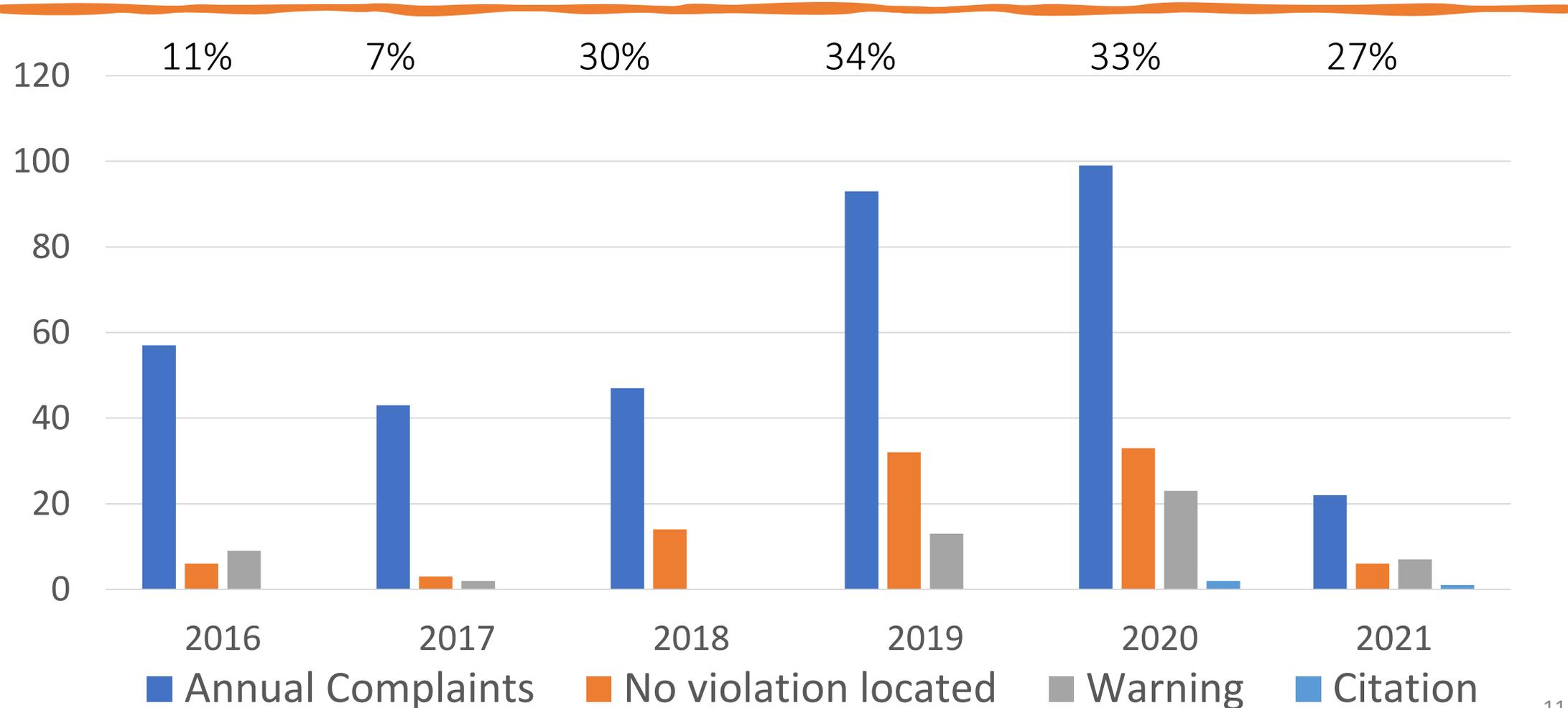
- 2021 numbers are through 4/21/2021



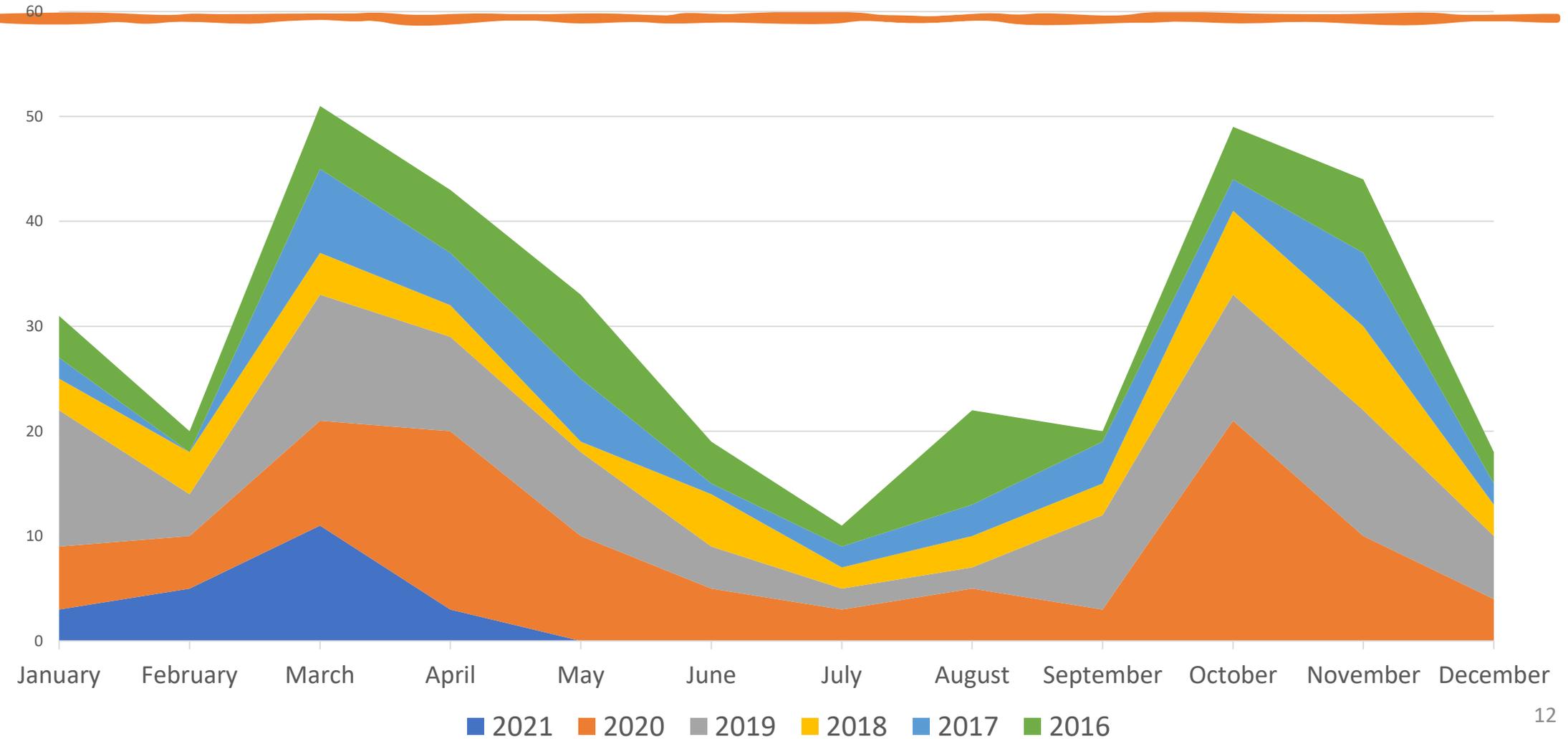
# Types of Complaints Received



# Unverified Violations Percent of Total Complaints



# Number of Complaints by Month



# Benefits and Constraints of Additional Noise Time and Day Restrictions

## **Benefits**

- Will further reduce noise on Fridays and Weekends
- Will increase neighborhood tranquility on Fridays and Weekends

## **Constraints**

- Will Lengthen Construction Period
- Will increase cost of doing work in PV
- Will limit opportunity of working homeowners to do home and landscape projects on weekends

Does the Town Council wish to consider:

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Banning construction and landscaping

Friday afternoon through Sunday to further enhance tranquility?

Other Suggestions?





# Questions?

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Direction to Staff

