

City of Tempe

Sec. 20-8. - Construction of buildings and projects.

(a) General provisions. It shall be unlawful for any person to operate equipment or perform any outside construction or repair work on buildings, structures or projects, or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist or any other construction-type device, except within the time periods specified herein, or if the noise level created thereby is in excess of the applicable community noise standard by five (5) dB(A) at either the nearest property line or the affected area of the property unless written authorization has been obtained beforehand from the City Manager or his duly authorized representative.

(b) Start/Stop Times:

(1) Concrete. From April 15 to October 15 inclusive, concrete may be poured, and concrete mixing trucks may be idled, each day between the hours of 5:00 a.m. and 7:00 p.m. or at such other times pursuant to written authorization. From October 16 to April 14 inclusive, concrete may be poured, and concrete mixing trucks may be idled, each day between the hours of 6:00 a.m. to 7:00 p.m. or at such times pursuant to written authorization.

(2) All other construction/residential zones in or within five hundred (500) feet. From April 15 to October 15 inclusive, all other construction or repair work shall not begin prior to 6:00 a.m. and must stop by 7:00 p.m. each day in or within five hundred (500) feet of a residential zone or at such other times pursuant to written authorization. From October 16 to April 14 inclusive, all other construction or repair work shall not begin prior to 7:00 a.m. and must stop by 7:00 p.m. each day in or within five hundred (500) feet of a residential zone or at such other times pursuant to written authorization.

(3) Commercial and industrial zones. Construction and repair work in commercial and industrial zones not within five hundred (500) feet of a residential zone shall not begin prior to 5:00 a.m. and must stop by 7:00 p.m. or it may be conducted at such other times pursuant to written authorization.

(c) Weekends and holidays excluded. Notwithstanding the foregoing, construction or repair work shall not begin prior to 7:00 a.m. and must stop by 7:00 p.m. and concrete pouring should not begin prior to 6:00 a.m. and must stop by 7:00 p.m. on any Saturday, Sunday or holiday, unless such other times are allowed by written authorization.

(d) Written authorization. Construction and repair work may be conducted at different times and at higher noise levels than otherwise permitted herein if written authorization is obtained beforehand from the City Manager or his authorized representative. In granting such authorization, the City Manager or his authorized representative shall consider if construction noise in the vicinity of the proposed work site would be less objectionable at night than during the daytime because of different population levels or different neighboring activities; if obstruction and interference with traffic, particularly on streets of major importance, would be

less objectionable at night than during the daytime; if the kind of work to be performed emits noises at such a low level as to not cause significant disturbance in the vicinity of the work site; if the neighborhood of the proposed work site is primarily residential in character wherein sleep could be disturbed; if great economic hardship would occur if the work was spread over a longer time; if the work will abate or prevent hazard to life or property; if the proposed early morning or night work is in the general public interest, and he shall prescribe such conditions, working times, types of construction equipment to be used and permissible noise emissions as he deems to be required in the public interest. No written authorization shall be required to perform emergency work as defined in Section 20-2.

(e) Revocation of written authorization; appeal. The City Manager or his authorized representative may revoke any written authorization granted hereunder upon complaints based upon substantial evidence that the construction activity causes significant disturbance in the vicinity of the work site. Any person aggrieved by the granting of written authorization or the refusal to grant written authorization by the City Manager or his authorized representative may appeal the decision to the City Council who shall hear such appeal at the next regularly scheduled meeting of the City Council.

(f) Stop orders. Whenever any work on a construction project is in violation of the provisions of this section, the Community Development Director or his authorized representative, or, in the case of engineering projects, the Engineering and Transportation Director or his authorized representative, may order the construction project stopped by notice in writing served on any persons responsible for the project, and any such persons shall forthwith stop work on the project until authorized by the Community Development Director or the Engineering and Transportation Director to proceed with such work.

(Code 1967, § 19A-6; Ord. No. 696.3, 6-20-85; Ord. No. 86.46, § 1, 6-19-86; Ord. No. 2000.01, 1-20-00; Ord. No. 2001.17, 7-26-01; Ord. No. 2010.02, 2-4-10; Ord. No. O2019.03, § 11, 2-28-19)

Emergency work means work made necessary to restore property to a safe condition following a public calamity or work required to protect the health, safety or welfare of persons or property or work by private or public utilities when restoring utility service.

Sec. 20-4. - Exemptions.

The following uses and activities shall be exempt from noise level regulations:

(1) Air-conditioning equipment when it is functioning in accord with manufacturer's specifications and is in proper operating condition provided that no unit may cause the noise level measured inside any sleeping or living room inside any dwelling unit to exceed forty-five (45) dB(A) between the hours of 10:00 p.m. and 7:00 a.m., nor fifty-five (55) dB(A) between the hours of 7:00 a.m. and 10:00 p.m.;

- (2) Lawn maintenance equipment when it is functioning in accord with manufacturer's specifications and with all mufflers and noise-reducing equipment in use and in proper operating condition;
- (3) Nonamplified noises resulting from the activities such as those planned by school, governmental or community groups;
- (4) Noises of safety signals, warning devices and emergency pressure relief valves;
- (5) Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency;
- (6) Noises resulting from emergency work as defined in Section 20-2;
- (7) All noises coming from the normal operations of railroad trains;
- (8) Noises of church chimes; and
- (9) Power plant equipment during normal operation provided that no plant equipment may cause the noise level measured inside any sleeping or living room inside any residential dwelling unit to exceed forty-five (45) dB(A) between the hours of 10:00 p.m. and 7:00 a.m., nor fifty-five (55) dB(A) between the hours of 7:00 a.m. and 10:00 p.m.

(Code 1967, § 19A-10; Ord. No. 2000.01, 01-20-00)

City of Chandler

11-10. - Disturbing the peace prohibited.

No person shall disturb the peace, quiet and comfort of any neighborhood by creating therein any disturbing or unreasonably loud noise.

11-10.2 Construction Noise.

A. It shall be unlawful for any person to perform any construction work in the City, except within the time periods specified herein. As used in this section, "construction work" shall include (1) operating construction-related equipment; (2) performing outside construction work; (3) performing outside repair work on buildings, structures or projects; (4) operating a pile driver, power shovel, pneumatic hammer, derrick, power hoist or other construction-type device; (5) idling or operation of concrete mixing trucks; and (6) pouring concrete.

B. Construction work occurring within five hundred (500) feet of a residential property may not begin prior to 5:00 a.m. and may not continue beyond 10:00 p.m. on weekdays.

Notwithstanding the foregoing, construction work occurring within five hundred (500) of a residential property shall not begin prior to 7:00 a.m. and must stop by 7:00 p.m. on any Saturday, Sunday or holiday. For the purposes of this section, a "residential property" is defined as a lot, parcel or tract of land containing one (1) or more dwelling units, and distance is

measured from lot lines with any intervening public right-of-way being included in the measurement.

C. Notwithstanding the foregoing, performing of construction work in a public place or right-of-way located within five hundred (500) feet of a residential property may begin prior to 5:00 a.m. and may continue beyond 10:00 p.m. on weekdays and prior to 7:00 a.m. and beyond 7:00 p.m. on any Saturday, Sunday or holiday, provided that an encroachment permit allowing such an extended time period is obtained. Said encroachment permit shall be kept on the work site and shown to City officials on request. For the purposes of this section, a "public place" is defined as any real property owned, maintained or controlled by the City.

D. Nothing herein shall be construed to prohibit emergency construction work that is necessary to provide essential services such as water, sewer, electricity, data/communications, or gas to any property or to remedy an immediate threat to the public safety or the safety of the inhabitants of any given property.

E. The Directors of the Development Services or the Public Works and Utilities Department may revoke any encroachment permit granted hereunder upon complaint based upon substantial evidence that the construction activity caused unreasonable disturbance in the vicinity of the work site. To deny or revoke a permit, the designated City Engineer shall deliver or mail by certified mail to the business address shown on the permit application, a written notice that said permit is revoked and which lists the grounds therefore, and which may order the immediate stoppage of the work being performed under the permit pending any hearing on the revocation. A revoked permit shall be surrendered to the designated City Engineer on demand.

1. The permittee may request an informal hearing on such revocation by submitting a written request within ten (10) days after the notice of revocation is given and shall set forth specifically the grounds for the hearing. If a hearing is not requested within ten (10) days of the date of notice, the revocation shall take effect on the eleventh day after the date of the notice. If a hearing is requested, no revocation shall take effect until after the hearing and date of notice of the final decision of the Director of the Public Works and Utilities Department or the Development Services Department. An appeal to the City Manager of the decision of the Director of the Public Works and Utilities Department or the Development Services Department may not be made prior to the date of notice of the final decision of the Director of the Public Works and Utilities Department or the Development Services Department.

2. The permittee may appeal the final decision of the Director of the Public Works and Utilities Department or the Development Services Department within ten (10) days of the date of notice of such decision by submitting to the City Clerk a written notice of the permittee's intention to appeal to the City Manager. A timely appeal shall result in a stay of any decision of the Director, except that a work stoppage order may remain in effect. The appeal will be heard in accordance with the provisions set forth in Chapter 1 of this Code. Failure to appeal in writing within the

prescribed time constitutes a waiver of the right to appeal. The decision of the City Manager shall be final.

Nothing herein shall be construed so as to prohibit noises produced by emergency vehicles, operations or procedures of any kind or at any time, or to prohibit noise produced in the normal conduct of business or commerce, provided that such noise production occurs within the normal and customary hours for the conduct of such business or commerce and the operation is being legally conducted within the scope of all ordinances, laws and statutes of the City of Chandler, Maricopa County and the State of Arizona.

City of Phoenix

City Code 23-14 (h) restricts construction to non-holiday weekdays between the hours of 7:00 AM to 7:00 PM October 1st through April 30th and 6:00 AM to 7:00 PM May 1st through September 30th . Permits for extended work hours may be issued for emergency conditions or if the public peace and quiet will not be unreasonably disturbed. Apply for an Extended Construction Work Hours permit at the following link:

https://www.phoenix.gov/pdds/site/Documents/dsd_trt_pdf_00141.pdf

Sec. 23-14. Enumeration of loud, disturbing and unnecessary noises; enumeration not exclusive.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises and noises in violation of this article, but this enumeration shall not be deemed to be exclusive, namely:

h. Building construction. Construction including erection, excavation, demolition, alteration or repair of any building within 500 feet of any inhabited structure, other than between the hours of 6:00 a.m. and 7:00 p.m. from May 1 to and including September 30 and between the hours of 7:00 a.m. and 7:00 p.m. beginning October 1 to and including April 30 on non-holiday weekdays. Except that the Planning and Development Director may grant a permit to conduct such operations outside listed hours, on weekends, or on holidays:

1. In case of urgent necessity in the interest of public health, safety and welfare. The permit may be granted for a period not to exceed 30 days, while the emergency continues.
2. If the Planning and Development Director should determine that the public health, safety and welfare will not be impaired by the construction within the hours specified herein, and if the Director shall further determine that loss or inconvenience would not result to any party in interest, he may grant permission for such work to be done at times other than specified herein, upon application being made at the time the permit for the work is awarded or during the progress of the work. The permit may be granted for a period exceeding 30 days at the discretion of the Director.

i. Excavation of streets, permit from Street Transportation Department Director. The excavation of streets and highways in any residential district or section, other than [within] the hours specified in Section 23-14(h), except in the case of urgent necessity in the interest of public health, safety and welfare then only with a permit from the Street Transportation Department Director, which permit may be granted for a period not to exceed thirty days, while the emergency continues. If the Street Transportation Department Director should determine that the public health, safety and welfare will not be impaired by the excavation of streets and highways within the hours specified in Section 23-14(h), and if he shall further determine that loss or inconvenience should not result to any party in interest, he may grant permission for such work to be done other than specified in Section 23-14(h), upon application being made at the time the permit for work is awarded or during the progress of work.

City of Scottsdale

Additional IBC amendments - CONSTRUCTION ACTIVITY.

The following sections are added to CHAPTER 1 SCOPE AND ADMINISTRATION, of the International Building Code:

SECTION 117 - CONSTRUCTION ACTIVITY

117.1 Working hours. All construction and related work (including using manual or power tools or equipment, and vehicles for excavation and material delivery) is restricted to the hours stated herein.

117.1.1 Summer hours. April 1st through October 31st : no work shall begin before 6:00am or continue after 7:00 pm Monday through Friday; or before 7:00am or continue after 7:00pm on Saturday.

117.1.2 Winter hours. November 1st through March 31st : no work shall begin before 7:00am or continue after 5:00pm Monday through Friday; or before 8:00am or continue after 5:00pm on Saturday.

117.1.3 Sunday hours. No Sunday work is allowed unless the applicant demonstrates, in writing to the building official, justifiable cause for the work.

117.1.4 Homeowner hours. Homeowners doing general maintenance may work Saturday hours on Sunday.

117.1.5 Other hours. The city may establish other hours based on the location of the jobsite in relation to surrounding occupancies, buildings and structures.

117.2 Working hours modifications.

The building official may grant a modification of working hours for justifiable cause.

Town of Paradise Valley

Section 8-10-2 DECLARATION OF CERTAIN ACTS CONSTITUTING

DISTURBING, EXCESSIVE, OR OFFENSIVE NOISES

The following activities, among others, are declared to cause disturbing, excessive or offensive noises in violation of this section and are unlawful, namely:

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.

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.

SAFETY, HEALTH, SANITATION AND NUISANCE

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The Town Manager, or his designee, may grant exceptions upon written request.

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.

Section 8-10-3 Exemptions

The following uses and activities shall be exempt from the regulations of this Article:

1. Noises resulting from any authorized emergency or public safety vehicle.
2. Noises resulting from the operation of any Heavy Equipment, equipment other than Heavy Equipment, or a Yard/Landscape Maintenance Device during an Emergency.
3. Noise resulting from activities of a temporary duration for which a license or permit has been granted by the Town.
4. Vehicle back up warning alarms.