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2 When recorded, return to:
3 Paradise Valley Town Attorney
4 6401 East Lincoln Drive
5 Paradise Valley, Arizona 85253
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11 **ORDINANCE NUMBER 692**
12

13
14 **AN ORDINANCE OF THE TOWN OF PARADISE**
15 **VALLEY, ARIZONA AMENDING THE PARADISE**
16 **VALLEY TOWN CODE, ARTICLE 10, SECTIONS 10-7-5**
17 **AND 10-7-7; PROVIDING FOR SEVERABILITY**
18

19 **BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF**
20 **PARADISE VALLEY, ARIZONA:**
21

22 Section 1. Article 10, Sections 10-7-5 and 10-7-7, are hereby amended, with deletions
23 shown as ~~striketroughs~~ and additions shown in **bold type** as follows.
24

25 Section 10-7-5 Construction and Related Activities
26

- 27 A. It is unlawful for any person to operate or permit to be operated any pile
28 driver, power shovel, rotary drill or auger, loader, pneumatic or hydraulic
29 hammer, or bulldozer, in any building, construction, demolition, land
30 clearing, excavation or similar outside construction, between sunset and
31 sunrise on Monday through Friday, and at all times on Saturdays, Sundays
32 and designated legal holidays.
33
- 34 B. It shall be unlawful for any person to perform or cause to be performed the
35 maintenance or servicing of construction vehicles or equipment or to
36 deliver or cause to be delivered construction equipment or materials to a
37 construction site between sunset and sunrise Monday through Saturday,
38 and at all times on Sundays and designated legal holidays except that
39 sprayed termite prevention material may be applied between sunset and
40 sunrise.
41
- 42 C. It is unlawful for any person to operate or permit to be operated any device
43 in any building, construction, demolition, land clearing, excavation or
44 similar outside construction, alteration, or repair work on any buildings,
45 structures or projects, between sunset and sunrise Monday through
46 Saturday, and at all times on Sundays and designated legal holidays, if the
47 noise level created exceeds 45 db(a) measured at the nearest residential or
48 commercial property line.
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1 Section 10-7-7 Exemptions

2
3 A. Under unusual circumstances not specified in this ordinance, at the
4 discretion of the Town Manager a noise level may exceed the ranges
5 specified in Tables 1 and 2, supra, **or time and day restrictions may be**
6 **waived.**

7
8 B. The following noise sources, activities and uses shall be exempt from the
9 noise regulations specified in this Article:

10
11 1. Noises of safety signals, warning devices, and emergency pressure
12 relief valves.

13
14 2. Noises resulting from any authorized emergency vehicle when
15 responding to an emergency call or acting in time of emergency.

16
17 3. Noises resulting from work on essential services as defined in Section
18 10-7-2 (5), supra.

19 Section 3. If any section, subsection, sentence, clause, phrase or portion of this
20 ordinance or any part of these amendments to the Town Code adopted herein by reference
21 is for any reason held to be invalid or unconstitutional by the decision of any court of
22 competent jurisdiction, such decision shall not affect the validity of the remaining portions
23 thereof.

24 Section 4. This ordinance shall become effective in the manner provided by law.

25 PASSED AND ADOPTED by the Mayor and Council of the Town of Paradise Valley,
26 Arizona, this _____ day of _____ 2015.

27 _____
28 Michael Collins, Mayor

29
30 ATTEST:

31
32
33 _____
34 Duncan Miller, Town Clerk

35
36
37
38 APPROVED AS TO FORM:

39
40
41 _____
42 Andrew M. Miller, Town Attorney

43
44 **CERTIFICATION**

1 I, Duncan Miller, Town Clerk, certify that the foregoing is a true copy of Ordinance
2 Number 692 duly passed and adopted by affirmative vote of the Town Council of Paradise
3 Valley at a meeting held on the 22nd of October, 2015. Passage of this Ordinance appears
4 in the minutes of the meeting. The Ordinance has not been rescinded or modified and is
5 now in effect. I further certify that the municipal corporation is duly organized and
6 existing, and has the power to take the action called for by the Ordinance.

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Duncan Miller, Town Clerk