

**TO:** Mayor Craft & Members of the City Council

**FROM:** Brandan Franklin

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**SUBJECT:** Set new time restrictions for construction

**DATE:** January 23, 2020

**ISSUE:** Certain construction activities create a noise nuisance to neighboring properties

**RECOMMENDATION:** Create an ordinance to restrict construction between the times of 8:00 p.m. and 7:00 a.m. The building official shall grant special exceptions when deemed necessary. This will align the City with neighboring jurisdictions.

Orange Beach 9:00 p.m. – 7:00 a.m.

Daphne 10:00 p.m. – 7:00 a.m.

Fairhope 7:00 p.m. – 7:00 a.m.

Foley and Baldwin County do not have set hours for construction

**BACKGROUND:** The city has received several complaints recently regarding construction activities and the noise associated with these activities creating a nuisance for neighboring properties between the times of 10:00 p.m. and 6:00 a.m. This ordinance will allow the city to regulate the time construction activities can proceed. By doing so, surrounding properties should not be disturbed during these times. This will replace our current ordinance in the Code of Ordinances which will allow the City to enforce this restriction within our Police Jurisdiction as well as the City Limits.

**PREVIOUS COUNCIL ACTION:** Adopted Ordinance 1647 in 2011

**BUDGET IMPLICATIONS:** None

**RELATED ISSUES:** none

**ATTACHMENTS:** see attached ordinance

**DEPARTMENT:** Building

**STAFF CONTACT:** Brandan Franklin