

Order 59 -05/06

Given first reading: 9/7/05 Postponed on 9/19/05 & 10/5/05

Passage: 10/17/05 7-1 (Duson opposed, O'Donnell gone)

JILL C. DUSON (MAYOR)(A/L)  
PETER O'DONNELL (A/L)  
JAMES F. CLOUTIER(A/L)  
NICHOLAS M. MAVODONES (A/L)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

WILLIAM R. GORHAM (1)  
KAREN A. GERAGHTY (2)  
DONNA J. CARR (3)  
CHERYL A. LEEMAN (4)  
JAMES I. COHEN (5)

**AMENDMENT TO PORTLAND CITY CODE**  
**CHAPTER 17 (OFFENSES, MISCELLANEOUS PROVISIONS)**  
**SECTION 17-18. CONSTRUCTION ACTIVITIES**

1. *That Chapter 17, Section 17-18 of the Portland City Code is hereby amended to read as follows:*

**Sec. 17-18. Construction activities.**

(a) Within the R-zones, from September 1<sup>st</sup> to May 31<sup>st</sup>, nNo person shall engage in construction activities generating noise exceeding fifty (50) decibels, between the hours of ~~10:00~~7:00 p.m. and 7:00 a.m., of the following day within five hundred (500) feet of any building used for residential, hospital or nursing home purposes. From June 1<sup>st</sup> to August 31<sup>st</sup> construction activity may continue until 8:00 p.m. Any other language notwithstanding, no construction activity shall begin before 8:00 a.m. on a Saturday, Sunday or legal holiday.

(b) Construction activities shall include, but not be limited to, the following:

- (1) The use or operation of power or heavy equipment in connection with road, street, or bridge construction, reconstruction or repair;
- (2) The use or operation of power or heavy equipment in connection with the installation or repair of utility lines, pipes, wires or cables;
- (3) The use or operation of power or heavy equipment in connection with the construction of buildings, including specifically excavation for foundations or landscaping work of any kind;
- (4) The renovation, repair, remodeling or demolition of the exterior or foundation of any ~~existing~~ building or structure.

(c) This section shall not apply in the following situations:

- (1) Emergency repair work on any utility line, pipe, wire or cable required to restore normal utility service;
- (2) Situations where the public works authority or the office of building inspections determines that the construction activity is of a unique character which cannot reasonably be completed or performed during the permitted hours and which is not of a recurring nature, provided that prior to engaging in such activity the contractor or his representatives gives notice of the time and scope of such proposed activity, the notice to be given in a manner approved by the public works authority.

(Code 1968, § 703.3A; Ord. No. 403-71, 8-16-71)