

**AN ORDINANCE TO AMEND §132.05 (DISTURBING NOISES) IN THE CITY OF EASLEY’S CODE OF ORDINANCES TO ADDRESS CONSTRUCTION NOISE HOURS**

**WHEREAS**, pursuant to S.C. Code Ann. §5-7-30 incorporated municipalities possess powers by the Constitution and laws of the State of South Carolina to regulate roads, streets, markets, law enforcement, health, and order in the municipality or respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it; and,

**WHEREAS**, Item (C)(7) of §132.05 (Disturbing Noises) of the City of Easley’s Code of Ordinances addresses construction work and the resulting noise from such work; and

**WHEREAS**, the City of Easley has seen an increase in construction work throughout the City, numerous impacts to construction through weather patterns and events, and requests for work hours to be amended.

**WHEREAS**, the City of Easley desires to amend Item (C)(7) of §132.05 (Disturbing Noises) to provide additional hours for construction to represent the current market, mirror other local municipalities, and reflect staff recommendations.

**NOW, THEREFORE BE IT ORDAINED**, by the Mayor and the Council of the City of Easley, that §132.05 (Disturbing Noises) is amended as written below, effective upon final reading;

§132.05 (Disturbing Noises)

~~-(C)(7) Construction Work. The erection, including excavation, demolition, alteration or repair work on any building other than between the hours of 7:00 a.m. and 6:00 p.m., excluding Sundays, except in case of urgent necessity in the interest of public safety and convenience, and then only by permit issued by the Office of the Building Official.~~

(C)(7) Construction Work. Construction sounds (including excavation, demolition, alterations, civil, or repair work) must comply with all other prohibitions and rules in the noise ordinance, with the following exceptions:

- a. Monday through Saturday, construction sounds are allowed from 7:00 a.m. to 8:00 p.m.
- b. On Sundays, construction sounds are allowed from noon until 8:00 p.m.
- c. Construction sounds are allowed at any time for emergency repairs to restore power and/or utility service, to protect life or property from water or other destructive forces, and to remove trees, limbs, debris, or vehicles from buildings, power lines, or roads, and for any other emergency work necessary to protect or preserve life or property.
- d. When exigent circumstances require that construction sounds take place outside of the hours set forth above, the person/entity responsible for construction may request a limited construction sound exception permit from the City of Easley Building Official or Police Chief (or his/her designate). Except in rare cases, this should be done at least seven calendar days in advance of the date or dates on which the permit is needed; however, the police chief may consider more urgent requests for exception permits in extreme circumstances.
- e. If an exception permit is issued, the person/entity is responsible for notifying nearby businesses, residents and/or property owners, in the manner and in the time frame as directed by City of Easley Building Official or Police Chief (or his/her designate).

First Reading: May 11, 2020

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Mayor

Second Reading: \_\_\_\_\_

Attest:

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City Clerk