

SUBSTITUTE
187272

ORDINANCE No.

As Amended

*Revise Noise Regulations for pile driving (Ordinance; amend Code Title 18.10.060)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland is becoming a more densely inhabited city and larger developments in the City are being built in close proximity to many residential neighbors. Pile drivers operated in the City are one of the loudest pieces of construction equipment and single projects have the ability to impact large numbers of neighbors.
2. The Noise Review Board and City Council have heard from concerned citizens that pile driving regulations should be reviewed to better meet the changing needs of a growing, denser city. The Noise Review Board responded by taking testimony from stakeholders in the community including residential neighbors and parties in the development industry at multiple public hearings. The Board also reviewed the best practices of other cities to see what lessons might be incorporated into Title 18.
3. City Code should be amended to limit the start time for pile driving to establish a later start time at 8 AM, and by placing a limit on pile driving on Saturdays in excess of existing land use zone based decibel levels found in Title 18.10.010. This will limit all but the quietest forms of driving piles on Saturdays.

NOW, THEREFORE, the Council directs:

- a. City Code Section 18.10.060 Construction Activities and Equipment is amended by adding Subsection F. as follows:

F. Pile Drivers:

1. Notwithstanding Subsection B above, the permissible sound levels of Section 18.10.010 shall apply to pile drivers from 6 p.m. to 8 a.m. the following morning, and 6 p.m. Friday to 8 a.m. the following Monday, and on legal holidays.
2. The owner of a site on which pile driving will occur shall cause a notice to be mailed to all residences within 500 feet of the site. Mailing will occur no fewer than 30 days prior to the commencement of pile driving. The notice shall list the expected starting and ending dates for pile driving and give a telephone number for further information.

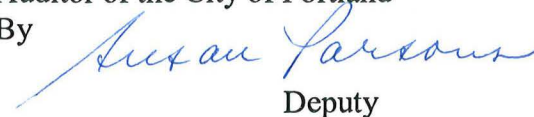
Section 2. The Council declares that an emergency exists because delay in the effectiveness of the Code amendment would be harmful to the public health and safety; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: JUL 29 2015

Commissioner Amanda Fritz
Prepared by: Paul van Orden
Date Prepared: July 27, 2015

Mary Hull Caballero
Auditor of the City of Portland


By


Deputy

Agenda No.
ORDINANCE NO.
Title

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<p>INTRODUCED BY Commissioner/Auditor: Commissioner Amanda Fritz</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p>BUREAU APPROVAL</p> <p>Bureau: Ofc of Neigh. Involvement Bureau Head: Amalia Alarcón de Morris</p> <p>Prepared by: Paul van Orden Date Prepared: 7/27/2015</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/> City Auditor Office Approval: required for Code Ordinances <i>Toni</i></p> <p><input checked="" type="checkbox"/> City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>Mary Hull</i></p> <p>Council Meeting Date July 29, 2015</p>	<p>CLERK USE: DATE FILED <u>JUL 28 2015</u></p> <p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p> <p>ACTION TAKEN:</p>
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AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/> Start time: 10:45 am</p> <p>Total amount of time needed: 30 minutes (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 30 Minutes (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	←	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	