



## STAFF REPORT

Meeting Date: April 4, 2016  
Agenda Item #: 8d

TO: Mayor and Town Council  
FROM: Susan Parker, Town Administrator  
TITLE: **Construction and Related Activities on Sunday**

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**Summary:** With the adoption of the revised Chapter 94 Noise Ordinance the following are now exemptions and the Sunday prohibition has been removed:

Construction or demolition operations conducted pursuant to a valid building permit or construction or demolition operations by an agency of government or their contractors.

Household tools and lawnmowers and other lawn care equipment with manufacturers recommended mufflers installed, between 7:30 a.m. and 7:30 p.m. or sunset, whichever occurs later.

During the March 7, 2016 meeting, the Council and Town Staff reported receiving complaints about construction noise on Sundays. After a brief discussion the Council consensus was to allow construction on Sunday but requested Staff to draft a solution.

After review of the current ordinance, Staff determined it is nearly impossible to regulate construction activities by districts due to commercial businesses providing construction services in both residential and commercial districts. Staff also determined that enforcement is nearly impossible without specific regulations and restrictions.

**Recommendation:** Staff offers the following for consideration:

- amend Chapter 94 to include the Sunday construction prohibition that was previously omitted
- amend Chapter 94 to include certain hours on Sunday that construction is allowed as follows:
  1. The erection, construction (including excavation), demolition, alteration or repair of any building or structure in a residential or business district on any Sunday other than between the hours of \_\_\_\_\_ a.m. to \_\_\_\_\_ p.m. is prohibited (except in the case of urgent necessity in the interest of public safety.), or
- leave Chapter 94 as written which allows for construction on Sunday.