

ORDINANCE No. 111458

COUNCIL BILL No. 103798

AN ORDINANCE relating to noise control, amending Seattle Municipal Code Chapter 25.08 by adding Sections 25.08.425 and 25.08.535 to regulate noise caused by construction and equipment operations, and amending Section 25.08.530 (Ordinance 106360, Section 601, as last amended by Ordinance 110047, Section 3), Section 25.08.540 (Ordinance 106360, Section 602, as last amended by Ordinance 108498, Section 1), and Section 25.08.080 (Ordinance 106360 Section 204).

*Engrossed Bill*

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <i>Aug. 1, 1983</i>	By: <i>EMC.</i>
Referred: <i>Aug. 1, 1983</i>	To: <i>PS&amp;H</i>
Referred:	To:
Referred:	To:
Reported: <i>DEC 12 1983</i>	Second Reading: <i>DEC 12 1983</i>
Third Reading: <i>DEC 12 1983</i>	Signed: <i>DEC 12 1983</i>
Presented to Mayor: <i>DEC 13 1983</i>	Approved:
Returned to City Clerk:	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

12-7-83 Pass ds  
Engasser-JR,  
DUP-SS

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WRP  
Original

The City of

COMPTROLLER FILE No. 10/5/83 HOLD TO DOZ 7

Honorable President:

Your Committee on Public Safety

to which was referred the within Council Bill report that we have considered the same

that the bill be forwarded  
Pass 2<sup>nd</sup> ~~time~~  
back Richards yes

Introduced: 1 AUG 1 1983	By: EXECUTIVE REQUEST
Referred: AUG 1 1983	To: P.S.G.H.
Referred:	To:
Referred:	To:
Reported:	Second Reading:
1 <sup>st</sup> Reading:	Signed:
Presented to Mayor:	Approved:
Returned to City Clerk:	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:





ORDINANCE **111458**

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BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to Chapter 25.08 of the Seattle Municipal Code a new section as follows:

Section 25.08.425. Construction and Equipment Operations.

A. The maximum permissible sound levels established by Section 25.08.410 and 25.08.420, as measured from the real property of another person or at a distance of 50 feet from the equipment, whichever is greater, may be exceeded by no more than the following dB(A)s for the following types of equipment:

1. 25 dB(A) for equipment on construction sites, including but not limited to crawlers, tractors, dozers, rotary drill and augers, loaders, power shovels, cranes, derricks, graders, off-highway trucks, ditchers, trenchers, compactors, compressors, and pneumatic powered equipment;

2. 20 dB(A) for portable powered equipment used in temporary locations in support of construction activities or used in the maintenance of public facilities, including but not limited to chain saws, log chippers, lawn and garden maintenance equipment, and powered hand tools; or

3. 15 dB(A) for powered equipment used in temporary or periodic maintenance or repair of the grounds and appurtenances of residential property, including but not limited to lawn mowers, powered hand tools, snow-removal equipment, and composters.

1           B. Sounds created by impact types of construction equipment, includ-  
2 ing but not limited to pavement breakers, pile drivers, jack hammers, sand  
3 blasting tools, or by other types of equipment or devices which create im-  
4 pulse noise or impact noise or are used as impact equipment, as measured at  
5 the property line or 50 feet from the equipment, whichever is greater, may  
6 exceed the maximum permissible sound levels established in Subsection A of  
7 this section in any one hour period between the hours of eight a.m. and  
8 five p.m. on weekdays and nine a.m. and five p.m. on weekends, but in no  
9 event to exceed the following:

- 10           1. Leq 90 dB(A) continuously;
- 11           2. Leq 93 dB(A) for 30 minutes;
- 12           3. Leq 96 dB(A) for 15 minutes; or
- 13           4. Leq 99 dB(A) for 7.5 minutes; provided that

14 sound levels in excess of Leq 99 dB(A) are prohibited unless authorized by  
15 variance obtained from the administrator; and provided further that sources  
16 producing sound levels less than 90 dB(A) shall comply with subsection A of  
17 this section during those hours not covered by this subsection B.

18           The standard of measurement shall be a one (1) hour Leq. Leq may be  
19 measured for times not less than one (1) minute to project an hourly Leq.  
20 Reference to one (1) hour is for measurement purposes only and shall not be  
21 construed as limiting construction to a one (1) hour period.

22           These subsections A and B shall be reviewed periodically by the City to  
23 assure that the sound level limits are technically feasible.

24           C. The maximum permissible sound levels established in subsection B  
25 of this Section may be increased by 5dB(A) when sound levels are measured  
26 with an impulse sound level meter operated consistently with Section  
27 25.08.680.  
28

1 D. Construction activity that exceeds the maximum permissible sound  
2 levels established by Section 25.08.410, when measured from the interior of  
3 buildings within a commercial district, is prohibited between the hours of  
4 eight a.m. and five p.m. For purposes of this subsection D interior sound  
5 levels shall be measured only after every reasonable effort, including but  
6 not limited to closing windows and doors, is taken to reduce the impact of  
7 the exterior construction noise.

8 Section 2. Section 25.08.530 of the Seattle Municipal Code (Ordinance  
9 106360, Section 601, as as amended by Ordinance 110047, Section 3) is  
10 amended as follows:

11 25.08.530 Sounds Exempt at all Times.

12 A. The following sounds are exempt from the provisions of this  
13 chapter at all times:

14 1. Sounds originating from aircraft in flight, and sounds which ori-  
15 ginate at airports and are directly related to flight operations;

16 2. Sounds created by safety and protective devices such as relief  
17 valves, where noise suppression would defeat the safety release intent of  
18 the device;

19 3. Sounds created by fire alarms;

20 4. Sounds created by emergency equipment and emergency work necessary  
21 in the interests of law enforcement or of the health, safety or welfare of  
22 the community;

23 5. Sounds created by the discharge of firearms in the course of  
24 lawful hunting activities;

25 6. Sounds created by natural phenomena;

26 7. Sounds originating from forest harvesting and silvi-culture acti-  
27 vity and from commercial agriculture, if the receiving property is located  
28 in a commercial or industrial district of the City;

8. Sounds created by auxiliary equipment on motor vehicles used for  
((highway)) maintenance;

9. Sounds created by warning devices or alarms not operated con-  
tinuously for more than thirty minutes per incident;

1           10. Sounds created in accordance with the terms of a valid permit to  
2 operate a solid waste disposal site issued by the Seattle-King County  
3 Department of Public Health; and

4           ~~((B. The City Council intends to amend this chapter by enacting speci-~~  
5 ~~fic regulations for the following sounds, each of which shall be exempt~~  
6 ~~from the provisions of this chapter at all times until a specific amendment~~  
7 ~~applying to that sound has been adopted:))~~

8           ~~((1. Sounds created by the operation of equipment or facilities of sur-~~  
9 ~~face carriers engaged in commerce by railroad;))~~

10           ~~((2. Sounds created by float planes; and))~~

11           ~~((3. Sounds created by construction equipment; including special~~  
12 ~~construction vehicles and emanating from temporary construction sites, if~~  
13 ~~the receiving property is located in a commercial or industrial district of~~  
14 ~~the city.))~~

15           Section 3.       There is added to Chapter 25.08 of the Seattle Municipal  
16 Code a new section as follows:

17           Section 25.08.535 Sounds Exemptions for Prior Construction Projects.

18           Sounds created by equipment used in any construction project for which  
19 the call for bids has commenced prior to the effective date of this ordi-  
20 nance are exempt from the provisions of this chapter:

21           A.   If the receiving property is located in a nonresidential district  
22 of the City; or

23           B.   If, between the hours of seven a.m. and ten p.m. on weekdays and  
24 between the hours of nine a.m. and ten p.m. on weekends, the receiving pro-  
25 perty is located in a residential district of the City.

26           Section 4.   Chapter 25.08.540 of the Seattle Municipal Code (Ordinance  
27 106360, Section 602, as last amended by Ordinance 108498, Section 1) is  
28 amended as follows:

          25.08.540.   Sounds Exempt During Daytime Hours - Generally.

          A.   The following sounds are exempt from the provisions of this  
chapter between the hours of seven a.m. and ten p.m. on weekdays and be-  
tween the hours of nine a.m. and ten p.m. on weekends:

- 1           1. Sounds created by bells, chimes, or carillons not operating for  
2 more than five minutes in any one hour;
- 3           2. Sounds originating from officially sanctioned parades and other  
4 public events;
- 5           3. Sounds created by the discharge of firearms on legally established  
6 shooting ranges;
- 7           4. Sounds created by blasting; and
- 8           5. Sounds originating from forest harvesting and silvi-culture activ-  
9 ity and from commercial agriculture if the receiving property is located in  
10 a residential district of ~~((King County))~~ the City. The Administrator is  
11 authorized to promulgate regulations which extend the hours during which  
12 this exemption is in effect to conform with operating hours designated by  
13 the Washington State Department of Natural Resources in directing an offi-  
14 cial fire closure.

15           ~~((B. The City Council intends to amend this chapter by enacting speci-  
16 fic regulations for the following sounds, each of which shall be exempt  
17 from the provisions of this chapter between the hours of 7:00 a.m. and  
18 between the hours of 9:00 a.m. and 10:00 p.m. on weekends, until a specific  
19 amendment applying to that sound has been adopted:))~~

20           ~~((1. Sound created by construction equipment, including special con-  
21 struction vehicles, and emanating from temporary construction sites, if the  
22 receiving property is located in a rural or residential district in King  
23 County.))~~

24           ~~((2. Sounds created by the installation or repair of essential public  
25 utility services;))~~

26           ~~((3. Sounds created by maintenance operations on public facilities;))~~

27           ~~((4. Sounds created by powered equipment used in temporary or periodic  
28 maintenance or repair of residential property, including grounds and appur-  
tenances, such as lawn mowers, powered handtools, snow removal equipment,  
and composters.))~~

Section 5. Section 25.08.080 of the Seattle Municipal Code (Ordinance  
106360, Section 204) is amended as follows:

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25.08.080 Construction.

"Construction" means any site preparation, assembly, erection, demolition, substantial repair, maintenance, alteration, or similar action for or of public or private rights-of-way, structures, utilities, or similar property.

Section 5. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 12<sup>th</sup> day of December, 1983,  
and signed by me in open session in authentication of its passage this 12<sup>th</sup> day of  
December, 1983.

*James D. Williams*  
President of the City Council.

Approved by me this 16<sup>th</sup> day of December, 1983.

*Charles Perry*  
Mayor.

Filed by me this 16<sup>th</sup> day of December, 1983.

*Gini Hill*  
Attest: City Comptroller and City Clerk.

(SEAL)

Published

By *Theresa Dunbar*  
Deputy Clerk.



Seattle-King County / **DEPARTMENT OF PUBLIC HEALTH**  
400 Yesler Way Seattle, Washington 98104 (206) 625-2161

**JESSE W. TAPP, M.D., M.P.H.**  
Director of Public Health

May 19, 1983

The Honorable Jeanette Williams  
President, Seattle City Council  
11th Floor, Municipal Building

Dear Ms. Williams:

The Department of Public Health recommends adoption of the enclosed ordinance which is an amendment to Seattle Municipal Code 25.08 relating to sounds made by construction operation, maintenance of public facilities, and repair and maintenance of public or residential properties.

Section 1 integrates construction into Seattle Municipal Code 25.08 by allowing greater sound levels for major construction projects and higher sound levels for routine maintenance and repair. The levels vary according to zoning. Construction at night would be required to conform to a lower nighttime sound level as currently noted in Seattle Municipal Code 25.08. Also included in Section 1 is a discussion of impulse or impact equipment requiring sound levels measured on a average basis - noted here as an Leq. This allows measurement of such equipment as pile drivers or pavement breakers which have a different sound character than normal construction equipment. Since little is known about the health effects of impulse equipment and also since little research has been done as to the technical ability of the industry to comply with the noted sound levels, a portion of this section includes a requirement that the Health Department review this section to determine that the sound level limits are technically feasible. Section 1 also includes a requirement that buildings in the area where construction activity is taking place be protected from the exterior noise. This is in attempt to recognize that, especially in the downtown core area of Seattle, an effort should be made to reduce the interior sound levels of adjacent buildings by things such as closing windows and using other sound attenuating measures to avoid unduly exposing the workers to excessive noise.

Section 2 adds control of solid waste disposal sites to Seattle Municipal Code 25.08 by exempting them at all times so long as they have a valid permit issued by the Seattle-King County Department of Public Health. It also recognizes that if a call for bid has commenced prior to the effective date of the ordinance that the subject construction project for which a call for bid has commenced shall not be affected by the proposed ordinance.

**District Service Centers:**

CENTRAL  
1500 Public Safety Bldg.  
Seattle 98104  
625-5536

NORTH  
10501 Meridian Ave. N.  
Seattle 98133  
363-4765

COLUMBIA HEALTH CENTER  
3722 Hudson  
Seattle 98118  
625-5151

SOUTHWEST  
10820 8th Ave. S.W.  
Seattle 98146  
244-6400

EAST  
2424 156th Ave. N.E.  
Bellevue 98007  
885-1278

SOUTHEAST  
Renton  
3001 N.E. 4th St.  
Renton 98056  
228-2620

Environmental Health Services  
172 20th Ave.  
Seattle 98122  
625-2763

Auburn  
20 Auburn Ave.  
Auburn 98002  
852-8400

The Honorable Jeanette Williams  
May 19, 1983  
Page Two

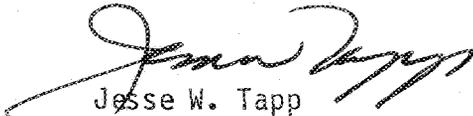
Section 3 is a housekeeping section that eliminates many of the unnecessary parts of Seattle Municipal Code 25.08.

Section 4 adds to 25.08.080 the word maintenance to the definition of construction.

The preparation of the ordinance involved meeting with interested City agencies and industrial organizations. The Board of Public Works, the Parks Department, the Department of Administrative Services, City Light, the Water Department, and the Engineering Department were the City departments contacted. The industry organizations invited were Puget Power, General Telephone, Washington Natural Gas, Cascade Natural Gas, Mechanical Contractors Association, Association of General Contractors and the Master Builders Association. Those organizations attending were Howard S. Wright Co., Associated General Contractors, Star Rentals, Inc., and Peter Kewitt Co. The various concerns expressed by both groups have been incorporated in this ordinance and we see no major impact on either the City organizations or the industry organizations.

In conclusion, this ordinance is essentially the same as the ordinance submitted to the City Council in late 1978, with the exception of the inclusion of impact or impulse equipment.

Sincerely,



Jesse W. Tapp

JWT:chg  
Att.

(To be used for all Ordinances except Emergency.)

Section 5. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the ..... day of ....., 19 ..,  
and signed by me in open session in authentication of its passage this ..... day of  
....., 19 ..

President ..... of the City Council.

Approved by me this ..... day of ....., 19 ..

Mayor.

Filed by me this ..... day of ....., 19 ..

Attest: .....  
City Comptroller and City Clerk.

(SEAL)

Published .....

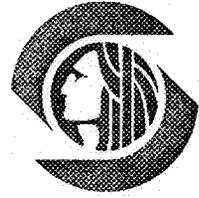
By .....  
Deputy Clerk.

# City of Seattle

Executive Department-Office of Management and Budget

Gary Zarker, Director  
Charles Royer, Mayor

June 1, 1983



*Rec'd  
6-7-83*

*Kaseguma*

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Okuy  
ants*

The Honorable Douglas Jewett  
City Attorney  
City of Seattle

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING  
DEPARTMENT: Health Department  
SUBJECT: Legislation to Amend the Noise Ordinance

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation:

- ( X ) File the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.
- ( ) Do not file with City Council but return the proposed legislation to OMB for our review. Return to \_\_\_\_\_.

Sincerely,

Charles Royer  
Mayor

By

*Demaine W. Covington*

GARY ZARKER  
Budget Director

GZ/gwc/fb

Enclosure

cc: Jesse W. Tapp, Director, Health Department

*Send copy to all  
attention:  
Demaine W. Covington*



REC'D OMB MAY 26 1983

**Seattle-King County / DEPARTMENT OF PUBLIC HEALTH**  
400 Yesler Way Seattle, Washington 98104 (206) 625-2161

823701

**JESSE W. TAPP, M.D., M.P.H.**  
Director of Public Health

May 17, 1983

Gary Zarker, Director  
Office of Management and Budget  
200 Municipal Building

Attention: Germaine Covington

Dear Mr. Zarker:

Enclosed you will find draft legislation to amend the Noise Ordinance to regulate sounds created by construction activities. This legislation has been reviewed by the various affected City departments, the interested industry representatives, and the Public Safety and Health Committee of the Seattle City Council.

Also enclosed please find a cover letter to the President of the City Council explaining the ordinance and SOP 100-014.

If you require additional information, please contact Curt Horner at 587-2722.

Sincerely,

Jesse W. Tapp

JWT:chb  
Enc.

**District Service Centers:**

CENTRAL  
1500 Public Safety Bldg.  
Seattle 98104  
625-5536

NORTH  
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625-2763

Auburn  
20 Auburn Ave.  
Auburn 98002  
852-8400

SOP 100-014  
REQUEST FOR LEGISLATIVE ACTION

Section 1. An Ordinance relating to the Public Health Department, Noise Control, amending Chapter 25.08 of the Seattle Municipal Code by adding Section 25.08.425 to regulate noise caused by construction and equipment operation and amending Section 25.08.530, Section 25.08.540 and Section 25.08.080.

Section 2. Objectives of the Ordinance are:

- a. Control construction and equipment operation in the City of Seattle by dictating allowable sound levels from various types of equipment, both standard types of equipment such as crawler tractors, portable power equipment, and equipment used in maintenance and repair of residential or public property and equipment commonly called impact equipment such as pavement breakers, pile drivers, and jack hammers.
- b. A housekeeping section which eliminates many of the unnecessary parts of Seattle Municipal Code 25.08.
- c. Changes the definition of the word construction to add the word "maintenance".

Section 3. Fiscal Requirements. Not applicable.

Section 4. Personnel Requirement. Not applicable.

Section 5. Facility and Equipment Requirement. Not applicable.

Section 6. Evaluation Criteria Reporting. The reporting statistics are kept monthly and reviewed monthly, as are all other statistics in the Noise Program.

Section 7. Alternatives would be to not consider the Ordinance as has been required by the original Noise Ordinance 106360 which has been codified as Seattle Municipal Code 25.08. This would result in further complaints by both the downtown core area community of Seattle and the outlining areas of Seattle where construction has become a major noise problem.



Seattle - King County / **DEPARTMENT OF PUBLIC HEALTH**  
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May 19, 1983  
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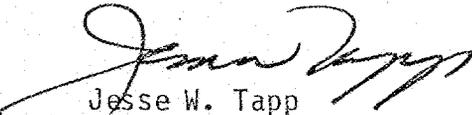
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Section 4 adds to 25.08.080 the word maintenance to the definition of construction.

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In conclusion, this ordinance is essentially the same as the ordinance submitted to the City Council in late 1978, with the exception of the inclusion of impact or impulse equipment.

Sincerely,



Jesse W. Tapp

JWT:chg  
Att.

RPK:mc  
7/26/83

ORDINANCE \_\_\_\_\_

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3 AN ORDINANCE relating to noise control, amending Seattle  
4 Municipal Code Chapter 25.08 by adding Section 25.08.425  
5 to regulate noise caused by construction and equipment  
6 operations, and amending Section 25.08.530 (Ordinance  
7 106360, Section 601, as last amended by Ordinance 110047,  
8 Section 3), Section 25.08.540 (Ordinance 106360, Section  
9 602, as last amended by Ordinance 108498, Section 1), and  
10 Section 25.08.080 (Ordinance 106360, Section 204).

11 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

12 Section 1. There is added to Chapter 25.08 of the Seattle  
13 Municipal Code a new section as follows:

14 Section 25.08.425. Construction and Equipment Operations.

15 A. The maximum permissible sound levels established by  
16 Section 25.08.410, as measured from the real property of  
17 another person or at a distance of 50 feet from the equipment,  
18 whichever is greater, may be exceeded between the hours of  
19 seven a.m. and ten p.m. on weekdays and between the hours of  
20 nine a.m. and ten p.m. on weekends by no more than the  
21 following dB(A)s for the following types of equipment:

22 1. 25 dB(A) for equipment on construction sites, includ-  
23 ing but not limited to crawlers, tractors, dozers, rotary  
24 drill and augers, loaders, power shovels, cranes, derricks,  
25 graders, off-highway trucks, ditchers, trenchers, compactors,  
26 compressors, and pneumatic powered equipment;

27 2. 20 dB(A) for portable powered equipment used in  
28 temporary locations in support of construction activities or  
used in the maintenance of public facilities, including but  
not limited to chain saws, log chippers, lawn and garden  
maintenance equipment, and powered hand tools; or

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3. 15 dB(A) for powered equipment used in temporary or periodic maintenance or repair of the grounds and appurtenances of residential property, including but not limited to lawn mowers, powered hand tools, snow-removal equipment, and composters.

B. Sounds created by impact types of construction equipment, including but not limited to pavement breakers, pile drivers, jack hammers, sand blasting tools, or by other types of equipment or devices which create impulse noise or impact noise or are used as impact equipment, as measured at the property line or 50 feet from the equipment, whichever is greater, may exceed the maximum permissible sound levels established in Subsection A of this section in any one hour period between the hours of eight a.m. and five p.m. on weekdays and nine a.m. and five p.m. on weekends, by no more than the following:

1. Leq 90 dB(A) continuously;
2. Leq 93 dB(A) for 30 minutes;
3. Leq 96 dB(A) for 15 minutes; or
4. Leq 99 dB(A) for 7.5 minutes; provided that sound levels in excess of Leq 99 dB(A) are prohibited unless authorized by variance obtained from the administrator; and provided further that sources producing sound levels less than 90 dB(A) shall comply with subsection A of this section during those hours not covered by this subsection B.

The standard of measurement shall be a one (1) hour Leq. Leq may be measured for times not less than one (1) minute to project an hourly Leq. Reference to one (1) hour is for measurement purposes only and shall not be construed as limiting construction to a one (1) hour period.

1 This subsection B shall be reviewed periodically by the  
2 City to assure that the sound level limits are technically  
3 feasible.

4 C. The maximum permissible sound levels established in  
5 subsection B of this Section may be increased by 5dB(A) when  
6 sound levels are measured with an impulse sound level meter  
7 operated consistently with Section 25.08.680.

8 D. Construction activity that exceeds the maximum  
9 permissible sound levels established by Section 25.08.410,  
10 when measured from the interior of buildings within a com-  
11 mercial district, is prohibited between the hours of eight  
12 a.m. and five p.m. For purposes of this subsection D  
13 interior sound levels shall be measured only after every  
14 reasonable effort, including but not limited to closing windows  
15 and doors, is taken to reduce the impact of the exterior  
16 construction noise.

17 Section 2. Section 25.08.530 of the Seattle Municipal  
18 Code (Ordinance 106360, Section 601, as last amended by  
19 Ordinance 110047, Section 3) is amended as follows:

20 25.08.530 Sounds Exempt at all Times.

21 A. The following sounds are exempt from the provisions  
22 of this chapter at all times:

23 1. Sounds originating from aircraft in flight, and  
24 sounds which originate at airports and are directly related to  
25 flight operations;

26 2. Sounds created by safety and protective devices such  
27 as relief valves, where noise suppression would defeat the  
28 safety release intent of the device;

3. Sounds created by fire alarms;

- 1           4. Sounds created by emergency equipment and emergency  
2 work necessary in the interests of law enforcement or of the  
3 health, safety or welfare of the community;
- 4           5. Sounds created by the discharge of firearms in the  
5 course of lawful hunting activities;
- 6           6. Sounds created by natural phenomena;
- 7           7. Sounds originating from forest harvesting and silvi-  
8 culture activity and from commercial agriculture, if the  
9 receiving property is located in a commercial or industrial  
10 district of the City;
- 11          8. Sounds created by auxiliary equipment on motor  
12 vehicles used for ((highway)) maintenance;
- 13          9. Sounds created by warning devices or alarms not  
14 operated continuously for more than thirty minutes per incident;
- 15          10. Sounds created in accordance with the terms of a  
16 valid permit to operate a solid waste disposal site issued by  
17 the Seattle-King County Department of Public Health; and  
18 11. Sounds from construction projects for which the call  
19 for bids has commenced prior to the effective date of this  
20 Ordinance.

21           ~~((B. The City Council intends to amend this chapter by~~  
22 ~~enacting specific regulations for the following sounds, each~~  
23 ~~of which shall be exempt from the provisions of this chapter~~  
24 ~~at all times until a specific amendment applying to that sound~~  
25 ~~has been adopted.))~~

26           ~~((1. Sounds created by the operation of equipment or~~  
27 ~~facilities of surface carriers engaged in commerce by~~  
28 ~~railroad.))~~

~~((2. Sounds created by float planes, and))~~

1                   ~~((3. Sounds created by construction equipment, including~~  
2                   ~~special construction vehicles and emanating from temporary~~  
3                   ~~construction sites, if the receiving property is located in a~~  
4                   ~~commercial or industrial district of the city.))~~

5                   Section 3. Chapter 25.08.540 of the Seattle Municipal  
6                   Code (Ordinance 106360, Section 602, as last amended by  
7                   Ordinance 108498, Section 1) is amended as follows:

8                   25.08.540. Sounds Exempt During Daytime Hours - Generally.

9                   A. The following sounds are exempt from the provisions  
10                  of this chapter between the hours of seven a.m. and ten p.m.  
11                  on weekdays and between the hours of nine a.m. and ten p.m. on  
12                  weekends:

- 13                  1. Sounds created by bells, chimes, or carillons not  
14                  operating for more than five minutes in any one hour;
- 15                  2. Sounds originating from officially sanctioned parades  
16                  and other public events;
- 17                  3. Sounds created by the discharge of firearms on legally  
18                  established shooting ranges;
- 19                  4. Sounds created by blasting; and
- 20                  5. Sounds originating from forest harvesting and silvi-  
21                  culture activity and from commercial agriculture if the  
22                  receiving property is located in a residential district of  
23                  ~~((King County))~~ the City. The Administrator is authorized to  
24                  promulgate regulations which extend the hours during which  
25                  this exemption is in effect to conform with operating hours  
26                  designated by the Washington State Department of Natural  
27                  Resources in directing an official fire closure.

28                  ~~((B. The City Council intends to amend this chapter by  
enacting specific regulations for the following sounds, each  
of which shall be exempt from the provisions of this chapter~~

1 between the hours of 7:00 a.m. and 10:00 p.m. on weekdays and  
2 between the hours of 9:00 a.m. and 10:00 p.m. on weekends,  
3 until a specific amendment applying to that sound has been  
4 adopted.))

5 ((1. Sounds created by construction equipment, including  
6 special construction vehicles, and emanating from temporary  
7 construction sites, if the receiving property is located in a  
8 rural or residential district in King County.))

9 ((2. Sounds created by the installation or repair of  
10 essential public utility services.))

11 ((3. Sounds created by maintenance operations on public  
12 facilities.))

13 ((4. Sounds created by powered equipment used in temporary  
14 or periodic maintenance or repair of residential property,  
15 including grounds and appurtenances, such as lawn mowers,  
16 powered handtools, snow removal equipment, and composters.))

17 Section 4. Section 25.08.080 of the Seattle Municipal  
18 Code (Ordinance 106360, Section 204) is amended as follows:

19 25.08.080 Construction.

20 "Construction" means any site preparation, assembly,  
21 erection, demolition, substantial repair, maintenance, alter-  
22 ation, or similar action for or of public or private rights-of-  
23 way, structures, utilities, or similar property.  
24  
25  
26  
27  
28

## NOISE CONTROL

sound expressed in decibels is 20 times the logarithm to the base 10 of the ratio of the pressure of the sound to the reference sound pressure of 20 micropascals. In the absence of any specific modifier, the level is understood to be that of a mean-square pressure.  
(Ord. 106360 § 227, 1977.)

### 25.08.330 Sound level meter.

"Sound level meter" means a sound level measuring device, either Type I or Type II, as defined by American National Standards Institute Specifications, Section 1.4-1971.  
(Ord. 106360 § 228, 1977.)

### 25.08.340 Special construction vehicle.

"Special construction vehicle" means any vehicle which is designed and used primarily for grading, paving, earth moving, and other construction work; and which is not designed or used primarily for the transportation of persons or property on a public highway; and which is only incidentally operated or moved over the highway.  
(Ord. 106360 § 229, 1977.)

### 25.08.350 Use.

"Use" means the nature of the occupancy, the type of activity, or the character and form of improvements to which land is devoted or may be devoted.  
(Ord. 106360 § 230, 1977.)

### 25.08.360 Warning device.

"Warning device" means any device intended to provide public warning of potentially hazardous, emergency or illegal activities, including but not limited to a burglar alarm or vehicle back-up signal, but not including any fire alarm.  
(Ord. 106360 § 231, 1977.)

### 25.08.370 Watercraft.

"Watercraft" means any contrivance, excluding aircraft, used or capable of being used as a means of transportation or recreation on water.  
(Ord. 106360 § 232, 1977.)

### 25.08.380 Weekday.

"Weekday" means any day Monday through Friday which is not a legal holiday.  
(Ord. 106360 § 233, 1977.)

### 25.08.390 Weekend.

"Weekend" means Saturday and Sunday or any legal holiday.  
(Ord. 106360 § 234, 1977.)

## Subchapter III Environmental Sound Levels

### 25.08.400 Unlawful sounds.

It is unlawful for any person to cause sound, or for any person in possession of property to permit sound originating from such property, to intrude into the real property of another person whenever such sound exceeds the maximum permissible sound levels established by this subchapter.  
(Ord. 106360 § 301, 1977.)

### 25.08.410 Maximum permissible sound levels.

For sound sources located within the city or King County, the maximum permissible sound levels are as follows:

District of Sound Source	District of Receiving Property Within The City of Seattle		
	Residential	Commercial	Industrial
Rural	52 dB (A)	55 dB (A)	57 dB (A)
Residential	55 dB (A)	57 dB (A)	60 dB (A)
Commercial	57 dB (A)	60 dB (A)	65 dB (A)
Industrial	60 dB (A)	65 dB (A)	70 dB (A)

(Ord. 106360 § 302, 1977.)

### 25.08.420 Modifications to maximum permissible sound levels.

The maximum permissible sound levels established by this subchapter shall be reduced or increased by the sum of the following:

A. Between the hours of ten p.m. and seven a.m. during weekdays, and between the hours of ten p.m. and nine a.m. on weekends, the levels established by Section 25.08.410 are reduced by 10 dB(A) where the receiving property lies within a residential district of the city.

B. For any source of sound which is periodic, which has a pure tone component, or which is impulsive and is not measured with an impulse sound level meter, the levels established by this subchapter shall be reduced by 5 dB(A); provided, however, that this 5 dB(A) penalty for the emission of sound having a pure tone component shall not be imposed on any electrical substation, whether existing or new.

# Seattle Master Builders Association

170 Mercer Street · Seattle, Washington 98109 · Telephone (206) 284-4114

October 4, 1983

Jack Richards, Chairman  
Public Safety & Health Comm.  
Seattle City Council  
11th Floor, Seattle Municipal Bldg.  
600 Fourth Avenue  
Seattle, WA 98104

OCT 10 1983  
JACK RICHARDS  
SEATTLE CITY COUNCIL

Dear Mr. Richards:

The Seattle Master Builders Association has reviewed proposed legislation, Council Bill 103798, regarding control of construction-related noise. Our position on this proposed legislation is as follows:

1. The homebuilding industry is mindful of noise associated with construction activities. In this light, the industry has already geared its activity to day time hours similar to those set out in C.B. 103798 (the Bill). However, the noise generated by construction equipment being used for its designed purpose can only be effectively controlled by the manufacturer of the equipment. For that reason, we feel that the Bill is too broad with regard to specific sound levels since noise created by construction equipment is a function of manufacturers design, rather than use by the builder. Our position is in agreement with the time limitations, but recommend deletion of sound levels from this ordinance directed to builders.
2. Should the maximum noise levels be retained, Seattle Master Builders Association recommends the following:
  - A. That C.B. 103798, proposed as Section 25.08.425, subsection B, paragraph 3 be amended as follows:

"~~This subsection-B- Section~~ shall be reviewed periodically by the City to assure that the sound level limits are technically feasible."
  - B. That prior to the adoption of this ordinance, that all sound levels set out in this Bill be reviewed to assure that sound level limits as proposed are technically feasible. This measure would avoid an unjustified disruption or delay in construction activity due to unduly restrictive sound level limits.

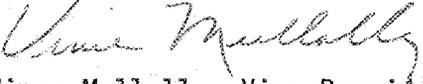


- C. It is the understanding of the Seattle Master Builders Association that this Bill is in response to complaints, primarily concerning loud noise at very early hours. Further, that any enforcement action would be initiated only in response to a specific complaint. However, the Bill does not address enforcement. The Association therefore recommends amendment by addition of the following:

Any enforcement under this ordinance shall be initiated only by specific complaint. In those instances, all parties concerned shall be contacted and every reasonable effort made to resolve the complaint without further action. If unresolved, then sound level measurements shall be taken and abatement required if construction activity exceeds the maximum permissible sound levels. At no time shall construction activity be halted or abatement required until authorized measurements have been taken. Further, where abatement is required, abatement shall be by the least restrictive means available. It is not the intent of this ordinance to conduct regular field tests and measurements other than for periodic review of sound level limits for technical feasibility as specified in this Section.

We appreciate the opportunity for comment on this issue, and would appreciate any further opportunity for input on this issue.

Sincerely,

  
Vince Mullally, Vice President  
SMBA Multifamily Council

VM:jc

October 4, 1983

OCT 5 1983  
JACK RICHARDS  
SEATTLE CITY COUNCILMAN

Councilman Jack Richards  
1100 Municipal Building  
Seattle, Wa. 98104

Subject: Noise Control Ordinance

Dear Councilman Richards:

This is to request special consideration for the residential areas of downtown Seattle as you formulate a new noise ordinance as pertains to construction noise and activity. A recent personal experience in the Denny Regrade where I live prompts my interest at this time. However, the last 15 years of my professional life have been spent working for the enhancement of downtown Seattle as a place to work, live and play. Most recently (1981-82) I served as the Chairman of the Downtown Seattle Association's In-City Living Committee.

My recent experience (September 8th) involved construction work at 2600 Second Avenue taking place on a twenty-four hour basis. Specifically, the use of back hoes, front end loaders, compressors, and large dump trucks in the demolition, excavation and hauling of concrete chunks went on all night the evening and morning of September 7th and 8th and again the evening and night of the 8th. The police were called at 5:50 a.m., on the 8th, again at approximately 11:20 p.m. and again at 12:10 a.m. on the 9th. Finally on the last call they showed up, but appeared to have no effect on the activity.

I recite the above to serve as a basis for the following recommendation. The real problem with the noise ordinance is one of enforcement, especially at off hours. It does the homeowners little good to have the DCLU or Health Department people come around during the day. The police need the power to close down noise producing activity at the time it becomes illegal and a nuisance.

I recommend that the operation of certain noise producing equipment in downtown residential areas be restricted to the hours between 8:00 a.m. and 6:00 p.m., Monday through Friday, 9:00 a.m. and 4:00 p.m. on Saturdays and disallowed altogether on Sundays and Holidays. To facilitate enforcement, especially by the police, the building permit should specify the hours during which noise producing equipment is allowed to operate.

The criteria of distance and decibels are unenforceable by the police. Simplify matters as suggested above.

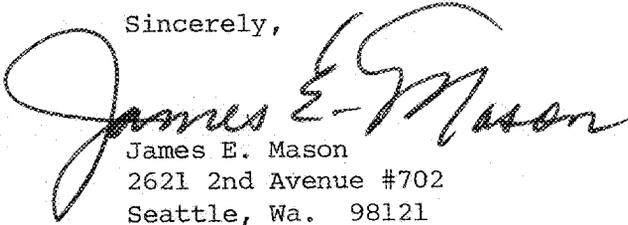
Councilman Jack Richards

October 4, 1983

Page -2-

Thank you for your consideration in this matter. If I can be of assistance in your process please let me know at 623-6242.

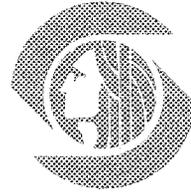
Sincerely,

A handwritten signature in cursive script that reads "James E. Mason". The signature is written in dark ink and is positioned to the left of the typed name and address.

James E. Mason  
2621 2nd Avenue #702  
Seattle, Wa. 98121

cc: Kurt Horner

Seattle  
Department of Construction and Land Use



William J. Justen, P.E., Director  
Charles Royer, Mayor

COMMENTS REGARDING CONSTRUCTION NOISE CONTROL

October 5, 1983

Good morning. My name is Ann Ormsby and I am speaking today as a representative of the Department of Construction and Land Use.

Based on information the department has obtained from the Seattle/King County Health Department that the ordinance is reasonable, economically feasible, and will cause no substantial delay in the construction process, the Department supports the speedy adoption of construction and equipment operations noise regulations to control noise levels emitted from construction sites contained in the amendment to Chapter 24.08, Seattle Municipal Code which is before you.

Loud noise from construction sites is a concern expressed by many citizens during the permit approval process. Others, primarily residents of the downtown, complain about construction activity at night and on weekends from loading and unloading of equipment and supplies or movement of machinery and from the noise of renovation of the apartment next door. Based on SEPA authority, the Department has attempted to meet these concerns by imposing conditions on construction activities. However, because of the lack of specific standards, conditions have had to be necessarily vague - such as, limitations to the hours "noisy equipment" can be operated. As you may imagine, such a condition has been an enforcement problem for our inspectors.

The new standards would replace the ineffective terminology and then permit approval could be based upon compliance with the terms of the amended Noise Ordinance. Special attention should be given by the Council to establishing and effective enforcement program. Currently inspectors are not available during night time hours to respond to complaints. Perhaps a complaint system could be established in the Police Department which operates on a 24 hour basis. For day time enforcement, the Health Department enforcement capabilities are augmented by the fact that it is a violation of the Land Use Code to construct or cause to be constructed any structure in a manner which is not permitted by the conditions of a permit. This Land Use Code provision gives the City an additional tool for effecting compliance with the construction standards.

In conclusion, the amendment is in keeping with the SEPA mandate that projects be conditioned only based on adopted City policies. The standards are clear, predictable and measureable and will enable our inspectors to identify problems and report suspected violations to the Health Department for remedial action. Again, the Department urges adoption of the amendment.

# **Seattle City Council NEWS RELEASE**

1106 Seattle Municipal Building

600 Fourth Avenue, Seattle, WA 98104

COUNCILMEMBER JACK N. RICHARDS, Chair  
Public Safety and Health Committee  
1108 Municipal Building  
600 4th Avenue  
Seattle, Washington 98104

August 26, 1983

FOR IMMEDIATE  
RELEASE

For Additional Information: Paul Sullivan  
(206)625-2438

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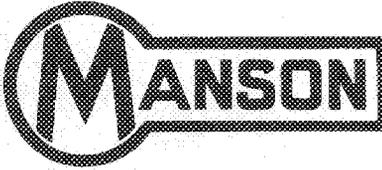
## (Control of Construction-Related Noises)

The Seattle-King County Health Department has completed its review and has prepared and submitted legislation designed to control "sounds made by construction operation, maintenance of public facilities and repair and maintenance of public or residential properties." The legislation (Council Bill 103798) has been referred to the City Council Public Safety and Health Committee and that committee has scheduled a public hearing to consider the bill on Wednesday, October 5, 1983. Councilmember Jack Richards will chair.

The public hearing will be held in the City Council Chambers, 1101 Municipal Building, 600 4th Avenue in Seattle. The hearing will begin at 9:30 a.m. Persons wishing to comment on the legislation are encouraged to attend and participate at the hearing; persons unable to attend are asked to send their written comments to Councilmember Richards.

The legislation under consideration amends the City's current noise control ordinance. Present maximum sound levels may be exceeded during certain hours of the day to allow for construction or maintenance activities. The exact allowable sound level is based upon the type of activity involved, the time of day and location of the sending and receiving property. For example, higher sound levels are allowed in commercial areas during daytime hours than are those allowed in residential neighborhoods at night. Maximum permissible sound levels are established for impact type construction equipment. Sounds emanating from a solid waste disposal site, operating in accordance with a valid permit, are exempt.

Persons requiring additional information should contact either the Health Department or the Committee Clerk, Paul Sullivan (625-2438).



**CONSTRUCTION & ENGINEERING COMPANY**

5209 EAST MARGINAL WAY S. • SEATTLE, WA 98134 • (206) 762-0850  
MAILING ADDRESS: P.O. BOX 24067 • SEATTLE, WASHINGTON 98124  
CONTRACTOR REGISTRATION NUMBER 223-01 MA-NS-OC-E373NO

RECEIVED

JAN 18 1982

January 14, 1983

JACK RICHARDS  
SEATTLE CITY COUNCILMAN

Mr. Paul Sullivan, Clerk  
Public Safety & Health Committee  
1108 Municipal Building  
Seattle, Washington 98108

Subject: Proposed Changes to Ordinance on  
Construction-related noise.

Gentlemen:

As contractors, we are well aware we create noise as we build. We are aware some noises are objectionable to some and that the same noises are music to the ears of others. Rock concerts would be a good example.

Contractors, by the very basic tenets of contracting, have to be cost conscious. Prudent contractors realize that their industry must and does try to keep costs, in general, down to provide a healthy business climate. If no one is building, we aren't working.

To single out the construction industry is fine from the standpoint of having a visible target. The problem for us lies in having goals that are realistic, economically as well as prudent. The cost of money has become a major factor for any owner that wants to build, be it government or the private sector. A not so subtle effect of money cost, is reduced time for completion which results in many projects now being required to work around the clock, working Saturdays, Sundays, etc. The Spokane Street Bridge project, for instance, is on a very tight schedule, as we recall, and has resulted in working beyond the 8 hour day, 40 hour week norm.

Construction projects are either completed or stopped while in progress. Both result in the same, the noise associated with the activity ceases. Noises generated by normal city activity are similar. As long as the city is alive, the sounds are generated. We want to be a part of the city.



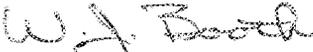
Mr. Paul Sullivan, Clerk  
Public Safety & Health Committee  
January 14, 1983  
Page 2

We ask that you consider very carefully the impact of what you are about to do.

Remember that the light at the end of the tunnel might be a train. Without the light, you then need the noise of the train or you really are in trouble.

Sincerely,

MANSON CONSTRUCTION & ENGINEERING CO.



W. J. Booth  
Vice President

WJB:waw

cc: Douglas Peterson, AGC

# Deeny Construction Company, Inc.

2545 Rainier Avenue South  
Seattle, Washington 98144  
Telephone: 722-0633

January 14, 1983

RECEIVED

JAN 16 1982

JACK RICHARDS  
SEATTLE CITY COUNCILMAN

Mr. Paul Sullivan, Clerk  
Public Safety and Health Committee  
1108 Municipal Building  
Seattle, Washington 98104

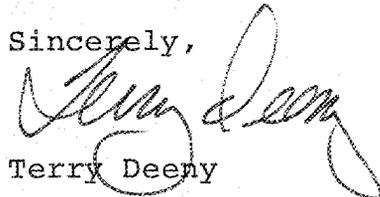
Regarding: Ordinance on Construction Related Noises

Dear Sir:

As a contractor who does a great deal of work in the downtown corridor, I am concerned about the noise level ordinance. We cannot operate heavy construction equipment at the levels you are suggesting. To meet the proposed noise level would require a new innovation in the science of noise reduction.

We in the construction industry feel the noise level requirements in effect today are more than adequate to protect the public. Therefore, I am requesting that no ordinance changes be implemented.

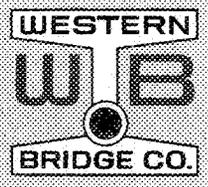
Sincerely,



Terry Deeny

TD:brg

cc: Douglas Peterson  
Seattle Chapter AGC  
1200 Westlake Avenue No.  
Seattle, WA 98109



# WESTERN BRIDGE CO.

GENERAL CONTRACTORS

5900 SECOND AVENUE SOUTH

P.O. BOX 3767

SEATTLE, WASHINGTON 98124

(206) 767-4767

17 January 1983

Paul Sullivan, Clerk  
Public Safety and Health Committee  
1108 Municipal Building  
Seattle, WA 98104

RECEIVED

JAN 18 1982

JACK RICHARDS  
SEATTLE CITY COUNCILMAN

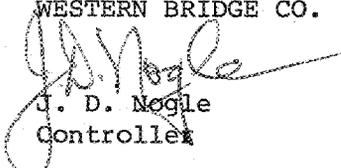
Gentlemen:

Concerning the proposed ordinance on construction related noise we urge the committee to consider the following points.

1. The proposed noise levels are too low. The maximum noise levels called for by this ordinance are levels which exist in the downtown area where construction is not on going.
2. The noise levels proposed will increase the cost of construction, which will in turn drive up the cost of rental space and the costs to the consumer.
3. The current levels of construction noise do not pose a physical danger to the public, i.e., the levels of noise are well below that which would damage an individual's hearing.
4. If any ordinance related to construction noise is passed, it must not apply to projects which have been bid and are under construction. To comply with such requirements will be costly and should be a part of the bidding consideration of the project.

Very truly yours,

WESTERN BRIDGE CO.

  
J. D. Nogle  
Controller



# WASHINGTON DUMP TRUCK ASSOCIATION

January 17, 1983

Paul Sullivan, Clerk  
Public Safety & Health Committee  
1108 Municipal Building  
Seattle, Wa. 98104

Subject - City of Seattle  
Ordinance on Construction  
Related Noises

Dear Mr. Sullivan,

Our Association is made up of dump truck operators and owners and is state-wide.

Our membership is in compliance with Federal Motor Carrier noise emissions requirements. These requirements are considerably higher (85 to 95 decibels depending upon the application) than the proposed noise levels proposed in the pending ordinance.

The reason our members are in Compliance is that in order to meet these D.O.T. requirements, which to our industry is not excessive, the manufacturers of trucks several years ago went through a torturous exercise in quieting down their trucks to meet these standards.

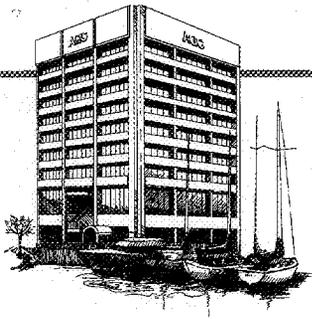
It is totally unrealistic, if not impossible, to meet the proposed requirements of the City of Seattle as far as our industry is concerned in operating construction trucks such as dump trucks and we must go on record as opposing the unrealistic noise levels proposed.

Sincerely,

T.R. Koska  
Public Relations Director  
Washington Dump Truck Association

775-7245

2004-196th Street S.W. • Unit No. 5 • Lynnwood, Washington 98036



THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC.  
**SEATTLE CHAPTER**



January 17, 1983

Councilmember Jack Richards, Chair  
Public Health & Safety Committee  
1108 Municipal Building  
Seattle, WA 98104

Dear Councilmember Richards:

I am writing to outline our concerns with the draft Ordinance on Construction-Related Noises. The Seattle Chapter of the Associated General Contractors of America (AGC) and its affiliate, the Northwest Construction Council (NCC) have established an ad hoc committee to review the draft ordinance. The AGC and NCC represent almost 700 general contractors, subcontractors, and other construction-related companies in central and western Washington.

The ad hoc committee for the noise ordinance review is made up of representatives from general contractors who have experience working within the city of Seattle and subcontractors and suppliers familiar with all types of construction equipment.

The comments and recommendations resulting from the committee's review of the draft ordinance are attached.

Sincerely yours,

Douglas A. Peterson  
Director  
Local Government Affairs

cc: Norman Rice  
Delores Sibonga  
Sam Smith

AGC/NCC REVIEW OF AND COMMENTS ON THE CITY OF SEATTLE  
PROPOSED ORDINANCE ON CONSTRUCTION-RELATED NOISE

Noise Levels Proposed

The proposed maximum noise levels for construction sites are levels which exist in many parts of the downtown area where there is no construction going on.

Economic Impact

The noise levels proposed will increase the cost of construction. Specially fitted equipment will be needed to meet the requirements of this ordinance. Also, the time at which higher noise levels are allowed is limited, which will reduce the hours that certain construction activities can take place. Both of these factors will result in more costly construction operations, which will be passed on to the ultimate user. In some cases these extra costs may make some projects economically unfeasible.

Hearing Damage Risk

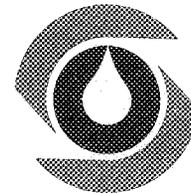
The current levels of construction noise do not pose a danger to the public. The levels of noise are well below the hearing damage threshold.

Effective Date of Ordinance

If any ordinance related to construction noise is passed, it must not apply to projects which have been bid or are under construction. To comply with such requirements will be costly and should be a part of the bidding consideration of the project.

# Seattle Water Department

Kenneth M. Lowthian, Superintendent  
Charles Royer, Mayor



January 17, 1983

## M E M O R A N D U M

To: Paul Sullivan, Legislative Assistant

From: Art Matonek, Director of Operations  
Seattle Water Department

Subject: Draft Ordinance on Construction Related Noises

Reference: Your Memo of November 23, 1982

This memo serves to follow up on phone conversation of January 14, 1983. I appreciate the opportunity to comment on this draft ordinance. I regret that I will be unable to attend the Committee hearing on the 19th. Please read the following comments into the record:

1. This revised draft utilizes a new scale for measuring noise, the "equivalent sound level (Leq)" scale. It is a method of measuring sound that is different from the method previously applied by the State of Washington Department of Labor and Industries. As a result, State and local officials are not familiar with this measurement method, nor its practical meaning in day to day operation.
2. In questioning Mr. Curt Horner of the Seattle-King County Health Department on January 17, 1983 as to the relationship between the new Leq scale and the former Department of Labor and Industries' scale, we were informed that the maximum permissible level of "Leq 99 dB(A)" equates to "roughly 95 on the Department of Labor and Industries' standard." This lower limit on permissible noise levels causes us great concern.

As the attached summary from the Industrial Hygiene Section of the Department of Labor and Industries points out, all of our backhoes and pavement breaking equipment regularly operates at noise levels that exceed the limits set forth

in the draft ordinance. In response to concerns over nerve, muscle and joint damage to our workers from the use of hand held pavement breakers, we are moving to a greater reliance on machine mounted, high noise level pavement breakers. Having such noise levels prohibited places us in a "Catch-22" between worker hygiene from noise versus worker hygiene from physical vibration.

3. The draft allows for higher sound levels if a variance is granted by the Seattle-King County Department of Public Health. However, the process for applying for such a variance, the criteria under which a variance might be granted or denied, and the duration of any such variance are not set forth. Efficient maintenance of the water distribution system serving The City of Seattle and a major portion of King County requires preplanning of workload and the availability of equipment to support the crews in the field.

If we are unable to operate our backhoes and pavement breakers within the noise limits the Council might adopt, but do not know whether or not a variance will be granted, or for how long, we will not be able to assure our crews, or the public we serve, that the equipment will be available when needed.

4. The permissible hours of operation have been changed from 7:00 a.m. - 10:00 p.m. to 8:00 a.m. - 5:00 p.m. The reasons for such change were not communicated to us. Mr. Curt Horner of the Seattle-King County Department of Public Health responded to this concern by stating that such items are negotiable during the hearings of the Public Safety and Health Committee. We would prefer to have had discussion of the hours of operation prior to this point, since we often have work in congested traffic areas that needs to be scheduled either before the morning rush hour or after the evening rush hour. We question the advisability of restricting the hours of operation so as to require us to be working during congested periods.

In general, I feel that the Public Safety and Health Committee would be best advised to allow the affected City departments and private contractors additional time to fully understand and respond to this revised draft. We also would appreciate the opportunity to receive further advice from the

Paul Sullivan  
January 17, 1983  
Page Three

Department of Labor and Industries as to how this ordinance might affect their practices, since they are charged with enforcing the Washington Administrative Code regarding industrial hygiene.

I recommend that the Public Safety and Health Committee consider returning the draft ordinance to the Seattle-King County Health Department, and requesting that the Health Department meet jointly with the State Department of Labor and Industries, the Seattle Board of Public Works and the Association of General Contractors to explain their draft and receive comments. Following such a meeting, the Health Department could revise the draft as appropriate, and re-submit it to the City Council through the Mayor.

AEM:lm

Attachment

cc: Kenneth M. Lowthian  
Superintendent of Water

Fred York  
Safety Officer

INDUSTRIAL HYGIENE SECTION  
Olympia, Wa.

Duration per Day, Hour	Sound Level dBA Slow Response
8 .....	90
6 .....	92
4 .....	95
3 .....	97
2 .....	100
1 1/2 .....	102
1 .....	105
3/4 .....	107
1/2 .....	110
1/4 or less .....	115

Company SEATTLE WATER DEPARTMENT  
 Date November 10, 1982  
 S & H Report No. 507  
 Industrial Hygienist Donald Stahl  
 SIM No. Quest, M2030131  
 Calibrator No. Quest, U2040022  
 Calibration 114 dB output 110dB

A Scale	125	250	500	1000	2000
Expected	97.8	105.3	110.7	110	115
Before				110	
After				110	

NOISE LEVEL MEASUREMENTS (dBA) A-Weighted Network

3rd and Madison Operations

Work Station, Machine Equipment, or Area	Employee Name	dBA	Permissible Expos. Time	Actual Expos. Time	Notes
Case Backhoe, D19958		90-91	8 7		Operating
" " "		96	3 1/2		Concrete breaker
" " "		100-104	2 1		3 ft. from breaker
Jackhammer		94	4 1/2		Operating
Clay gun		93	5 1/2		Operating
Case backhoe, D19958		120dB			Impact noise

**RECEIVED**  
 by SAFETY DIVISION  
 NOV 24 1982  
 Seattle Water Department

# Seattle City Council NEWS RELEASE

1106 Seattle Municipal Building

600 Fourth Avenue, Seattle, WA 98104

JACK N. RICHARDS, Chair  
Public Safety and Health Committee  
Seattle City Council  
1108 Municipal Building  
Seattle, Washington 98104

FOR IMMEDIATE RELEASE

For additional information: Paul Sullivan  
(206) 625-2438

-----  
(Control of noise created by construction and equipment operation)

The Public Safety and Health Committee, chaired by Jack Richards, will consider a draft ordinance which would regulate construction and equipment operation noises at its Wednesday, January 19, 1983 meeting. The meeting will be held in the City Council Chambers, 1100 Municipal Building, 600 4th Avenue in Seattle and will begin at 9:30 a.m.

The proposed ordinance, which has been submitted by the Health Department, regulates, among other things, the maximum permissible noise level which can be emitted by equipment on construction sites (crawlers, tractors, dozers, etc.), by portable powered equipment in temporary locations (chain saws, log chippers, lawn equipment, etc.), by power equipment used in periodic maintenance or repair of residential property (lawn mowers, power hand tools, etc.) and by impact type construction equipment (pavement breakers, pile drivers, etc.).

The draft ordinance proposes to exempt sounds created in accordance with a valid permit to operate a solid waste disposal site and, during certain specified hours, those noises created by internal combustion powered saws. All of the provisions would be amendments to the City's current noise control ordinance (Chapter 25.08, SMC).

The Health Department's proposal is in draft form. No formal ordinance is currently pending before the City Council.

The Public Safety and Health Committee encourages persons wishing to comment on the proposed ordinance or to discuss noise control in general to attend and testify at the January 19th public hearing and/or submit written comments to the Public Safety and Health Committee prior to the hearing.

Persons requiring additional information or desiring a copy of the draft ordinance should contact the Committee Clerk, Paul Sullivan, at 625-2438.

# # #



# Seattle City Council

## Memorandum

Date: November 23, 1982

To: Persons Interested in Construction Noise Regulation

From: Paul Sullivan, Clerk   
Public Safety and Health Committee

Subject: Draft of Ordinance Covering Certain Construction-Related Noises

Earlier this year the Public Safety and Health Committee considered several old Council Bills dealing with the regulation of construction related noises. Due to the passage of time and advances in technology some of the proposed regulations were "out-of-date." The Public Safety Committee requested the Health Department to update the old bills and return with a new draft proposal. The Health Department has completed its task and the Public Safety Committee is now ready to proceed with its review of noise regulations.

I am attaching a copy of the Health Departments draft ordinance to this memorandum for your review. I am also attaching copies of SMC §§ 25.08.410, 25.08.425A and 25.08.425B, which are referred to in the draft ordinance, for your reference.

The Public Safety and Health Committee will consider the draft bill at its meeting of Wednesday, January 19, 1983. The meeting will begin at 9:30 a.m. and will be held in the City Council Chambers, 1100 Municipal Building, 600 - 4th Avenue in Seattle. You are invited to attend the meeting and to share your comments on the draft ordinance. If you do have comments, it would be very helpful if you could send your written comments to me prior to January 19th (Paul Sullivan, 1108 Municipal Building, Seattle, Washington 98104). I will share any written materials I receive with the Committee members and the Health Department.

If you have any questions, do not hesitate to contact me at 625-2438.

Attach: Copy of draft ordinance  
Copies of SMC 25.08.410, 25.08.425A and 25.08.425B

# MCKEE

CONSTRUCTION CO., INC.

P.O. BOX 66717

635 S.W. 148th STREET SEATTLE, WASHINGTON 98166 (206) 248-1810

January 18, 1983

Paul Sullivan, Clerk  
Public Safety and Health Committee  
1108 Municipal Building  
Seattle, Washington 98104

Subject: City of Seattle  
Ordinance on Construction-Related Noises

Dear Mr. Sullivan:

I would like to comment on the proposed noise ordinance. It is another attempt to drive up the cost of construction within the City of Seattle through over-regulation. Seattle is currently the least desirable governing area in which to perform construction. Construction permit costs are excessive, permit processes cumbersome, and regulations are overbearing. To add another restriction on construction conditions will worsen the overall construction climate within the City.

Unless the City of Seattle is attempting to restrict construction to a select few, I urge you to forego a new noise ordinance. It would be much more appropriate, in these hard economic times, to spend tax dollars streamlining current regulation, rather than to add new requirements.

Sincerely,



Ralph M. McKee  
President

RMM:sls



**Turner Construction Company**  
2033 Sixth Avenue, Seattle, Wash. 98121  
Telephone (206) 624-7101

**Turner**

January 12, 1983

Mr. Paul Sullivan, Clerk  
Public Safety and Health Committee  
1108 Municipal Building  
Seattle, Washington 98104

Dear Mr. Sullivan:

This letter is in regard to the proposed ordinance on construction related noise.

We wish to point out that the noise levels of construction at the present time do not pose any danger to the population of the City of Seattle. The noise levels are far below that which would cause danger to anyone's hearing. The proposed noise levels called for by this ordinance are those which exist in the urban area where there is no construction going on at this time.

Also, these proposed levels most certainly will increase construction costs, and therefore increase rental costs.

Finally, should any ordinance be passed which is related to construction, it definitely should not apply to projects which have been bid and are under construction, since such requirements would have to be included in bidding a project.

Sincerely,

TURNER CONSTRUCTION COMPANY



John A. Robertson  
Project Executive

JAR:bh

# GOVERNMENTAL AFFAIRS AGC/NCC BULLETIN

RECEIVED  
JAN 11 1983

## City of Seattle Ordinance on Construction-Related Noises

An ad hoc committee of AGC and NCC members was formed to review the proposed ordinance on construction-related noise and prepare comments for the Seattle City Council hearing on January 19, 1983. The following comments and recommendations will be presented at the hearing:

**NOISE LEVELS**--The proposed noise levels are too low. The maximum noise levels called for by this ordinance are levels which exist in the downtown area where construction is not on going.

**ECONOMIC IMPACT**--The noise levels proposed will increase the cost of construction, which will in turn drive up the cost of rental space and the costs to the consumer.

**PHYSICAL DANGER**--The current levels of construction noise do not pose a physical danger to the public, i.e., the levels of noise are well below that which would damage an individual's hearing.

**EFFECTIVE DATE**--If any ordinance related to construction noise is passed, it must not apply to projects which have been bid and are under construction. To comply with such requirements will be costly and should be a part of the bidding consideration of the project.

Letters in support of these positions would be very helpful to our effort. Your letters can include all of the above points or only those about which you feel strongly.

Letters should be mailed by January 18, 1983 and addressed to:

Paul Sullivan, Clerk  
Public Safety and Health Committee  
1108 Municipal Building  
Seattle, WA 98104

If you have any questions concerning this matter, please call Douglas Peterson at 284-0061.

Seattle Chapter AGC

CITY/COUNTY



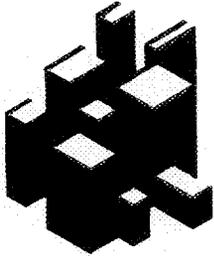
DOWNTOWN SEATTLE  
DEVELOPMENT ASSOCIATION

1318 JOSEPH VANCE BUILDING

SEATTLE, WASHINGTON 98101

TELEPHONE (206) 573-0340

January 12, 1983



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RECEIVED

JAN 14 1983

JACK RICHARDS  
SEATTLE CITY COUNCILMAN

Councilmember Jack Richards, Chair  
Public Safety and Health Committee  
11th Floor Municipal Building  
Seattle, Washington 98104

Dear Councilmember Richards:

We understand your committee will soon consider an ordinance that will regulate noise caused by construction and equipment operations.

Noise from those sources means that people are working and that more people will be employed when those projects are completed. Especially today jobs are important and, hopefully, you will agree that we must be careful not to create any new hurdles to further discourage future Downtown development.

I wonder if there is a real problem. From a personal point of view the off-key trumpeter and the activists loudspeakers, together with the diesel buses, cause a great deal more discomfort.

Strapping additional burdens on contractors makes it even more difficult to develop within the City and you must remember that any additional costs must be passed on to the ultimate user.

I have reviewed the position of the Associated General Contractors and hope you will give their viewpoints a great deal of consideration.

Sincerely,

John W. Gilmore  
Executive Vice President

/jb

Enclosures

cc: Councilmember Norman B. Rice  
Councilmember Dolores Sibonga  
Councilmember Sam Smith

JAN. 13 - 83

MR. JACK RICHARDS

IN REGARD TO THE WEST SEATTLE HERALD WED. JAN. 12-83. ON A NEW NOISE LAW COULD CUT HOURS OF BRIDGE WORK. THE ORDINANCE SETS MAXIMUM NOISE LEVELS FOR EQUIPMENT ON CONSTRUCTION SITES, PORTABLE POWER EQUIPMENT, RESIDENTIAL POWER EQUIPMENT AND IMPACT TYPE CONSTRUCTION EQUIPMENT, SUCH AS PILE DRIVERS.

YOU ALSO SET TIMES DURING WHICH SUCH MAXIMUM LEVELS ARE ALLOWED.

WHEN YOU DETERMINED BY MEASUREMENTS AT THE WEST SEATTLE BRIDGE SITE BY A NOISE CONTROL SPECIALIST, WORK ON THE BRIDGE BETWEEN 8 A.M AND 5 P.M. ON WEEKDAYS AND 9 A.M. TO 5 P.M ON WEEKENDS.

WHAT HAPPENS TO THE NOISE MADE BY JET ENGINES FROM BOEING INTERNATIONAL AIR FIELD 4 AIR MILES TO YOUR BRIDGE SITE, SEATTLE TACOMA AIRPORT 8 AIR MILES TO YOUR BRIDGE SITE BY THE TIME THIS JET PROPULSION IS ABOVE YOUR BRIDGE SITE YOU CAN NOT MAKE CONVERSATION BECAUSE OF JET NOISE.

BETHLEHEM STEEL 7 BLOCKS FROM YOUR BRIDGE SITE ITS AN ALL DAY AND NIGHT HORNS, WHISTLES, TAP-OUTS, SCRAP IRON DROPPED BY MAGNETS A NOISE MADE CLEAR AT YOUR BRIDGE SITE, TRAINS FROM KING STREET STATION MAKING YARD HOOK UPS SLAM BANGING ALL DAY AND NIGHT.

SHT. 1 OF 2

NOW MR RICHARDS I HAVE BEEN ON THIS HILL FOR 36 YEARS I CAN PUT UP WITH THE CONSTRUCTION NOISE ON THE BRIDGE BUT WHAT ARE YOU GOING TO DO WITH ALL THE REST OF THE RACKET UP HERE WHEN THE BRIDGE IS COMPLETED ARE YOU GOING TO TELL BOEING AIRPORT, SEATTLE TACOMA AIRPORT AND BETHLEHEM STEEL TO THE MAXIMUM NOISE LEVELS FROM 8 TO 5 ON WEEK DAYS AND 9 TO 5 ON WEEKENDS ?

James J. Jellison  
3834 20TH AVE S.W.  
SEATTLE WASH  
98106

# Pacific Builder & Engineer



109 W. MERCER ST., C#19081, SEATTLE, WASH. 98119 (206) 285-2050 / MEMBER, ASSOCIATED CONSTRUCTION PUBLICATIONS

January 13, 1983

Mr. Paul Sullivan, Clerk  
Public Safety and Health Committee  
1108 Municipal Building  
Seattle, WA 98104

Dear Mr. Sullivan:

I'm writing to express our magazine's concern with the proposed new ordinance on construction-related noise. As drafted, the ordinance would have a detrimental effect on our community and one of its largest industries.

First, the noise levels proposed will increase the cost of construction and those increases will be picked up by government and public sector owners alike. I submit there's very little to be gained by these additional expenditures.

The current levels of construction noise do not pose a physical danger to the public because they are well below that which would damage anyone's hearing. The proposed maximum levels called for in the new ordinance exist now in the downtown area where construction is not going on! In effect, it asks construction companies to work without making any noise whatsoever!

I strongly urge that these points be considered in whatever ordinance the City Council chooses to adopt. One last request...whatever shape the noise ordinance takes, it should not apply to projects which have been bid and are under construction. To comply with new requirements may be costly and should be part of the bidding consideration for each project.

Sincerely,

Geoffrey P. Vernon  
Publisher

GPV/cc



**THEODORE E. KNUDSON**  
Construction Management Consultant

2037 Franklin Avenue East  
Seattle, Washington 98102  
Telephone 206 322-3224

scheduling  
planning  
cost  
controls  
claims  
preparation  
estimating

1-12-83

Paul Sullivan, Clerk  
Public Safety and Health Committee  
1108 Municipal Bldg  
Seattle, WA 98104      Re: Construction Noise

Dear Sir;

I wish to express my position on the issue of a proposed ordinance to lower the permissible noise levels in construction-related noise.

Any change in the now permitted noise levels are sure to increase the costs of construction, something we do not need. The present OSHA requirements provide all the control we need and insures the hearing health of workers and the public.

Remember a muffler on a internal combustion engine is relatively inexpensive and a proper requirement. A shroud or insulating baffles could add 10% to 20% to the cost of a piece of equipment. The last 10% noise reduction could cost 400% of the first 90%.

Sincerely,  
Theodore E. Knudson

ORDINANCE \_\_\_\_\_

AN ORDINANCE relating to noise control, amending Seattle Municipal Code Chapter 25.08 by adding Section 25.08.425 to regulate noise caused by construction and equipment operations, and amending Section 25.08.530 (Ordinance 106360, Section 601, as last amended by Ordinance 110047, Section 3), Section 25.08.540 (Ordinance 106360, Section 602, as last amended by Ordinance 108498, Section 1), and Section 25.08.080 (Ordinance 106360, Section 204).

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to Chapter 25.08 of the Seattle Municipal Code a new section as follows:

Section 25.08.425. Construction and Equipment Operations.

A. The maximum permissible sound levels established by Section 25.08.410, as measured from the real property of another person or at a distance of 50 feet from the equipment, whichever is greater, may be exceeded between the hours of seven a.m. and ten p.m. on weekdays and between the hours of nine a.m. and ten p.m. on weekends by no more than the following dB(A)s for the following types of equipment:

1. 25 dB(A) for equipment on construction sites, including but not limited to crawlers, tractors, dozers, rotary drill and augers, loaders, power shovels, cranes, derricks, graders, off-highway trucks, ditchers, trenchers, compactors, compressors, and pneumatic powered equipment;

2. 20 dB(A) for portable powered equipment used in temporary locations in support of construction activities or used in the maintenance of public facilities, including but not limited to chain saws, log chippers, lawn and garden maintenance equipment, and powered hand tools; or

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3. 15 dB(A) for powered equipment used in temporary or periodic maintenance or repair of the grounds and appurtenances of residential property, including but not limited to lawn mowers, powered hand tools, snow-removal equipment, and composters.

B. Sounds created by impact types of construction equipment, including but not limited to pavement breakers, pile drivers, jack hammers, sand blasting tools, or by other types of equipment or devices which create impulse noise or impact noise or are used as impact equipment, as measured at the property line or 50 feet from the equipment, whichever is greater, may exceed the maximum permissible sound levels established in Subsection A of this section in any one hour period between the hours of eight a.m. and five p.m. on weekdays and nine a.m. and five p.m. on weekends, by no more than the following:

1. Leq 90 dB(A) continuously;
2. Leq 93 dB(A) for 30 minutes;
3. Leq 96 dB(A) for 15 minutes; or
4. Leq 99 dB(A) for 7.5 minutes; provided that sound levels in excess of Leq 99 dB(A) are prohibited unless authorized by variance obtained from the administrator; and provided further that sources producing sound levels less than 90 dB(A) shall comply with subsection A of this section during those hours not covered by this subsection B.

The standard of measurement shall be a one (1) hour Leq. Leq may be measured for times not less than one (1) minute to project an hourly Leq. Reference to one (1) hour is for measurement purposes only and shall not be construed as limiting construction to a one (1) hour period.

1           This subsection B shall be reviewed periodically by the  
2 City to assure that the sound level limits are technically  
3 feasible.

4           C.    The maximum permissible sound levels established in  
5 subsection B of this Section may be increased by 5dB(A) when  
6 sound levels are measured with an impulse sound level meter  
7 operated consistently with Section 25.08.680.

8           D.    Construction activity that exceeds the maximum  
9 permissible sound levels established by Section 25.08.410,  
10 when measured from the interior of buildings within a com-  
11 mercial district, is prohibited between the hours of eight  
12 a.m. and five p.m. For purposes of this subsection D  
13 interior sound levels shall be measured only after every  
14 reasonable effort, including but not limited to closing windows  
15 and doors, is taken to reduce the impact of the exterior  
16 construction noise.

17           Section 2. Section 25.08.530 of the Seattle Municipal  
18 Code (Ordinance 106360, Section 601, as last amended by  
19 Ordinance 110047, Section 3) is amended as follows:

20           25.08.530 Sounds Exempt at all Times.

21           A.    The following sounds are exempt from the provisions  
22 of this chapter at all times:

23           1.    Sounds originating from aircraft in flight, and  
24 sounds which originate at airports and are directly related to  
25 flight operations;

26           2.    Sounds created by safety and protective devices such  
27 as relief valves, where noise suppression would defeat the  
28 safety release intent of the device;

          3.    Sounds created by fire alarms;

1           4.    Sounds created by emergency equipment and emergency  
2 work necessary in the interests of law enforcement or of the  
3 health, safety or welfare of the community;

4           5.    Sounds created by the discharge of firearms in the  
5 course of lawful hunting activities;

6           6.    Sounds created by natural phenomena;

7           7.    Sounds originating from forest harvesting and silvi-  
8 culture activity and from commercial agriculture, if the  
9 receiving property is located in a commercial or industrial  
district of the City;

10          8.    Sounds created by auxiliary equipment on motor  
11 vehicles used for ((highway)) maintenance;

12          9.    Sounds created by warning devices or alarms not  
13 operated continuously for more than thirty minutes per incident;

14          10.    Sounds created in accordance with the terms of a  
15 valid permit to operate a solid waste disposal site issued by  
16 the Seattle-King County Department of Public Health; and

17          11.    Sounds from construction projects for which the call  
18 for bids has commenced prior to the effective date of this  
Ordinance.

19          ~~((B. The City Council intends to amend this chapter by~~  
20 ~~enacting specific regulations for the following sounds, each~~  
21 ~~of which shall be exempt from the provisions of this chapter~~  
22 ~~at all times until a specific amendment applying to that sound~~  
23 ~~has been adopted:))~~

24          ~~((1.    Sounds created by the operation of equipment or~~  
25 ~~facilities of surface carriers engaged in commerce by~~  
26 ~~railroad;))~~

27          ~~((2.    Sounds created by float planes; and))~~

1           ~~((3. Sounds created by construction equipment, including~~  
2 ~~special construction vehicles and emanating from temporary~~  
3 ~~construction sites, if the receiving property is located in a~~  
4 ~~commercial or industrial district of the city.))~~

5           Section 3. Chapter 25.08.540 of the Seattle Municipal  
6 Code (Ordinance 106360, Section 602, as last amended by  
7 Ordinance 108498, Section 1) is amended as follows:

8           25.08.540. Sounds Exempt During Daytime Hours - Generally.

9           A. The following sounds are exempt from the provisions  
10 of this chapter between the hours of seven a.m. and ten p.m.  
11 on weekdays and between the hours of nine a.m. and ten p.m. on  
12 weekends:

13           1. Sounds created by bells, chimes, or carillons not  
14 operating for more than five minutes in any one hour;

15           2. Sounds originating from officially sanctioned parades  
16 and other public events;

17           3. Sounds created by the discharge of firearms on legally  
18 established shooting ranges;

19           4. Sounds created by blasting; and

20           5. Sounds originating from forest harvesting and silvi-  
21 culture activity and from commercial agriculture if the  
22 receiving property is located in a residential district of  
23 ((King County)) the City. The Administrator is authorized to  
24 promulgate regulations which extend the hours during which  
25 this exemption is in effect to conform with operating hours  
26 designated by the Washington State Department of Natural  
27 Resources in directing an official fire closure.

28           ~~((B. The City Council intends to amend this chapter by  
enacting specific regulations for the following sounds, each  
of which shall be exempt from the provisions of this chapter~~

1 ~~between the hours of 7:00 a.m. and 10:00 p.m. on weekdays and~~  
2 ~~between the hours of 9:00 a.m. and 10:00 p.m. on weekends,~~  
3 ~~until a specific amendment applying to that sound has been~~  
4 ~~adopted;))~~

5 ~~((1. Sounds created by construction equipment, including~~  
6 ~~special construction vehicles, and emanating from temporary~~  
7 ~~construction sites, if the receiving property is located in a~~  
8 ~~rural or residential district in King County.))~~

9 ~~((2. Sounds created by the installation or repair of~~  
10 ~~essential public utility services;))~~

11 ~~((3. Sounds created by maintenance operations on public~~  
12 ~~facilities;))~~

13 ~~((4. Sounds created by powered equipment used in temporary~~  
14 ~~or periodic maintenance or repair of residential property,~~  
15 ~~including grounds and appurtenances, such as lawn mowers,~~  
16 ~~powered handtools, snow removal equipment, and composters.))~~

17 Section 4. Section 25.08.080 of the Seattle Municipal  
18 Code (Ordinance 106360, Section 204) is amended as follows:

19 25.08.080 Construction.

20 "Construction" means any site preparation, assembly,  
21 erection, demolition, substantial repair, maintenance, alter-  
22 ation, or similar action for or of public or private rights-of-  
23 way, structures, utilities, or similar property.  
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# Affidavit of Publication

## STATE OF WASHINGTON KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a .....

Ordinance No. 111458

was published on December 27, 1983.

*A. Patterson*

Subscribed and sworn to before me on

December 27, 1983

*Yvonne Summers*  
Notary Public for the State of Washington,  
residing in Seattle.

ORDINANCE 11004

AN ORDINANCE relating to noise control, amending Seattle Municipal Code Chapter 25.08 by adding Sections 25.08.425 and 25.08.635 to regulate noise caused by construction and equipment operations, and amending Section 25.08.530 (Ordinance 106360, Section 601, as last amended by Ordinance 110047, Section 3), Section 25.08.540 (Ordinance 106360, Section 602, as last amended by Ordinance 108498, Section 1), and Section 25.08.680 (Ordinance 106360, Section 204).

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to Chapter 25.08 of the Seattle Municipal Code a new section as follows:

Section 25.08.425. Construction and Equipment Operations.

A. The maximum permissible sound levels established by Section 25.08.410 and 25.08.420, as measured from the real property of another person or at a distance of 50 feet from the equipment, whichever is greater, may be exceeded by no more than the following dB(A)s for the following types of equipment:

1. 25 dB(A) for equipment on construction sites, including but not limited to crawlers, tractors, dozers, rotary drill and augers, loaders, power shovels, cranes, derricks, graders, off-highway trucks, ditchers, trenchers, compactors, compressors, and pneumatic powered equipment;

2. 28 dB(A) for portable powered equipment used in temporary locations in support of construction activities or used in the maintenance of public facilities, including but not limited to chain saws, log chippers, lawn and garden maintenance equipment, and powered hand tools; or

3. 15 dB(A) for powered equipment used in temporary or periodic maintenance or repair of the grounds and appurtenances of residential property, including but not limited to lawn mowers, powered hand tools, snow-removal equipment, and composters.

B. Sounds created by impact types of construction equipment, including but not limited to pavement breakers, pile drivers, jack hammers, sand blasting tools, or by other types of equipment or devices which create impulse noise or impact noise or are used as impact equipment, as measured at the property line or 50 feet from the equipment, whichever is greater, may exceed the maximum permissible sound levels established in Subsection A of this section in any one hour period between the hours of eight a.m. and five p.m. on weekdays and nine a.m. and five p.m. on weekends, but in no event to exceed the following:

- 1. Leq 90 dB(A) continuously;
2. Leq 93 dB(A) for 30 minutes;
3. Leq 96 dB(A) for 15 minutes; or
4. Leq 99 dB(A) for 7.5 minutes; provided that

sound levels in excess of Leq 99 dB(A) are prohibited unless authorized by variance obtained from the administrator; and provided further that sources producing sound levels less than 90 dB(A) shall comply with subsection A of this section during those hours not covered by this subsection B.

The standard of measurement shall be a one (1) hour Leq. Leq may be measured for times not less than one (1) minute to project an hourly Leq. Reference to one (1) hour is for measurement purposes only and shall not be construed as limiting construction to a one (1) hour period.

These subsections A and B shall be reviewed periodically by the City to assure that the sound level limits are technically feasible.

C. The maximum permissible sound levels established in subsection B of this Section may be increased by 5dB(A) when sound levels are measured with an impulse sound level meter operated consistently with Section 25.08.680.

D. Construction activity that exceeds the maximum permissible sound levels established by Section 25.08.410, when measured from the interior of buildings within a commercial district, is prohibited between the hours of eight a.m. and five p.m. For purposes of this subsection D interior sound levels shall be measured only after every reasonable effort, including but not limited to closing windows and doors, is taken to reduce the impact of the exterior construction noise.

Section 2. Section 25.08.530 of the Seattle Municipal Code (Ordinance 106360, Section 601, as amended by Ordinance 110047, Section 3) is amended as follows:

25.08.530 Sounds Exempt at all Times.

A. The following sounds are exempt from the provisions of this chapter at all times:

- 1. Sounds originating from aircraft in flight, and sounds which originate at airports and are directly related to flight operations;
2. Sounds created by safety and protective devices such as relief valves, where noise suppression would defeat the safety release intent of the device;
3. Sounds created by fire alarms;

4. Sounds created by emergency equipment and emergency work necessary in the interests of law enforcement or of the health, safety or welfare of the community;

5. Sounds created by the discharge of firearms in the course of lawful hunting activities;

6. Sounds created by natural phenomena;

7. Sounds originating from forest harvesting and silvi-culture activity and from commercial agriculture, if the receiving property is located in a commercial or industrial district of the City;

8. Sounds created by auxiliary equipment on motor vehicles used for ((highway)) maintenance;

9. Sounds created by warning devices or alarms not operated continuously for more than thirty minutes per incident;

10. Sounds created in accordance with the terms of a valid permit to operate a solid waste disposal site issued by the Seattle-King County Department of Public Health; and

((B: The City Council intends to amend this chapter by enacting specific regulations for the following sounds, each of which shall be exempt from the provisions of this chapter at all times until a specific amendment applying to that sound has been adopted:))

((1: Sounds created by the operation of equipment or facilities of surface carriers engaged in commerce by railroad;))

((2: Sounds created by float planes; and))

((3: Sounds created by construction equipment, including special construction vehicles and emanating from temporary construction sites, if the receiving property is located in a commercial or industrial district of the city;))

Section 3. There is added to Chapter 25.08 of the Seattle Municipal Code a new section as follows:

Section 25.08.535 Sounds Exemptions for Prior Construction Projects.

Sounds created by equipment used in any construction project for which the call for bids has commenced prior to the effective date of this ordinance are exempt from the provisions of this chapter:

A. If the receiving property is located in a nonresidential district of the City; or

B. If, between the hours of seven a.m. and ten p.m. on weekdays and between the hours of nine a.m. and ten p.m. on weekends, the receiving property is located in a residential district of the City.

Section 4. Chapter 25.08.540 of the Seattle Municipal Code (Ordinance 106360, Section 602, as last amended by Ordinance 108498, Section 1) is amended as follows:

25.08.540. Sounds Exempt During Daytime Hours - Generally.

A. The following sounds are exempt from the provisions of this chapter between the hours of seven a.m. and ten p.m. on weekdays and between the hours of nine a.m. and ten p.m. on weekends:

- 1. Sounds created by bells, chimes, or carillons not operating for more than five minutes in any one hour;
2. Sounds originating from officially sanctioned parades and other public events;
3. Sounds created by the discharge of firearms on legally established shooting ranges;
4. Sounds created by blasting; and
5. Sounds originating from forest harvesting and silvi-culture activity and from commercial agriculture if the receiving property is located in a residential district of ((King County)) the City. The Administrator is authorized to promulgate regulations which extend the hours during which this exemption is in effect to conform with operating hours designated by the Washington State Department of Natural Resources in directing an official fire closure.

((B: The City Council intends to amend this chapter by enacting specific regulations for the following sounds, each of which shall be exempt from the provisions of this chapter between the hours of 7:00 a.m. and between the hours of 9:00 a.m. and 10:00 p.m. on weekends, until a specific amendment applying to that sound has been adopted:))

((1: Sound created by construction equipment, including special construction vehicles, and emanating from temporary construction sites, if the receiving property is located in a rural or residential district in King County;))

((2: Sounds created by the installation or repair of essential public utility services;))

((3: Sounds created by maintenance operations on public facilities;))

((4: Sounds created by powered equipment used in temporary or periodic maintenance or repair of residential property, including grounds and appurtenances, such as lawn mowers, powered hand tools, snow removal equipment, and composters;))

Section 5. Section 25.08.680 of the Seattle Municipal Code (Ordinance 110047, Section 204) is amended as follows:

25.08.680. ...

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tion, substantial repair, ~~improvement~~, alteration, or similar action for or of public or private rights-of-way, structures, utilities, or similar property.

Section 5. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 12<sup>th</sup> day of December, 1983, and signed by me in open session in ratification of its passage the 12<sup>th</sup> day of December, 1983.

*Tim Hill*  
President of the City Council

Approved by me this 16<sup>th</sup> day of December, 1983.

*Charles Royer*  
Mayor

Filed by me this 16<sup>th</sup> day of December, 1983.

*Tim Hill*  
City Comptroller and City Clerk

(SEAL)

*Theresa Dunbar*  
Deputy Clerk

Publication ordered by TIM HILL, Comptroller and City Clerk.  
Date of Official Publication in the Daily Journal of Commerce, Seattle, December 27, 1983.  
(C-480)

Issue: CONSTRUCTION NOISE

Date/Time: WED, OCT 5

File # CB. 103798

9:30am

(2)

PUBLIC HEARING

Roster of Speakers

PLEASE PRINT

NAME	ORGANIZATION	ADDRESS	ZIP	PHONE
Cora Land				
Anne Amosby	D.C. Child			
GARY NUNNAT	W. N. GAS			







