

**CITY OF TYBEE ISLAND, GEORGIA
APPLICATION FOR BUILDING PERMIT**



Location: _____ PIN # _____

	NAME	ADDRESS	TELEPHONE
Owner			
Architect or Engineer			
Building Contractor			

(Check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Repair | <input type="checkbox"/> Residential | <input type="checkbox"/> Footprint Changes |
| <input type="checkbox"/> Renovation | <input type="checkbox"/> Single Family | <input type="checkbox"/> Discovery |
| <input type="checkbox"/> Minor Addition | <input type="checkbox"/> Duplex | <input type="checkbox"/> Demolition |
| <input type="checkbox"/> Substantial Addition | <input type="checkbox"/> Multi-Family | |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> Commercial | |

Details of Project: _____

Estimated Cost of Construction: \$ _____

Construction Type _____ (Enter appropriate number)

- | | | |
|--------------------|---------------------|----------------------------|
| (1) Wood Frame | (4) Masonry | (6) Other (please specify) |
| (2) Wood & Masonry | (5) Steel & Masonry | _____ |
| (3) Brick Veneer | | |

Proposed use: _____

Remarks: _____

ATTACH A COPY OF THE CERTIFIED ELEVATION SURVEY OF LOT and complete the following information based on the construction drawings and site plan:

# Units _____	# Bedrooms _____	# Bathrooms _____
Lot Area _____	Living space (total sq. ft.) _____	
# Off-street parking spaces _____		
Trees located & listed on site plan _____		
Access: _____		
Driveway _____ (ft.)	With culvert? _____	With swale? _____
Setbacks: Front _____	Rear _____	Sides (L) ____ (R) ____

Stories _____ Height _____ Vertical distance measured from the average adjacent grade of the building to the extreme high point of the building, exclusive of chimneys, heating units, ventilation ducts, air conditioning units, elevators, and similar appurtances.

During construction:

On-site restroom facilities will be provided through _____ .
On-site waste and debris containers will be provided by _____ .
Construction debris will be disposed by _____ by means of _____ .

I understand that I must comply with zoning, flood damage control, building, fire, shore protections and wetlands ordinances, FEMA regulations and all applicable codes and regulations. I understand that the lot must be staked out and that the stakes will be inspected to ensure that the setback requirements are met. I understand also that a certified plot plan showing elevation must be attached to this application and that an as-built elevation certification is due as soon as the habitable floor level is established. Drainage: I realize that I must ensure the adequacy of drainage of this property so that surrounding property is in no way adversely affected. I accept responsibility for any corrective action that may be necessary to restore drainage impaired by this permitted construction.

Date: _____ Signature of Applicant: _____

Note: A permit normally takes 7 to 10 days to process.

The following is to be completed by City personnel:

Zoning certification _____ NFIP Flood Zone _____
Approved rezoning/variance? _____
Street address and number: New _____ Existing _____
Is it in compliance with City map? _____
If not, has street name and/or number been reported to MPC? _____

FEMA Certification attached _____
State Energy Code Affidavit attached _____

Utilities and Public Works:
Describe any unusual finding(s) _____

Access to building site _____
Distance to water main tap site _____
Distance to sewer stub site _____
Water meter size _____
Storm drainage _____

Approvals:	Signature	Date
Zoning Administrator	_____	_____
Code Enforcement Officer	_____	_____
Water/Sewer	_____	_____
Storm/Drainage	_____	_____
Inspections	_____	_____
City Manager	_____	_____

FEES	
Permit	_____
Inspections	_____
Water Tap	_____
Sewer Stub	_____
Aid to Const.	_____
_____	_____
_____	_____
TOTAL	_____

LEAD-BASED PAINT

Adapted from <http://www.epa.gov/lead/pubs/renovation.htm>. Please use that site to access the following information.

Information for Property Owners of Rental Housing, Child-Occupied Facilities

Property owners who renovate, repair, or prepare surfaces for painting in pre-1978 rental housing or space rented by child-care facilities must, before beginning work, provide tenants with a copy of EPA's lead hazard information pamphlet [Renovate Right: Important Lead Hazard Information for Families, Child Care Providers, and Schools](#). Owners of these rental properties must document compliance with this requirement. EPA's sample [pre-renovation disclosure form](#) may be used for this purpose.

After April 22, 2010, property owners who perform these projects in pre-1978 rental housing or space rented by child-care facilities must be certified and follow the lead-safe work practices required by EPA's Renovation, Repair and Remodeling rule. To become certified, property owners must submit an [application for firm certification](#) and fee payment to EPA. The Agency has up to 90 days after receiving a complete request for certification to approve or disapprove the application.

Property owners who perform renovation, repairs, and painting jobs in rental property should also:

- Take [training](#) to learn how to perform lead-safe work practices.
- Learn the lead laws that apply regarding certification and lead-safe work practices beginning in April 2010.
- Keep records to demonstrate that you and your workers have been trained in lead-safe work practices and that you followed lead-safe work practices on the job. To make recordkeeping easier, you may use the [sample recordkeeping checklist](#) that EPA has developed to help contractors comply with the renovation recordkeeping requirements that took effect April 2010.
- Read about how to comply with EPA's rule in the [EPA Small Entity Compliance Guide to Renovate Right](#).
- Read about how to use lead-safe work practices in EPA's [Steps to Lead Safe Renovation, Repair and Painting](#).



Information for Homeowners Working at Home

If you are a homeowner performing renovation, repair, or painting work in your own home, EPA's RRP rule does not cover your project. However, you have the ultimate responsibility for the safety of your family or children in your care. If you are living in a pre-1978 home and planning to do painting or repairs, please read a copy of EPA's [Renovate Right: Important Lead Hazard Information for Families, Child Care Providers, and Schools](#) lead hazard information pamphlet. You may also want to call the National Lead Information Center at 1-800-424-LEAD (5323) and ask for more information on how to work safely in a home with lead-based paint.

Information for Tenants and Families of Children under Age 6 in Child Care Facilities and Schools

As a tenant or a parent or guardian of children in a child care facility or school, you should know your rights when a renovation job is performed in your home, or in the child care facility or school that your child attends.

- Before starting a renovation in residential buildings built before 1978, the contractor or property owner is required to have tenants sign a [pre-renovation disclosure form](#), which indicates that the tenant received the *Renovate Right* lead hazard information pamphlet.
- Beginning in December 2008, the contractor must also make renovation information available to the parents or guardians of children under age six that attend child care facilities and schools, and to provide to owners and administrators of pre-1978 child care facilities and schools to be renovated a copy of EPA's [Renovate Right: Important Lead Hazard Information for Families, Child Care Providers, and Schools](#) lead hazard information pamphlet.

Information for Contractors

As a contractor, you play an important role in helping to prevent lead exposure. Ordinary renovation and maintenance activities can create dust that contains lead. By following the lead-safe work practices, you can prevent lead hazards. Contractors who perform renovation, repairs, and painting jobs in pre-1978 housing and child-occupied facilities must, before beginning work, provide owners, tenants, and child-care facilities with a copy of EPA's lead hazard information pamphlet [Renovate Right: Important Lead Hazard Information for Families, Child Care Providers, and Schools](#). Contractors must document compliance with this requirement. EPA's [pre-renovation disclosure form](#) may be used for this purpose. Understand that after April 22, 2010, federal law will require you to be certified and to use lead-safe work practices. To become certified, renovation contractors must submit an application and fee payment to EPA. See: [Application for firm certification](#). The Agency has up to 90 days after receiving a complete request for certification to approve or disapprove the application.

Contractors who perform renovation, repairs, and painting jobs should also:

- Take training to learn how to perform lead-safe work practices.
 - [Find a training provider](#) that has been accredited by EPA to provide training for renovators under EPA's Renovation, Repair, and Painting (RRP) Program. Please note that if you previously completed an eligible renovation training course you may take the 4-hour refresher course instead of the 8-hour initial course from an accredited training provider to become a certified renovator. [Click here for a list of eligible courses](#).
- Provide a copy of your EPA or state lead training certificate to your client.
- Tell your client what lead-safe methods you will use to perform the job.
- Learn the lead laws that apply to you regarding certification and lead-safe work practices beginning in April 2010.
- Ask your client to share the results of any previously conducted lead tests.
- Provide your client with references from at least three recent jobs involving homes built before 1978.
- Keep records to demonstrate that you and your workers have been trained in lead-safe work practices and that you followed lead-safe work practices on the job. To make recordkeeping easier, you may use the [sample recordkeeping checklist](#) that EPA has developed to help contractors comply with the renovation recordkeeping requirements.
- Read about how to comply with EPA's rule in the [EPA Small Entity Compliance Guide to Renovate Right](#).
- Read about how to use lead-safe work practices in EPA's [Steps to Lead Safe Renovation, Repair and Painting](#).

Signature

Date

Printed Name



Permit Acknowledgement of

Asbestos/Environmental Notification to Georgia EPD for
Projects Involving Demolition, Wrecking, or Renovation

The undersigned hereby acknowledges that the issuance of this permit does not in any way grant permission to the owner, owner's representative, or permit holder to proceed with demolition, wrecking, or renovation of a structure prior to the filing of any required ten (10) day "***Project Notification for Asbestos Renovation Encapsulation or Demolition***" form in accordance with the Georgia Asbestos Rules. The Georgia Environmental Protection Division administers the rules. In most cases, the rules require both the owner and the involved contractors to assure the portion of the building involved in the project is thoroughly inspected by an Accredited Asbestos Inspector for materials that contain asbestos; and the removal of the asbestos before renovation, wrecking, or demolition begins almost without exemption. Georgia EPD requires a completed demolition notification from be submitted 10 workings days in advance even if no asbestos is present in the building. Further guidance for regulatory compliance and contact telephone numbers are provided by the brochures entitled ***Asbestos & Renovation*** and ***Asbestos and Demolition***. Other environmental issues such as asbestos removal techniques, lead abatement, ground contamination, or unusual site conditions may have EPD regulations that could affect the project.

Undersigned

Date

Printed Name

<p><i>Office Use Only:</i></p> <p><i>Project Address:</i> _____</p> <p><i>Permit Number:</i> _____</p>
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June 30, 2010

The following deficiencies have reached an unacceptable level on the projects in the City of Tybee Island. While the deficiencies are not necessarily the fault of the Owner or his agent, they are their responsibilities. The two areas of deficiencies are in the two most basic and common BMPs on local projects. They are:

- Co – Construction Exit
- Sd1 – Sediment Barrier

Correct installation information can be found not only in the “Green Book” but in the *Field Manual for Erosion and Sediment Control in Georgia, Fourth Edition 2002*, 4310 Lexington Road, P.O. Box 8024, Athens, GA 30603, telephone 706.542.3065, www.gaswcc.org, Georgia Soil and Water Conservation Commission; http://www.gaswcc.org/docs/field_manual_4ed.pdf.

Problems with the Co is not limited to the installation, but to the material. Specifically, the job site personnel are telling me the stone delivered is the 1.5”-3.5” stone they requested. I have experienced on my own projects suppliers not adhering to the specs they are given with the orders. While I regret this situation, I will no longer be accepting any deviation from the State requirements. The stone will be a representation of 1.5”-3.5” stone or larger. Gradations that are obviously smaller will no longer be tolerated. The smaller stone allows for a smoother surface with smaller voids, thereby reducing the function of the construction exit.

Similarly, I am finding Type A sediment barriers installed where Type C is required and shown on the permit drawings. I have attempted to work with the Owners through increased inspections, additional backup BMPs, etc. This has evidently become common knowledge based on the installations I am finding. Where two rows are called for they will be installed with a separation that allows for the first one to fail (fall over) without impacting the second one. The complete assembly and installation must be compliant; steel or wood posts, post spacing, Type C or A.

There has been no discharge into state waters due to previous occasional deficiencies. However, the increased frequency has created unnecessary exposure to:

- 1) Sediment discharge into nearby waters of the State,
- 2) Increased maintenance efforts by the DPW on downstream lines.
- 3) Due to #2, higher cost to island taxpayers.

I will be adhering strictly to the manual on all BMPs and not just these two.

Downer Davis
City of Tybee Island Consulting Engineer

Signature of Owner/Contractor

REQUIRED FOR: Building Permits
Relocation Permits
Sign Permits
Demolition Permits
Land Clearing, Disturbance or Excavation Permits
Tree Removal Permits
Relocation Permits

Special Review Permits
Site Plan Approval
Subdivision of Land
 Sketch Plan Approval
 Preliminary Plan Approval
 Final Plat Approval
 Minor Subdivision Plat Approval
 Major Subdivision Plat Approval

In addition to specific requirements for the above permits and approvals, applicants must demonstrate that they are in compliance with the City of Tybee Island Storm Water Management requirements as outlined in Chapter 5-4, Code of Ordinances.

Section 5-4-9 Prohibition provides, in part, as follows:

- (4.) It is unlawful for any person to cause or permit any storm water to flow from their property onto the property of another person, unless such storm water naturally flowed thereon prior to any development activity.
- (5.) It is unlawful for any person to interrupt the flow of any storm water runoff from adjacent property onto their property by any development activity.

As part of the City's approval process applicants must illustrate how these storm water management prohibitions will be met, including a showing of how storm water naturally flowed on the affected property (prior to any development activity), and what changes in storm water flow have occurred or are expected to occur, as attachments to this form. The City's approval or permit does not guarantee that the applicant's plans will result in meeting requirements. The final product must actually meet the City Ordinance requirements.

Applicant name: _____

Project I.D.: _____

Attachments approved by: _____ Date: _____

FLOOD INSURANCE RATE MAPS and FLOOD DAMAGE PREVENTION ORDINANCE

The Federal Emergency Management Association (FEMA) mandated adoption of new Flood Insurance Rate Maps (FIRMs) and a new Flood Damage Prevention Ordinance (FDPO) by September 26, 2008. It was required that the FDPO that the City of Tybee Island adopted meet or exceed the minimum standards outlined by FEMA.

There are significant changes in the new ordinance. Some of the more significant changes are outlined below, however, please be aware that this outline does not address all of the changes. The ordinance in its entirety and the new FIRMs are available at the City's website, www.cityoftybee.org or in the Zoning Department at City Hall.

AE ZONES

- **SURVEY REQUIREMENT** – All new construction/substantial improvement projects are required to submit an as-built certification immediately after the lowest floor or flood-proofing is completed.
- **FINISHED FLOOR ELEVATION** – All new construction/substantial improvement projects are required to be elevated at least **one foot above** the base flood elevation. The following are included in the requirement and must be elevated:
 - All heating and air conditioning equipment and components, including ductwork;
 - All electrical;
 - All plumbing fixtures;
 - All other service facilities.
- **NON-RESIDENTIAL** – New construction/substantial improvement for non-residential projects may elect to floodproof the project in lieu of elevation.

VE ZONES

- **SURVEY REQUIREMENT** – All new construction/substantial improvement projects are required to submit an as-built certification after placement of the lowest horizontal structural members.
- **FINISHED FLOOR ELEVATION** – All new construction/substantial improvement of existing structures shall be elevated so that the bottom of the lowest supporting horizontal structural member (excluding pilings or columns) is located no lower than **one foot above** the base flood elevation level.

*Substantial Improvement means any combination of repair, reconstruction, alteration, or improvement to a structure taking place during a **5-year period**, in which the cumulative cost equals or exceeds 50% of the market value before the start of construction of the improvement.*

Please do not hesitate to contact (912) 786-4573, extension 107, if you require more information.



City of Tybee Island

CODES ENFORCEMENT NOTICE

The State of Georgia and the City of Tybee Island enforce the following Codes for construction.

International Building Code, 2006 Edition and State Amendments
International Residential Code, 2006 Edition and State Amendments
International Fire Code, 2006 Edition and State Amendments
International Plumbing Code, 2006 Edition and State Amendments
International Mechanical Code, 2006 Edition and State Amendments
International Fuel Gas Code, 2006 Edition and State Amendments
International Energy Conservation Code, 2009 Edition and State Amendments
National Electrical Code, 2008 Edition and State Amendments
1999 SSTD 10-99 Standard for Hurricane Resistant Residential Construction

These are but a few of the design standards that new construction and additions to structures will need to comply with. They can affect all work.

The following design provisions became effective January 1, 2002 for construction in the City of Tybee Island. These design standards will be enforced on plans submitted for review and inspection.

3-SECOND WIND GUST	130 MPH
FASTEST MILE BASIC WIND SPEED	110 MPH
SEISMIC DESIGN CATEGORY	"C"
WIND EXPOSURE	"D"
CLIMATE ZONE	"2"

The following are the requirements for new windows:

NEGATIVE DESIGN PRESSURE	DP 45 or higher
SOLAR HEAT GAIN COEFFICIENT	0.3 or lower
WINDOW PROTECTION	1/2-inch minimum for plywood or approved alternate method

All work shall conform to the City of Savannah Technical Specifications except as stated in the Special Conditions on the following pages. The City of Savannah Technical Specifications are available online at:

<http://www.ci.savannah.ga.us/spr/SPRGuide.nsf/0/fcb3b1933d86c87b85256b670079a863?OpenDocument&Start=1&Count=500&Expand=2.5>

SPECIAL CONDITIONS

All work shall conform to the City of Savannah Technical Specifications except as stated in these Special Conditions. The City of Savannah Technical Specifications are available online at the City of Savannah web site. Where in conflict, these Special Conditions shall govern.

GENERAL

Engineer refers to both the Engineer for the project and the City of Tybee Island's Engineer. Justifications of the Engineer's approval including but not limited to required testing shall be submitted to the City of Tybee Island prior to the City of Tybee Island issuing concurrence.

Where requirements differ from those stated in the GASWCS "Green Book", the stricter will govern.

All communications required of the departments referenced in the City of Savannah ordinances will be submitted to the following City of Tybee Island Departments:

- 1) Department of Planning, Zoning & Economic Development
- 2) Public Works
- 3) Water & Sewer

Time of notification to the City of Tybee Island excludes:

- 1) Any and all federal, state, county and city holidays.
- 2) Weekends
- 3) Times of community alerts or disasters including, but not limited to, tropical storm and hurricane alerts, periods of rainfall exceeding the 25 year storm as determined by the City of Tybee Island and the following two weekdays.

Time of notification to the State Department of Transportation and other departments is the minimum. Such time of notification may be greater if required by those agencies.

All text for signage and markings shall be submitted to the City of Tybee Island for approval.

All materials will be domestic. Imported materials shall be allowed only after the City of Tybee Island approves a written request from the Owner's agent.

SECTION 02100 CLEARING / PART 2 – EXECUTION / 2.05 EXISTING TREE PROTECTION / A. SITE DEVELOPMENT PROJECTS

Tree Quality Points as defined in the City of Savannah Specifications are not required.

SECTION 02100 CLEARING / PART 2 – EXECUTION / 2.05 EXISTING TREE PROTECTION / A. SITE DEVELOPMENT PROJECTS.

The following requirements pertain primarily to site development projects such as Community Centers, Fire Stations, and other projects that require Tree Quality Points: to all projects.

SECTION 02270 - EROSION AND SEDIMENTATION CONTROL

Where requirements differ from those stated in the GASWCS "Green Book", the stricter will govern.

SECTION 02400 - STORM DRAINAGE

2.18 TELEVISIONING:

After the completion of cleaning, all constructed storm lines must be televised ~~by the City~~ prior to acceptance. Accordingly, all storm lines that are installed ~~within accepted public right of ways and easements~~ will be televised, including the first section of private lines between manholes that are connected to the public lines. In addition, storm lines from stormwater detention basins to the City system shall be televised. ~~Contractors will be charged a fee, currently \$0.85/L.F. for all sizes, and will be responsible for preparing the lines to insure that they are cleaned and free of debris prior to televising.~~ Details and procedures of this program are included in the "Televising Procedures Manual" developed by the City's Water Quality Control Department who will be providing the television services. Contractors will be responsible for becoming familiar with this manual and for the costs of televising. The City may waive the televising requirement if the lines are short enough and of a diameter that allows visual inspection by lamping.

SECTION 02550 - WATER DISTRIBUTION SYSTEM / PART 1 - PRODUCTS

1.01 PIPE:

A. Ductile Iron Pipe - Shall conform to ANSI/AWWA C150/A21.50 latest revision and ANSI/AWWA C151/A21.51 latest revision for laying condition two. All pipe shall be cement lined in accordance with ANSI/AWWA C104/A21.4 latest revision.

~~1.~~All Pipe Larger than 12 inches shall be ductile iron unless PVC is specifically allowed by the City.

1.09 GATE VALVES

D. Valve Manhole - Gate valves ~~4" 10"~~ and larger shall be installed in a manhole. Gate valves 8" and larger within pavement shall be installed in a manhole.

2.01 INSTALLATION

4. Depth of Pipe - The Contractor shall perform excavation of whatever substances are encountered to a depth that will provide a minimum cover over the top of the pipe of 36-inches from the existing or proposed finished grade, for pipe 12-inches and smaller. Pipe larger than 12-inches in diameter shall have ~~36~~48-inches of cover from the finished grade. A minimum cover of 33" (inches) and a maximum cover of 60" (inches)-39" (inches) from finished grade shall be accepted as within tolerance used unless approved by the City to avoid a conflict. If the design cover will be less than 36", duct iron pipe may be required by the City shall be used. Bedding shall be per specifications, industry association standards or manufacturers recommendations, whichever is greater.

2.05 PROCEDURES FOR CONNECTIONS OF WATER MAINS:

B. Procedure

6. If a wet tap is required, the contractor will be responsible for preparing the site. This preparation includes the excavation and installation of the tapping sleeve. The contractor will make available a lifting device for the tapping machine and at least a 100 CFM Air Compressor to power the tapping machine. The City Contractor will provide the tapping machine and ~~one man~~ personnel to operate the unit.

~~All taps of 12" and smaller diameter will be made by the City Water~~

~~Distribution Department unless authority has been granted in writing by the Water Distribution Superintendent for a private firm to perform the wet tap for a particular new main.~~

All taps will be made under the supervision of the City of Tybee Island Water Department.

SECTION 02554 - WASTEWATER COLLECTION SYSTEM

2.12 MANHOLES

~~A 0.1' (feet) minimum drop shall be required through all manholes where the horizontal alignment change is less than 45 degrees. A 0.2' (foot) minimum drop shall be required through all manholes where the horizontal alignment change is 45 degrees to 90 degrees. The drop through manholes shall be equal to the steepest percentage of the upstream and downstream lines may be used at the discretion of the City of Tybee Island.~~ Horizontal alignment changes greater than 90 degrees at a single manhole shall not be allowed. A wide sweep invert shall be required for all manholes where the horizontal alignment change is 90 degrees.

Section 03300 CAST-IN-PLACE CONCRETE

CHAPTER 1 - GENERAL

1.1-Scope

1.3-Design of Concrete Structures shall be performed and stamped by a Professional Engineer registered in the State of Georgia.

In no instance shall a concrete sidewalk be less than 4" thick nor a driveway less than 6" thick. The Engineer shall refer to City of Savannah Standard Construction Details for minimum design requirements of various structures.

CHAPTER 3 - PROPORTIONING

3.2-Strength

The specified compressive strength of the concrete (**f'c**) for each portion of sidewalks and curb and gutters shall be a minimum of ~~3000~~ 4,000 psi unless a greater strength requirement is indicated on the contract drawings or herein. Driveway and road paving shall have a compressive strength of not less than 5000 psi. Strength requirements shall be based on 28-day compressive strength unless a different test age is specified. The compressive strength of the concrete shall be determined by ASTM C39.

CHAPTER 5 - REINFORCEMENT

5.7-Sidewalks shall be reinforced by one of the following methods:

~~5.7.1-Welded wire mesh located 2" from the top surface of the concrete.~~ Minimum size of mesh shall be 6"x6" - W2.9 x W2.9.

5.7.2-Concrete shall be fiber reinforced.

5.7.3-Deformed reinforcing bars providing no less than 0.25 square inches per foot (each way).

SECTION 11100 - SUBMERSIBLE WASTEWATER PUMPS

5-25 HORSE POWER DUPLEX ACROSS THE LINE MAGNETIC

PART III – FINAL INSPECTION

3.01 FINAL INSPECTION / ACCEPTANCE

B. Dry Pumping Test:

~~The pump will be tested in one of two ways; Facility Test or Site Test:~~

The pump will be tested by both a Facility Test and a Site Test.

THE CODE OF TYBEE ISLAND, GEORGIA
ARTICLE IV. NOISES

Sec. 22-110. Definitions.

Definitions of technical terms used which are not herein defined shall be obtained from publications of acoustical terminology issued by the American National Standards Institute (ANSI) as its successor body. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ambient sound level means the noise associated with a given environment, exclusive of a particular noise being tested, being usually a composite of sounds from many sources near and far, exclusive of intruding noises from isolated identifiable sources.

A-weighted sound level means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level is designated dB(A) or dBA.

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

Decibel (dB) means a logarithmic and dimensionless unit of measure used in describing the relative loudness of level of sound.

Demolition means any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces, or similar property.

Emergency means any occurrence or set of circumstances involving actual or imminent physical or psychological trauma or property damage which demands immediate action.

Emergency work means any work performed for the purpose of alleviating or resolving an emergency.

Impulsive sound means a sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drop forge impacts, and the discharge of firearms.

Motor vehicle means any motor-operated vehicle licensed for use on the public highways, but not including a motorcycle.

Motorboat means any vessel which operates on water and which is propelled by a motor, including, but not limited to, boats, barges, amphibious craft, water ski towing devices and hover craft.

Motorcycle means any motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than three wheels in contact with the ground. The term shall include, but not be limited to, motorized bicycles and motor scooters.

Noise means any sound which disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

Noise control officer means the person designated by the city having responsibility for the enforcement of any provision of this article.

Noise disturbance means any sound which endangers or injures the welfare, safety or health of human beings, or disturbs a reasonable person of normal sensitivities, or devalues or injures personal or real property, or is hereinafter defined.

Noise sensitive activities means activities which should be conducted under conditions of exceptional quiet including, but not limited to, operation of schools, libraries open to the public, churches, hospitals, and nursing homes.

Noise sensitive area means any area designated for the purpose of ensuring exceptional quiet and clearly posted with "noise sensitive area" signs, because of the noise sensitive activities conducted therein.

Person means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, operative, state agency, municipality or other political subdivisions of this state, any interstate body, or any other legal entity.

Powered model vehicle means any self-propelled airborne, waterborne, or land borne model plane, vessel, or vehicle, which is not designed to carry persons, including, but not limited to any model airplane, boat, car or rocket.

Public right-of-way means any street, avenue, boulevard, highway, sidewalk, lane or similar place which is owned or controlled by a governmental entity.

Public space means any real property, including any structure thereon, which is owned or controlled by a governmental entity.

Pure tone means any sound which can be distinctly heard as a single pitch or a set of single pitches.

Real property boundary means an imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one person from that owned by another person, but not including intra-building real property divisions.

Receiving land use means the use or occupancy of the property from which a complaint is made concerning noise which received the transmission of sound as hereinafter defined, however, the allowable decibel levels are based on the zoning district as opposed to the use of the receiving land.

Recreational vehicle means any race car, motorcycle, or any other motorized vehicle equipped for use in racing or other recreational events or uses off of public rights-of-way on public or private property.

Residential means any property on which is located a building or structure used wholly or partially for living or sleeping purposes.

Sound means an oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that cause compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

Sound level means the weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network, such as A, B, or C as specified in American National Standards Institute Specifications for Sound Level Meters (ANSI S1.41971, or the latest approved revision thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply.

Sound level meter means an instrument which includes a microphone, amplifier, RMS detector, integrator or time average, output or display meter, and weighting networks used to measure sound pressure levels, which complies with American National Standards Institute Standard 1.4-1971 as revised.

Sound pressure means the instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space, as produced by sound energy.

Used and *occupied* mean and include the words "intended," "designed," or "arranged to be used or occupied."
(Code 1983, § 11-3-2)

Sec. 22-111. Exceptions.

The provisions of this article shall not apply to:

- (1) The emission of sound for the purpose of alerting persons to the existence of an emergency.
 - (2) The emission of sound in the performance of emergency work.
 - (3) Agricultural activities, exclusive of those involving the ownership or possession of animals or birds.
 - (4) Public mass transportation vehicles.
 - (5) Church or clock carillons, bells, or chimes.
 - (6) The emission of sound in the discharge of weapons or in fireworks displays for which a permit has been issued.
 - (7) Public works projects specifically approved by the mayor and council.
- (Code 1983, § 11-3-3)

Sec. 22-112. Noise disturbance prohibited.

(a) *Prohibited.* No person shall make, continue, or cause to be made or continued, except as permitted, any noise disturbance, or any noise in excess of the limits for such noise established in this section.

(b) *Maximum permissible sound levels.* With the exception of sound levels elsewhere specifically authorized by this article, table 1 sets forth the maximum permissible sound levels allowed at or within the real property boundary of a receiving land use. Any activity or use that produces a sound in excess of such noise levels for a receiving land use shall be deemed a noise disturbance and is in violation of this article.

(c) *Measurement of sound.* The measurement of sound or noise shall be made with a sound level meter meeting the standards prescribed by the American National Standards Institute or its successor body. The instrument shall be maintained in calibration and good working order. Octave band corrections may be employed in meeting the response specification. A calibration check shall be made of the system at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source. The microphone used during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used when required. Traffic, other transportation noise sources and other background noises shall not be considered in taking measurements except where such background noise interferes with the primary noise being measured. It is the intention that this sound to be measured is what is being created by the sound complained of excluding intruding noises from isolated identifiable sources, but including ambient sound level. The measure of all sound levels shall be made as close to the property line of the receiving land use as is practical.

TABLE 1
Sound Levels by Receiving Land Use

<i>Zoning Category of Receiving Land</i>	<i>Time⁽³⁾ Use⁽¹⁾</i>	<i>Sound Level Limit, dBA⁽⁴⁾</i>
Residential ⁽²⁾	At all times	60
Commercial	At all times	75
Noise Sensitive Area	At all times	55

⁽¹⁾As set forth in the Land Development Code.

⁽²⁾Any zoning district containing the letter "R."

⁽³⁾Unless otherwise stated in this article.

⁽⁴⁾For any source of sound which emits a pure tone, the maximum sound level limits set shall be reduced by five dBA.

(d) *Equipment use restrictions.* Regardless of decibel levels, the following equipment may not be operated between the hours of 8:00 p.m. and 7:00 a.m.: Monday-Friday and on Saturday and Sunday 8:00 p.m. to 10:00 a.m.:

- (1) Electrical power tools.
- (2) Motor powered, muffler equipped lawn, garden, and tree trimming equipment except residential lawn mowers.
- (3) Construction equipment, which includes landscaper's lawn mowers and other landscaping motorized equipment.

(Code 1983, § 11-3-4; Ord. of 4-29-2005; Ord. of 7-26-2007)