

After Hours Concrete Installation Regulations Adopted & Proposed (December 2014-Present)

	Original Code Language	Interim Ordinance (20141120-056)	March Staff Recommendation	May Staff Recommendation	Current Staff Recommendation
Eligible Properties	- Properties in CBD zoning district AND - within 600ft of a residence, church hospital, hotel or motel.	-Property that is located in the Downtown Density Bonus area defined by section 25-2-586(B) of City Code, AND - Properties in CBD or P zoning district AND -within 600ft of a residence, church hospital, hotel or motel.	-Property that is located in the Downtown Density Bonus area defined by section 25-2-586(B) of City Code, AND - Properties in CBD or P zoning district AND -within 600ft of a residence, church hospital, hotel or motel.	The May staff recommendation that was offered was unchanged from the March recommendation which was presented to stakeholders (see column to the left.)	-Property that is located in the Downtown Density Bonus area defined by section 25-2-586(B) of City Code, AND - Properties in CBD or P zoning district AND -within 600ft of a residence, church hospital, hotel or motel.
Hours	7:00pm-6:00am	7:00pm-2:00am, OR 7:00pm-6:00am for a limited number of special circumstances per site.	7:00pm-6:00am		<u>Type 1</u> : 7:00pm – Midnight, Monday – Sunday, OR <u>Type 2</u> : Midnight – 6:00am, Monday – Sunday, OR <u>Type 3*</u> : 7:00pm-Midnight Monday – Friday, OR <u>Type 4^</u> : 7:00pm-6:00am Monday – Friday
Decibel Limit	None	None	- 85 Decibels between 7:00am and 10:30pm Sunday-Wednesday, 11:00pm Thursday, Midnight Friday & Saturday; OR - 3 Decibels above ambient sound level between above times and 6:00am.		<u>Type 1</u> : 72 Decibels, OR <u>Type 2</u> : 72 Decibels, OR <u>Type 3*</u> : 85 Decibels, OR <u>Type 4^</u> : No maximum decibel limit.

* The director may only issue a Type 3 permit if the project is located on a site that is within 100 feet of a site occupied by a residence or hotel.

^ The director may only issue a Type 4 Non-Peak Hour Permit if a special circumstance exists that requires a continuous concrete pour, such as a mat foundation that would be inconsistent with a Type 1, Type 2, or Type 3 permit.

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Permit Duration	Up to 72 hours.	Up to 72 hours.	Up to 72 hours.	The May staff recommendation that was offered was unchanged from the March recommendation which was presented to stakeholders (see column to the left.)	Up to 72 hours.
Notification	Not Required	- Contact adjacent property owners located next door or across the street and residents within 600ft and provide a 24-hour contact person.	- Contact adjacent property owners located next door and representatives of property owners and residents within 300ft and provide a 24-hour contact person. - On a sign posted at the construction entrance and visible from the street.		- Contact adjacent property owners located next door and representatives of property owners and residents within 300ft and provide a 24-hour contact person. - On a sign posted at the construction entrance and visible from the street.
Sound & Light Mitigation Plan	Not Required	Yes, created by applicant.	Yes, created by applicant OR if work is permitted after 10:30pm the plan must be sealed by an acoustical engineer certified by the National Council of Acoustical Consultants or the Acoustical Society of America.		Yes, created by applicant.
Concrete Finishing	No special requirement; permitted from 7:00pm-6:00am.	Permitted from 7:00pm-6:00am.	Permitted from 7:00pm-6:00am.		Permitted from 7:00pm-6:00am.
Grandfather Clause	Not Applicable	Projects with building permits submitted prior to 12/1/2014 follow original ordinance language, except a sound and light mitigation plan must be provided.	Projects with building permits submitted prior to 12/1/2014 follow original ordinance language, except a sound and light mitigation plan must be provided.		Projects with building permits submitted prior to 12/1/2014 follow original ordinance language, except a sound and light mitigation plan must be provided.

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Bad Actor Clause	None	None	Accountable official may refuse to issue permit if the applicant or site have two or more convictions of sound regulations or conditions on previously issued permit.	The May staff recommendation that was offered was unchanged from the March recommendation which was presented to stakeholders (see column to the left.)	Accountable official may refuse to issue permit if the applicant or site have two or more documented violations of sound regulations or conditions on previously issued permit. Exception provided for document violations resulting from equipment failure beyond the applicant's control.
Accountable Official	Development Services Department (formerly Planning & Development Review)	Development Services Department	Development Services Department		Development Services Department
Enforcement	Austin Police Department	Noise Violations: Austin Police Dept Other Violations: Austin Code Dept	Noise Violations: Austin Police Dept Other Violations: Austin Code Dept		Noise Violations: Austin Police Dept Other Violations: Austin Code Dept