

**Concrete Pour Noise Requirements** 

All construction noise within the City of Austin is governed by the <u>City of Austin Noise and Amplified</u> <u>Sound Ordinance</u>. In some locations within the Central Business District, <u>permits allow for concrete</u> <u>pouring activities</u> during specified hours.

### **General Construction Noise Allowances (without a permit)**

7:00 a.m. – 10:30 p.m.	6:00 a.m. – 7:00 p.m.
<ul> <li>Noise may be audible to an adjacent business or residence.</li> <li>Noise from machines that separate, gather, grade, load or unload sand, rock or gravel is <u>not</u> allowed within 600 feet of a church, hospital, hotel or motel during these hours.</li> </ul>	<ul> <li>Machines that handle sand, rock, or gravel must operate within these hours if work is performed within 600 feet of a church, hospital, hotel or motel.</li> <li>A permit may be issued to install concrete outside of these hours <u>only</u> within the Downtown Density Bonus areas zoned Central Business District (CBD) or Public (P). Access application here.</li> </ul>

## Non-Peak Hour Concrete Pour Application Guidelines

- An <u>application</u> is required for every scheduled concrete pour.
- Applications must be complete and include the following:
  - Sound and Light Management Plan
  - Copy of required signage and list of affected parties who will receive notification
  - Name and phone number of a contact who will be on site throughout the installation
  - Application fee (Current fee is \$215.28)
- Submit applications and required documents via email to Bryan Walker.

#### **Permits and Complaints**

- Individual permits are valid for <u>one pour</u> within a defined 72-hour window.
- A <u>Right-of-Way (ROW) Permit</u> from the City of Austin Transportation Department is required for work in or use of the public ROW. Applications must include requested barricading hours and address traffic flow issues. A permit/traffic control plan must be at the work site and available to present to inspectors or other City officials upon request.
- If the City of Austin receives a report of an alleged violation of decibel limits from a neighbor adjacent to a worksite, the Development Services Department (DSD) will:
  - Verify whether the complaint is plausible (correct date/ time/ location)
  - o Deploy sound monitoring equipment for a subsequent concrete pour
  - Work with the contractor to address and mitigate neighbor noise concerns where possible, if no violation is found. Permit eligibility continues.

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# **Enforcement for Permit Violations**

Failure to follow permit requirements or to acquire a permit for regulated activities can affect eligibility for future permits. Enforcement actions depend on quantity and frequency of violations.

## **Penalties for Observed Violations**

Number of Violations	Time Period	Enforcement Action	
3 or more	30 days	New permits not issued for 30 days from the date of last violation	
6 or more	12 months	No additional permits issued for the site for the duration of construction	

### **Restoring Permit Eligibility**

Number of Violations	Time Period	Enforcement Action
Fewer than 6	12 months (after first violation)	Restart 12-month compliance count

## **Enforcement Process for Work Without a Permit/ Expired Permit**

After 3-1-1 receives a complaint, it goes to the Austin Code Department (ACD). A Code inspector will be assigned to the case and prioritize the response. After an initial inspection and investigation of the complaint, the inspector will determine the appropriate enforcement action. If a violation is confirmed, the property owner of the non-compliant site will be notified. If a follow-up inspection determines that compliance has not been achieved, ACD will begin progressive enforcement actions.

Progressive Enforcement Process					
License/Registration Suspension or Revocation	Administrative Hearing	Building & Standards Commission	Municipal or District Court		

- Process usually occurs the next day and starts by reaching out to the project manager.
- Response can result in a Notice of Violation and/or Citation.
- Affidavits will be filed with Municipal Court.
- Affidavits can be filed by complainants or community members.