

SEC. 36.409. SOUND LEVEL LIMITATIONS ON CONSTRUCTION EQUIPMENT.

Except for emergency work, it shall be unlawful for any person to operate construction equipment or cause construction equipment to be operated, that exceeds an average sound level of 75 decibels for an eight-hour period, between 7 a.m. and 7 p.m., when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is being received.

SEC. 36.410. SOUND LEVEL LIMITATIONS ON IMPULSIVE NOISE.

In addition to the general limitations on sound levels in section 36.404 and the limitations on construction equipment in section 36.409, the following additional sound level limitations shall apply:

(a) Except for emergency work or work on a public road project, no person shall produce or cause to be produced an impulsive noise that exceeds the maximum sound level shown in Table 36.410A, when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is received, for 25 percent of the minutes in the measurement period, as described in subsection (c) below. The maximum sound level depends on the use being made of the occupied property. The uses in Table 36.410A are as described in the County Zoning Ordinance.

**TABLE 36.410A.
MAXIMUM SOUND LEVEL (IMPULSIVE) MEASURED
AT OCCUPIED PROPERTY IN DECIBELS (dBA)**

OCCUPIED PROPERTY USE	DECIBELS (dBA)
Residential, village zoning or civic use	82
Agricultural, commercial or industrial use	85

(b) Except for emergency work, no person working on a public road project shall produce or cause to be produced an impulsive noise that exceeds the maximum sound level shown in Table 36.410B, when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is received, for 25 percent of the minutes in the measurement period, as described in subsection (c) below. The maximum sound level depends on the use being made of the occupied property. The uses in Table 36.410B are as described in the County Zoning Ordinance.

**TABLE 36.410B.
MAXIMUM SOUND LEVEL (IMPULSIVE) MEASURED AT OCCUPIED
PROPERTY IN DECIBELS (dBA) FOR PUBLIC ROAD PROJECTS**

OCCUPIED PROPERTY USE	dB(A)
Residential, village zoning or civic use	85
Agricultural, commercial or industrial use	90

(c) The minimum measurement period for any measurements conducted under this section shall be one hour. During the measurement period a measurement shall be conducted every minute from a fixed location on an occupied property. The measurements shall measure the maximum sound level during each minute of the measurement period. If the sound level caused by construction equipment or the producer of the impulsive noise, exceeds the maximum sound level for any portion of any minute it will be deemed that the maximum sound level was exceeded during that minute.