

## **5.04: Discuss Potential Future City Code Amendment to Construction Hours**

### **Presentation**

Planning Intern Solomonson presented the staff report stating the City of Ramsey has the code as listed below for construction hours within the city. The reason for this possible amendment to the Code is due to the number of concerns that have been raised to City Council regarding the time limits and to address some of the public perception of the listed hours. The question was most recently raised during the review of a Major Subdivision. Residents have had concerns with the hours listed as the maximum allowance, not necessarily being the standard hours of construction that most contractors choose to use. The contractor for the development of Harvest Estates, for example, negotiated construction hours to stop at 8:00 p.m. instead of the maximum stopping time of 10:00 p.m.

Planning Intern Solomonson stated the goal of this amendment is to look at the possibility of introducing an earlier stopping time for construction with exemptions built in for public improvement projects, private homeowner construction, and extenuating circumstances which would involve City Administrator approval or City Council approval. It is noted, however, that it is rare that the complaints the City actually receive are that of evening work hours. Almost exclusively, the complaints are in regards to early start hours in the morning.

Planning Intern Solomonson reported that also included in this document for examples are the hours of construction and stipulations of neighboring communities as a basis for discussion. It is worth noting that the majority of the surrounding communities have similar hours in effect as the City of Ramsey with some starting at 6:00 a.m. Staff requested feedback from the Commission on how to proceed.

### **Commission Business**

Commissioner VanScoy questioned how many complaints the City has received. Community Development Director Gladhill did not have a specific number, but believed six to twelve complaints were received each spring. He commented that these complaints were regarding contractors starting prior to 7:00 a.m. He reported that the City's current standards met the PCA's standards.

Commissioner VanScoy did not see a reason to change the City's standards. He did not believe that the proposed language changes would eliminate all noise complaints. Community Development Director Gladhill was of the opinion that public perception would be improved based on the code amendment and noted that construction hours could now be negotiated.

Commissioner Andrusko recommended that all emergency City work be allowed outside the stated construction hours. He suggested the language regarding construction completed by Ramsey homeowner's be clarified.

Commissioner VanScoy did not see a need to change the 10:00 p.m. construction stop time so long as staff was allowed to negotiate construction hours.

Commissioner Brauer feared how staff would be impacted if they were forced to negotiate with each construction company.

Community Development Director Gladhill questioned if the Commission wanted to change the ending hours.

Commissioner Brauer stated nine neighboring communities specify 10:00 p.m. as their ending time, while the remainder specified 8:00 p.m. as the ending time. He supported an 8:00 p.m. end time.

Motion by Commissioner VanScoy, seconded by Commissioner Andrusko, to recommend staff proceed with the Code Amendment keeping the end time 10:00 p.m., that staff be allowed to negotiate end times to 9:00 p.m., and that staff note the language changes discussed by Commissioner Andrusko.

Motion Carried. Voting Yes: Vice Chairperson Bauer, Commissioners VanScoy, and Andrusko. Voting No: Brauer. Absent: Chairperson Levine, Commissioners Maul and Nosan.