

**Regular Planning Commission**

5. 4.

**Meeting Date:** 08/06/2015

**By:** Geoff Solomonson, Community  
Development

**Information**

**Title:**

Discuss Potential Future City Code Amendment to Construction Hours

**Purpose/Background:**

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.

The goal of this amendment is to look at the possibly 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.

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.

**The code as it currently exists:**

**Sec. 105-1. - Restrictions on hours for construction.**

(a) Work hours. It shall be unlawful to engage in or conduct any activity in the construction of any building or structure, or the laying of any pavement, including but not limited to the making of any excavation, clearing of surface land and loading or unloading material, equipment or supplies in any residential district of the city, except between the hours of 7:00 a.m. and 10:00 p.m. Monday through Saturday. However, such activity shall be lawful from 6:00 a.m. to 10:00 p.m. with prior permission from the city administrator and his designee due to extenuating circumstances such as excessively warm temperature, the need to avoid traffic during normal work hours, etc. Any Sunday activity is also limited to the hours of 7:00 a.m. to 10:00 p.m. and to that which is being performed by the owner/occupant of the parcel on which the activity is occurring.

(b) *Permit.* Application for a permit shall be made in writing to the administrator and shall state the name of the applicant and their business address, the location of the proposed work, and the reason for seeking a permit to do such work on Sunday as well as the estimated time of the proposed operations. No such permit shall be issued excepting where the public welfare will be harmed by failure to perform the work at the time indicated.

(c) *Provision not to prevent necessary work.* Nothing in this section shall be construed to prevent any work necessary to prevent injury to persons or property at any time.

(Code 1978, § 7.81; Ord. No. 95-17)

**Possible code edit amendment:**

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surface land and loading or unloading material, equipment or supplies in any residential district of the city, except between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday unless work is done by a homeowner, in which residential homeowner construction is limited from 7:00 a.m. to 10:00 p.m. However, such activity shall be lawful from 6:00 a.m. to 10:00 p.m. with prior permission from the city administrator and his designee due to extenuating circumstances such as excessively warm temperature, the need to avoid traffic during normal work hours, etc. Any Sunday activity is also limited to the hours of 7:00 a.m. to 10:00 p.m. and to that which is being performed by the owner/occupant of the parcel on which the activity is occurring. Public improvement projects, public works construction activities and other similar emergency construction activity shall be exempt from the construction hours listed.

(b) *Permit.* Application for a permit shall be made in writing to the administrator and shall state the name of the applicant and their business address, the location of the proposed work, and the reason for seeking a permit to do such work on Sunday as well as the estimated time of the proposed operations. No such permit shall be issued excepting where the public welfare will be harmed by failure to perform the work at the time indicated.

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**Notification:**

**Observations/Alternatives:**

**Funding Source:**

**Recommendation:**

While an amendment to City Code may be warranted, Staff poses a goal to balance the tranquility of the surrounding neighborhoods with the flexibility to be able to negotiate later hours where feasible. This topic report is for discussion only. There is no policy change being proposed at this time.

**Action:**

No action is being requested. Staff is seeking initial feedback to aide in development an actual ordinance for future consideration.

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**Attachments**

Construction Hours Document

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**Form Review**

<b>Inbox</b>	<b>Reviewed By</b>	<b>Date</b>
Tim Gladhill	Tim Gladhill	07/31/2015 02:05 PM
Form Started By: Geoff Solomonson		Started On: 07/31/2015 01:43 PM
Final Approval Date: 07/31/2015		

# City of Ramsey

## Code – Construction Hours

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, as 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.

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- (b) *Permit.* Application for a permit shall be made in writing to the administrator and shall state the name of the applicant and their business address, the location of the proposed work, and the reason for seeking a permit to do such work on Sunday as well as the estimated time of the proposed operations. No such permit shall be issued excepting where the public welfare will be harmed by failure to perform the work at the time indicated.
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- (c) *Provision not to prevent necessary work.* Nothing in this section shall be construed to prevent any work necessary to prevent injury to persons or property at any time.

(Code 1978, § 7.81; Ord. No. 95-17)

Other neighboring community's construction hours as it appears in their respective city code.

City	Hours	Notes:	Code
Ramsey	7:00am-10:00pm, Monday-Saturday	Construction may begin at 6am with permission from city administrator	Part 2, Chapter 105, Article 1, §105-1-A
Andover	7:00am-10:00pm		Title 5, Chapter 6, §5-6-3
Anoka	7:00am-10:00pm	Between 10pm and 7am, equipment, events, or activities must be authorized, sponsored, permitted or approved by city council or City Manager with conditions to the license, permit or contract.	Chapter 38, Article 1, §38-1-C-1-D
Apple Valley	6:00am-10:00pm	Snow removal and street-sweeping are exempt. Emergency work to preserve the public health, safety, or welfare, or in the performance of work necessary to restore a public service or eliminate a public hazard is exempt with reasonable actions to minimize the amount of noise.	Title XIII, Chapter 130, §130.56 & §130.57
Blaine	7:00am-10:00pm	City or state authorized, sponsored, or licensed work to preserve public health, safety, or welfare or to restore public service or eliminate a public hazard shall be exempt.	Chapter 50, Article IV, Division 2, §50- 203-5
Bloomington	7:00am-10:00pm, Monday-Friday; 9:00am-9:00pm, Saturday		Part 2, Chapter 10, §10.29.07-C
Burnsville	7:00am-10:00pm		Title 7, Chapter 1, §7-1-2 D-1
Champlin	7:00am-9:00pm	In the case of urgent necessity to the public health and safety and with a permit from the city administrator for a period not to exceed three days without renewal.	Part 1, Chapter 38, Article 3, §38-70-B- 8
Coon Rapids	7:00am-10:00pm, Monday-Saturday	City or state authorized, sponsored, or licensed work to preserve public health, safety, or welfare or to restore public service or eliminate a public hazard shall be exempt.	Title 8, Chapter 8, §8-403-10
Cottage Grove	7:00am-7:00pm, Monday-Friday; 9:00am-7:00pm, Saturday	Residential property owners or tenants 7:00am-10:00pm, M-F; 8:00am-9:00pm, weekends and legal holidays. Public projects performed by governmental agency or their agents are exempt. Repairs to utility structures that are damaged, in disrepair, or out of service and pose a danger to life, health, or significant loss of property are also exempt. Construction activities related to the following are exempt: refueling machinery and equipment, labor work not requiring power tools or equipment, construction equipment repair, surveying, construction staking, delivery of equipment or materials, and work preapproved by the city.	Title 4, Chapter 9, §4-9-8 & §4-9-3
Dayton	7:00am-7:00pm, Monday-Friday; 9:00am-4:00pm, Sat., Sun., Holiday	Excavation work may only commence between 7:00am and 7:00pm	Chapter 800, §806.03-4
Elk River	6:00am-9:00pm, Monday-Saturday	Single-family occupied residence owners and an authorized building inspector-based emergency for the protection of health and safety are exempt.	Chapter 46, Article 2, §46-37-7
Fridley	7:00am-9:00pm, Monday-Friday; 9:00am-9:00pm, Saturday	Alternate hour's work permit, Sunday, and legal holiday work permit may be issued by the city upon application.	Chapter 206, §206.09-5
Maple Grove	7:00am-9:00pm, Monday-Friday; 8:00am-9:00pm, Sat.-Sun.	8:00am-9:00pm on public holidays	Chapter 20, Article 3, Division 2, §20-85
Minnetonka	7:00am-10:00pm		Chapter 8, §850.015-1

Osseo	7:00am-10:00pm		Title XV, Chapter 150: §150.19-E
Otsego	7:00am-10:00pm, Monday-Saturday; 8:00am-10:00pm, Sunday	The Building Official may, in cases of emergency, grant permission to repair at any time when they find that such repair work will not affect the health and safety of the persons in the vicinity.	Chapter 4, Section 1, §4-1-4-A
Rogers		May limit as deemed necessary.	Part 2, Chapter 125, Article V, Division 2, Subdivision 1, §125-333-B
Plymouth	7:00am-9:00pm, Monday-Friday; 8:00am-9:00pm, Sat.-Sun.	8:00am-9:00pm on public holidays	Chapter 20, §2025.05, Subd. 4
Spring Lake Park	7:00am-10:00pm	Between 10pm and 7am, noise shall not exceed 50 decibels in any octave band of frequency above 300 cycles per second.	Title XV, Chapter 156, §156.033-B-1-A
St. Michael	7:00am-Sunset	Except for emergency construction activities such as street and other public works construction activities, utility repairs, flood prevention, snow removal, and other similar emergency construction activity	Title IX, Chapter 91, §91.18-AE