

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Department of Health and
Human Services
For reading:

ANCHORAGE, ALASKA
AO NO. 2006-60(S)

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 15.70 TO
2 CLARIFY DEFINITIONS REGARDING NOISE.

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4 THE ANCHOAGE ASSEMBLY HEREBY ORDAINS:

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6 **Section 1.** Anchorage Municipal Code section 15.70.030 is hereby amended to add new
7 definitions and to revise definitions as follows (*remaining definitions are not affected by this*
8 *ordinance and therefore not set out*):

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10 **15.70.030** **Definitions.**

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12 A. The following words, terms and phrases, when used in this chapter, shall have the
13 meanings ascribed to them in this section, except where the context clearly
14 indicates a different meaning:

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18 Construction means site-preparing, erecting, assembling, altering, installing,
19 equipping, drilling, repairing, demolition or similar action on or of public or
20 private rights-of-way, buildings, or utilities. For purposes of this chapter,
21 construction is finite in duration. For the purposes of this chapter, modular house
22 fabrication; asphalt or concrete production; sand or gravel extraction; truss
23 manufacturing and other manufacturing are not construction when such activities
24 occur at a location other than a construction site as defined in this section
25 [MEANS ANY SITE PREPARATION, ASSEMBLY, ERECTION,
26 SUBSTANTIAL REPAIR, ALTERATION OR SIMILAR ACTION FOR OR OF
27 PUBLIC OR PRIVATE RIGHTS-OF-WAY, STRUCTURES, UTILITIES OR
28 SIMILAR PROPERTY, BUT EXCLUDES DEMOLITION].

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32 Construction site means the location where site-preparation, erecting, assembling,
33 altering, installing, equipping, drilling, repairing, demolition or similar
34 construction on or of public or private rights-of-way, buildings, or utilities is
35 being conducted or is taking place.

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Section 2. Anchorage Municipal Code section 15.70.060 is hereby amended to read as follows (*the remainder of the section is not affected by this ordinance and therefore not set out*):

15.70.060 Prohibited acts and conditions.

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B. The following acts and conditions and the causing thereof are declared to be in violation of this chapter:

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3. **Construction.** No person shall engage in construction or cause or allow construction [NO PERSON SHALL OPERATE OR CAUSE THE OPERATION OF ANY TOOLS OR EQUIPMENT USED IN CONSTRUCTION, DRILLING, REPAIR, ALTERATION OR DEMOLITION WORK]:

a. So that the sound from the construction site [THEREFROM] creates a noise disturbance across a residential real property boundary or within a noise-sensitive zone between the hours of 10:00 p.m. and 6:00 a.m. during the construction season, between the hours of 10:00 p.m. and 7:00 a.m. during other months, or at any time on Sundays or state holidays;

b. So that the sound level from the construction site [THEREFROM] exceeds an Leq of 80 dB(A) at or within a residential real property boundary or within a noise-sensitive zone during any one hour of the daily period from 6:00 a.m. to 10:00 p.m. during the construction season or from 7:00 a.m. to 10:00 p.m. during other months; or

c. So that the sound level from the construction site [THEREFROM] exceeds an Leq of 80 dB(A) at or within a commercial or industrial real property boundary during any one hour of the daily period from 6:00 a.m. to 10:00 p.m. during the construction season or from 7:00 a.m. to 10:00 p.m. during other months.

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(AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-118, § 3, 9-1-95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-195(S-1), 1-1-96; AO No. 96-51(S-1), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97; AO No. 96-126(S), § 3, 10-1-96; AO No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3, 6-3-97; AO No. 97-107, § 3, 11-17-97; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-27(S-1), § 2, 11-11-97; AO No. 98-160, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO No. 99-91(S), § 4, 7-13-99; AO No. 2000-64, § 1, 4-18-00; AO No. 2000-116(S), § 4, 7-18-00; AO No. 2000-127(S), § 2, 10-14-00; AO No. 2000-129(S), § 26, 11-21-00; AO No. 2001-48, § 1, 3-13-01;

1 AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 2-6-01; AO No. 2001-
 2 145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO No. 2003-97, § 4, 9-
 3 30-03; AO No. 2003-117, § 2, 1-28-03; AO No. 2003-130, § 8, 10-7-03; AO No.
 4 2003-152S, § 10, 1-1-04; AO No. 2004-1, § 2, 1-1-03; AO No. 2004-99, § 2, 6-
 5 22-04; AO No. 2004-100(S-1), § 6, 1-1-05; AO No. 2004-171, § 1, 1-11-05; AO
 6 No. 2005-84(S), § 3, 1-1-06)

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 8 **Section 3.** This ordinance shall become effective immediately upon its passage and approval
 9 by the Assembly.

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 11 PASSED AND APPROVED by the Assembly this ____ day of _____, 2006.

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 Chair

16 ATTEST:

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 20 Municipal Clerk