

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Department of Health and
Human Services
For reading: June 20, 2006

Postponed indefinitely 6/20/06

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

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

3
4 THE ANCHOAGE ASSEMBLY HEREBY ORDAINS:

5
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*):

9
10 **15.70.030** **Definitions.**

11
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:

15 *** **

16
17 Construction means site-preparing, erecting, assembling, altering, installing,
18 equipping, drilling, repairing, demolition or similar action on or of public or
19 private rights-of-way, buildings, or utilities. For purposes of this chapter,
20 construction is finite in duration. For the purposes of this chapter, modular house
21 fabrication; asphalt or concrete production; sand or gravel extraction; truss
22 manufacturing and other manufacturing are not construction when such activities
23 occur at a location other than a construction site as defined in this section
24 [MEANS ANY SITE PREPARATION, ASSEMBLY, ERECTION,
25 SUBSTANTIAL REPAIR, ALTERATION OR SIMILAR ACTION FOR OR OF
26 PUBLIC OR PRIVATE RIGHTS-OF-WAY, STRUCTURES, UTILITIES OR
27 SIMILAR PROPERTY, BUT EXCLUDES DEMOLITION].

28 *** **

29
30 Construction site means the location where site-preparation, erecting, assembling,
31 altering, installing, equipping, drilling, repairing, demolition or similar
32 construction on or of public or private rights-of-way, buildings, or utilities is
33 being conducted or is taking place.

34 *** **

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.

*** *** ***

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

*** *** ***

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.

*** *** ***

(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)

7
8 **Section 3.** This ordinance shall become effective immediately upon its passage and approval
9 by the Assembly.

10
11 PASSED AND APPROVED by the Assembly this ____ day of _____, 2006.

12
13
14 _____
15 Chair

16 ATTEST:

17
18
19 _____
20 Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2006-60(S) Title: An Ordinance Amending Anchorage Municipal Code Chapter 15.70 to Clarify Definitions Regarding Noise.

Sponsor: Mayor
 Preparing Agency: Department of Health and Human Services
 Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)				
	FY05	FY06	FY07	FY08	FY09	
Operating Expenditures						
1000 Personal Services	\$ -	\$ -	\$ -	\$ -	\$ -	
2000 Non-Labor	-	-	-	-	-	
3900 Contributions	-	-	-	-	-	
4000 Debt Service	-	-	-	-	-	
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -	
Add: 6000 Charges from Others						
Less: 7000 Charges to Others						
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -	
REVENUES:						
CAPITAL:						
POSITIONS: FT/PT and Temp	0	0	0	0	0	

PUBLIC SECTOR ECONOMIC EFFECTS:

We anticipate no change in the operating budget as a result of the proposed amendment to the ordinance.

PRIVATE SECTOR ECONOMIC EFFECTS:

We anticipate no impact to the private sector as a result of the proposed amendment.



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 446 -2006

Meeting Date: June 20, 2006

1 **From:** Mayor

2
3 **Subject:** AO 2006-60(S), Amendment to the Anchorage Municipal Code Chapter 15.70 Noise Control

4
5 Anchorage continues to grow and develop and as it does, homeowners, business operators, tenants and
6 recreational area users find themselves closer together. In our being closer together, community noise
7 becomes more of an issue.

8
9 This S version clarifies the definition of "construction" and adds a definition for "construction site" only.
10 These definitions specify which types of operations and activities are construction and which are not.
11 Examples of construction are given as well as examples of manufacturing, including manufacturing that
12 supports construction, that are not construction.

13
14 Within the municipal noise ordinance, construction is specifically addressed regarding generation of
15 noise. Limits for noise levels from construction are higher than most other activities and construction is
16 one of only five activities eligible for a noise permit. If applied for and granted, a noise permit may allow
17 even higher levels of noise.

18
19 Many suggestions have been made by numerous people regarding the noise ordinance. Further meetings
20 are planned with known stakeholders to discuss other code modifications necessary to meet current needs
21 of the community.

22
23
24 **RECOMMENDATION:**

25
26 **ADMINISTRATION RECOMMENDS APPROVAL OF THE ATTACHED ASSEMBLY**
27 **ORDINANCE.**

28
29 Prepared by: Beverly K. Wooley, Director, Department of Health and Human Services

30 Concur: Denis C. LeBlanc, Municipal Manager

31 Respectfully submitted: Mark Begich, Mayor

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

AO 2006-60(S)

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED	
	S VERSION - NOISE	6/16/06	
		Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM	
2	DEPARTMENT NAME	DIRECTOR'S NAME	
	Assembly	Dan Sullivan, Chair	
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER	
	Heather Wheeler - DHHS, Deputy Director	343-6147	
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE
	Mayor		
	Municipal Clerk		
	Municipal Attorney		
	Employee Relations		
	Municipal Manager		
	Cultural & Recreational Services		
	Fire		
	Health & Human Services		
	Merrill Field Airport		
	Municipal Light & Power		
	Office of Management and Budget		
	Police		
	Port of Anchorage		
	Public Works		
	Solid Waste Services		
	Transit		
	Water & Wastewater Utility		
	Executive Manager		
	Community Planning & Development		
	Finance, Chief Fiscal Officer		
	Heritage Land Bank		
	Management Information Services		
	Property & Facility Management		
	Purchasing		
	Other		
5	Special Instructions/Comments		
	ADDENDUM - CONTINUED PUBLIC HEARINGS, 13.A.2		
6	ASSEMBLY HEARING DATE REQUESTED	7	PUBLIC HEARING DATE REQUESTED
	6/20/06		6/20/06

2006 JUN 16 AM 9:01
 CLERK'S OFFICE
 A. J. A.

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