

ORDINANCE NO. 4153

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON, BY AMENDING SECTION 13-75 (9) REGULATING NOISE FROM CONSTRUCTION ACTIVITIES; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to clarify the hours for construction activities;
NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:

SECTION 1. That the Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by amending Section 13-75 (9) of the Code of Ordinances to read as follows:

“Sec. 13-75. – Acts which create loud, disturbing, etc. noise enumerated.

The following acts, among others, are declared to create loud, disturbing and unnecessary noises, in violation of this division, but such enumeration shall not be deemed to be exclusive:

(1)

(9) Construction activities involving the erection, excavation, demolition, alteration or repair of any building, structure or flat work within a residential district or within three (300) hundred feet of any occupied residential structure, prior to 7:00 A.M. or after 6:00 P.M. on weekdays, or at any time on Saturday, or Sunday if the noise from construction activities exceed the permissible octave band decibel limits prescribed in the Comprehensive Zoning Ordinance, except in the case of urgent necessity or in the interest of public safety, for which a permit shall be obtained from the city manager's office.
.....”

SECTION 2. That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal or invalid.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Ordinances of the City of Richardson, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. That any person, firm, or corporation violating any provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Richardson, as heretofore amended and upon conviction shall be punished by a fine not exceeding \$2,000 for each offense.

SECTION 6. That this Ordinance shall take effect immediately from and after its passage and publication of caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 14th day of March 2016.

APPROVED:

MAYOR

CORRECTLY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

(PGS:3-7-16:TM 75874)