



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2020-300

**Type:** Bill (Ordinance) **Status:** Passed

**File created:** 9/11/2020 **In control:** Metropolitan Council

**On agenda:** 12/15/2020 **Final action:** 12/15/2020

**Title:** An ordinance amending Chapter 9.30 of the Metropolitan Code to restrict construction noise.

**Sponsors:** Emily Benedict, Russ Bradford, Angie Henderson, Gloria Hausser, Zulfat Suara, Brandon Taylor, Joy Styles, Kyonzte Toombs

**Indexes:**

**Code sections:**

**Attachments:** 1. Substitute BL2020-300, 2. BL2020-300 Amdt, 3. BL2020-300

Date	Ver.	Action By	Action	Result
12/16/2020	4	Mayor	approved	
12/15/2020	4	Metropolitan Council	passed on third reading	
12/1/2020	1	Metropolitan Council	passed on second reading	Pass
12/1/2020	1	Metropolitan Council	substituted	
12/1/2020	1	Codes, Fair, and Farmers Market Committee	approved with a substitute	
11/5/2020	1	Metropolitan Council	deferred to	Pass
8/4/2020	1	Metropolitan Council	amended	
6/16/2020	1	Metropolitan Council	deferred	
6/2/2020	1	Metropolitan Council	passed on first reading	

An ordinance amending Chapter 9.30 of the Metropolitan Code to restrict construction noise.

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 9.30.010 of the Metropolitan Code is hereby amended by deleting the provisions of the section in their entirety and substituting with the following:

### **9.30.010 - Construction sites-Restrictions.**

It is unlawful for any person engaged in the construction, repair or demolition of buildings, structures, land, driveways, or appurtenances thereto, including the transportation of materials to and from a construction site, located within or adjoining a residential zoning district, as identified in Section 17.08.010.B of the Metropolitan Code, to emit, cause to be emitted, or permit the emission of any noise in excess of 70 Db(A) from construction equipment as measured from a point as close as possible to the outside walls of any residential structure located on the property affected by the noise at a height of four feet above the immediate surrounding surface between the hours of 7:00 p.m. and 7:00 a.m., except that during the months of June, July, and August, the foregoing noise restriction shall be between the hours of 8:00 p.m. and 6:00 a.m.

Section 2. That Section 9.30.020 of the Metropolitan Code is hereby amended as shown below:

9.30.020 - Exemptions.

A. Highway, bridge, road, street, dredging in navigable waters, or other public works construction activities, utility work such as water, sewer, gas, electrical, cable, telecom, fiber optic or telephone construction activities and any vehicles used to transport materials to and from such construction activities, so long as the vehicles remain within the highway, road, street or construction right-of-way or easement;

B. Emergency work;

C. Transporting and unloading of construction materials, other than blast materials, between five a.m. and seven a.m.

Section 3. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance, as substituted, amends Chapter 9.30 of the Metro Code to restrict construction noise in residential areas. Currently, Section 9.30.010 of the Metro Code prohibits noise related to construction located within or adjoining a residential zone district between the hours of 9:00pm and 6:00am. Such noise cannot measure in excess of 70 decibels. This ordinance would limit construction noise between 8:00pm and 6:00am during the months of July, July, and August and between 7:00pm and 7:00am during the rest of the year.

The ordinance also modifies the exemptions to the construction noise provision to add “cable, telecom, fiber optic” to the list of utility work that is exempted from this provision.