

**ORDINANCE NO. 1102**  
**AN ORDINANCE SETTING HOURS FOR CONSTRUCTION WORK**

**The people of the City of Prineville ordain as follows:**

1. For purposes of this Ordinance, the following definitions apply:

Enclosed building - a building that is enclosed on all sides, including overhead, with solid materials and which has doors or windows that are closed.

Public Utilities - shall mean water, sewer, electric, telephone, cable, and natural gas.

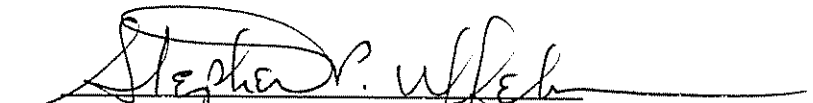
Construct - shall mean excavating, repairing, building, demolishing, or altering.

Holidays - shall mean those legal holidays set out in ORS 187.010 and ORS 187.020 as those statutes may be amended from time to time.
2. Except as provided in Section 3, and except for construction in an enclosed building, no person shall construct a building or other structure, street, sidewalk, driveway, or public utility line later than 10:00 p.m. daily (except holidays) or earlier than 6:00 a.m. Monday through Friday (except holidays) and 7:00 a.m. on Saturdays, Sundays, and holidays.
3. Permits
  - A. In cases of emergency or other urgent public necessity, the city manager may issue a permit allowing activities described in Section 2 to take place at any hour. Emergency permits may not be issued for a period exceeding three days, but may be renewed for successive periods not exceeding three days each, or as long as the emergency continues.
  - B. Denial of permits by the city manager may be appealed to the city council within five days after denial, and the hearing on the appeal will be heard at the next regularly scheduled city council meeting. The date of the denial shall be the date a permit is orally denied or the date a written denial is made, whichever is later.
  - C. Granting the permit may be appealed at any time by any person who resides or works within hearing of the noise generated as a result of the granting of the permit.
  - D. Emergency permits may include such restrictions or conditions necessary to safe-guard the public peace.
  - E. This section shall not apply to emergency work performed on public improvements or public utilities. Such activities may be conducted without restrictions.
4. Each day this Ordinance is violated shall constitute a separate offense and shall be punishable as such.

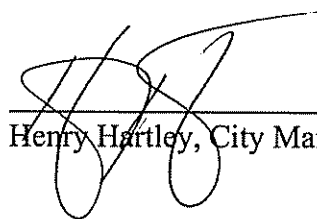
5. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

6. Any person violating this ordinance shall be subject to a fine not to exceed \$500.

Dated: May 13<sup>th</sup>, 2003

  
STEPHEN P. UFFELMAN, Mayor

ATTEST:

  
Henry Hartley, City Manager/Recorder