



## Construction Noise Regulations

This sheet explains City of Portland regulations on construction noise. (Code section 18.10.060)

### 1. Permissible Hours And Noise Level

From 7:00 am to 6:00 pm, Monday through Saturday, the City permits a very liberal standard for construction noise (85 dBA at a 50' distance). This means that, provided your equipment is in good repair and muffled (if possible), it will be compliant.

The few kinds of equipment that cannot meet this level – (for example: jack hammers, concrete saws, and pile drivers) are exempt from the standard during this period.

### 2. Outside Permissible Hours

But outside of these hours, different rules apply. First, the exemptions for jackhammers and other noisy equipment do not extend to other hours. Also, most importantly, work at other hours must meet the baseline permitted decibel levels of the area in which the work is taking place. Experience has shown that although you will probably have no problems with work in an industrial zone, you will likely be in violation of the code for exterior work (e.g., clearing, grading, excavating, framing, roofing, etc.) in a residential zone or near residential use before 7:00 am, after 6:00 pm, or on Sundays and Legal Holidays recognized by the State of Oregon.

### 3. Complaints

When complaints are received, it is usually because of the hours of operation rather than the amount of noise. Please note that the 7:00 am start time includes noise generated by warm-up and maintenance. If we receive a complaint, we will contact you, and request that you take care of it. Most complaints stop here.

### 4. Possible Citations

However, if this doesn't take care of the problem, and we continue to receive legitimate complaints, then be aware that each individual or organization responsible can receive a citation and fine of \$5,000 for each violation. If needed, a court-ordered stop work order can also be obtained.

### 5. Variances

We know there are times when work must occur outside of the 7:00 am to 6:00 pm, Monday through Saturday period. If you have an emergency, which is "...work made necessary to restore property to a safe condition following a public calamity, work to restore public utilities, or work required to protect persons or property from imminent exposure to danger.", then the noise regulations do not apply. Additionally, there may be other reasons for work outside of the permitted hours. For these situations, you may apply for a variance from the noise code. Construction noise variances may be issued if the need is valid and the impacts on people are not great. All completed applications with the exception of those being heard by the Noise Review Board must be filed ten (10) business days prior to the event. The Noise Review Board meets the second Wednesday of each month. Completed applications to be reviewed by the Noise Review Board must be filed 45 business days prior to the Noise Review Board meeting. Fees charged for review for construction activities of more than one week duration are \$378 plus \$126 per week up to \$630; (Noise Review Board Variances start at \$1,935). Accelerated application reviews triggers an increase in fees.

### 6. More Information Needed?

These notes cover most of the questions asked about construction noise and the noise code. If you have more questions, you may call the Noise Control Office at 503-823-7350.