



CITY OF DUNWOODY

41 Perimeter Center East, 2nd Floor
Phone: 678.382.6700 • Fax: 678.382.6701
www.dunwoodyga.gov

MEMORANDUM

To: Honorable Mayor and City Council

From: Warren Hutmacher, City Manager

Date: February 15, 2010

Subject: Noise Ordinance Modification

Attached to this memorandum is a first read of an ordinance to amend the Dunwoody City Code regarding construction and other outdoor noise activity. The proposed change, suggested by Mayor Pro-Tem Shortal is to prohibit these noise-producing activities before the hour of 8AM during the week and prior to 9AM on weekends.

AN ORDINANCE AMENDING CHAPTER 16 OF THE CITY OF DUNWOODY CODE OF ORDINANCES BY CHANGING HOUR RESTRICTIONS FOR CONSTRUCTION OR REPAIR NOISE

WHEREAS, the City of Dunwoody (the “City”) has heretofore adopted an ordinance for Offenses and Violations, as set forth in Chapter 16 of the Code of the City of Dunwoody (the “Code”); and

WHEREAS, the Mayor and City Council recognize the need for peace and tranquility within the City; and

WHEREAS, the Mayor and City Council have determined that it is appropriate to amend the ordinance to adjust the hours during which construction and repair may take place within the City; and

WHEREAS, the amendments to Chapter 16 are detailed below.

THEREFORE, Mayor and City Council of the City of Dunwoody hereby ordain:

Section 1: The City of Dunwoody Offenses and Violations ordinance, Chapter 16, Article 7, §12(b)(10) of the City of Dunwoody Code of Ordinances, is hereby amended as follows:

(10) *Construction or repair.*

- (i) Construction of any type, including, but not limited to, the erection (including excavation), demolition, alteration, or repair of any building, as well as the operation of any pile driver, steam shovel, pneumatic hammer, derrick, stream or electric hoist, automatic nailers or staplers, or any similar equipment attended by loud or unusual noise, shall be prohibited during the following times:

Before ~~7:30~~ 8:00 a.m. or after 8:30 p.m. on weekdays, and before ~~8:00~~ 9:00 a.m. or after 8:30 p.m. on Saturdays, and at any time on Sundays and/or legal holidays (New Years Day (observed), Memorial Day (observed), Independence Day (observed), Labor Day (observed), Thanksgiving Day and Christmas Day (observed)).

- (ii) Landscape contractor using any type of motorized mowers or mechanical blowers and other equipment which create loud and excessive noise shall be prohibited, during the following times:

Before ~~7:30~~ 8:00 a.m. or after 8:30 p.m. on weekdays, and before ~~8:00~~ 9:00 a.m. or after 8:30 p.m. on Saturdays, and at any time on Sundays and/or legal holidays (New Years Day (observed), Memorial Day (observed), Independence Day (observed), Labor Day (observed), Thanksgiving Day and Christmas Day (observed)).

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2010-xx-xx

Section 2: This Amendment shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Dunwoody, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this ____ day of February, 2010.

Approved:

Ken Wright, Mayor

ATTEST:

Approved as to Form and Content:

Sharon Lowery, City Clerk

Brian Anderson, City Attorney

(Seal)