

Amendment to the Sandcastle Design Guidelines

Effective August 6, 2022

XIII Owner/Contractor Responsibilities and Requirements

Section A. Construction Rules and Policies

§ 9.30.070 CONSTRUCTION OF BUILDINGS AND PROJECTS.

A. General provisions. It shall be unlawful for any person to pour concrete or perform construction work in the city, except within the time periods specified herein unless a permit has been obtained beforehand from the Development Services Department.

1. As used in this section, "**CONSTRUCTION WORK**" shall include:

- a. Operating construction-related equipment;
- b. Performing outside construction work;
- c. Performing outside repair work on buildings, structures or projects; and
- d. Operating a pile driver, power shovel, pneumatic hammer, derrick, power hoist or other construction-type device.

2. "**CONSTRUCTION WORK**" shall not include:

- a. Operation of stereos, "boom boxes", or other sound amplification devices.
- b. Arbitrary yelling, other than in response to a safety issue.

B. Start/stop times.

1. Concrete. Concrete may be poured and concrete mixing trucks may be idled, between the hours of 5:00 a.m. and 10:00 p.m. each day or at such other times as authorized by permit. Permits may be requested by either the concrete vendor or jobsite contractor/finisher. Activities associated with the manufacturing, loading or pouring of concrete that are conducted within manufacturing or industrial zones are exempted from this chapter.

2. All other construction; residential zones in or within 500 feet. All other construction work shall not begin prior to 5:00 a.m. and must stop by 10:00 p.m. each day from May 1 to September 30 and 6:00 a.m. and 10:00 p.m. each day from October 1 to April 30 in or within 500 feet of a residential zone or at such other times as authorized by permit.

3. Commercial and industrial zones. Construction work in commercial and industrial zones not within 500 feet of a residential zone shall not begin prior to 5:00 a.m. and must stop by 10:00 p.m. or it may be conducted at such times as authorized by permit.

4. Delivery and drop off of construction equipment/supplies. Equipment and materials may be delivered to a job site outside the listed start/stop times only when care is exercised to ensure noise levels generated by such activities are reasonable and necessary.

C. Weekends and holidays excluded. Notwithstanding the foregoing, construction work shall not begin prior to 7:00 a.m. and must stop by 7:00 p.m. and concrete pouring shall not begin prior to 6:00 a.m. and must stop by 7:00 p.m. on any Saturday, Sunday or holiday, unless such other times are authorized by permit.

D. Permit. Construction work may be conducted at different times than otherwise permitted herein if, upon application, a permit is obtained from the Development Services Department. The owner of the property or contractor or entity to whom the original building permit was issued is responsible for obtaining this permit. In granting such permit, the director of the Development Services Department shall consider whether construction noise in the vicinity of the proposed work site would be less objectionable at night than during the daytime because of the different population levels or different neighborhood activities; whether obstruction and interference with traffic, particularly on streets of major importance, would be less objectionable at night than during the daytime; whether the kind of work to be performed emits noises at such a low level as to not cause significant disturbance of the reasonable peaceful enjoyment of the surrounding neighbors in the vicinity of the work site; whether the neighborhood of the proposed work site is primarily residential in character wherein sleep would be disturbed; whether great economic hardship would occur if the work were spread over a longer time; whether the work will abate or prevent hazard to life or property; whether the proposed early morning or night work is in the general public interest. The Director shall prescribe such conditions, working times, types of construction equipment to be used and permissible noise emissions as the director deems appropriate in the public interest. No permit shall be required to perform emergency work necessary to restore property to a safe condition following a public calamity, work required to protect the health, safety or welfare of persons or property or work by private or public utilities when restoring utility service.

E. Revocation of permits; appeal. The director may revoke any permit granted hereunder upon complaints based upon substantial evidence that the construction work causes significant disturbance of the reasonable peaceful enjoyment of the surrounding neighbors in the vicinity of the work site. Any person aggrieved by the granting of a permit or the refusal to grant a permit by the director may appeal the decision to the city manager. The city manager will issue a final decision within 30 days of the appeal.

F. Stop orders. Whenever any work on a construction project is in violation of the provisions of this section, the Development Services Department may issue a Red Tag, which is a written request to stop construction until the necessary corrections are made and/or permits are obtained.

(Ord. 09-965, passed 3-24-2009)

§ 9.30.080 ENFORCEMENT.

The provisions of this chapter shall be enforced by the Lake Havasu City Police Department.

(Ord. 09-965, passed 3-24-2009)

Amendment made by Declarant – Trinity Land Development, LLC. Per the rights granted to the Declarant in the Design Guidelines for Sandcastle HOA- Section IV: The Design Review Committee, Paragraph E: Amendment to Design Guidelines (page 10).