

DRAFT #2 - FEBRUARY 2, 2021

PROPOSED AMENDMENT TO

SECTION 634.10 (POWER TOOL AND HAND TOOL LIMITS)

OF THE GENERAL OFFENSE CODE

(EXISTING WORDING IS DESIGNATED IN "BLACK". WORDING OF THE 11/9/20 DRAFT #1 VERSION OF THE ORDINANCE IS DESIGNATED IN "RED". THE AMENDED DRAFT #2 CHANGES, BASED UPON PLANNING COMMISSION INPUT, IS DESIGNATED IN "BLUE")

634.10 POWER EQUIPMENT AND HAND TOOL LIMITS.

(a) No person shall use, operate, sell or lease, or offer for sale or lease, any powered equipment or powered hand tool that produces a maximum noise level exceeding the following noise levels at a distance of 50 feet under the test procedures established by § 634.21:

	Type of Equipment	Noise Limit
(1)	Construction and industrial machinery, such as crawler-tractors, dozers, rotary drills and augers, loaders, power shovels, cranes, derricks, motor graders, paving machines, off-highway trucks, ditchers, trenchers, compactors, scrapers, wagons, pavement breakers, compressors and pneumatic powered equipment and the like, but not including pile drivers.	
	Manufactured after January 1, 1973	88 dB(A)
	Manufactured after January 1, 1975	86 dB(A)
(2)	Agricultural tractors and equipment.	
	Manufactured after January 1, 1973	88 dB(A)
	Manufactured after January 1, 1975	86 dB(A)
(3)	Powered commercial equipment of 20 HP or less intended for infrequent use in a residential area, such as chain saws, pavement breakers, log chippers, powered hand tools and the like	
	Manufactured after January 1, 1973	88 dB(A)
	Manufactured after January 1, 1975	86 dB(A)
(4)	Powered equipment intended for repetitive use in residential areas; such equipment includes lawn mowers, small lawn and garden tools, riding tractors and snow removal equipment	
	Manufactured after January 1, 1972	88 dB(A)
	Manufactured after January 1, 1973	86 dB(A)

(b) No person shall operate any power equipment or tool that is specifically listed under item (a) above and/or that is substantially similar to any listed tool, between the hours of 9PM and 9AM 8AM in the exterior yard area of any residentially zoned property. However, equipment that is specifically being utilized in building and construction operations shall be subject to Section

634.08 (Construction Equipment) of this Code. This section shall not be deemed to apply to snow blowers, snow plowing, or any other activity related to mitigating immediate health, safety issues and/or emergencies.

(b c) Whoever violates this section is guilty of a misdemeanor of the third degree.