



City Council Study Session Agenda

Monday, November 28, 2022 at 6:00 PM
27400 Southfield Road, Lathrup Village, Michigan 48076

HYBRID MEETING INFORMATION

Location: Council Chambers with remote access via Zoom.

Webinar ID: 811 3736 3185

Password: Lathrup22

CLICK HERE: [Online Zoom Link](#)

Telephone: 646.558.8656 or 312.626.6799

CLICK HERE: [Public Comment Form Link](#)

1. **Call to Order** by Mayor Garrett
2. **Discussion Items**
 - [A.](#) TextMyGov
 - [B.](#) Dumpster/Waste & Rubbish Discussion
 - [C.](#) Encroachment Discussion
 - Parking pads, rain gardens
 - [D.](#) Noise Ordinance Discussion
3. **Mayor and Council Comments**
4. **Public Comments**
5. **Adjourn**

From: [Xavier Leckness](#)
To: [Susan Montenegro](#)
Subject: Sue | TextMyGov Proposal
Date: Friday, August 26, 2022 11:37:21 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[TextMyGov Proposal - Lathrup Village, MI - 08-26-2022.pdf](#)

Hi Sue,

Here is the proposal for TextMyGov. Feel free to look it over and let me know if you have any questions!

Also, for an example of a flyer that Clawson made, I have a link that'll take you to the page for their flyer to show the mayor and/or council how Clawson is marketing!

<https://cms3.revize.com/revize/clawsonnew/TMGFlyer.png>

Me and Spencer will reach back out to you next week to touch base, thank you for your time!

Warm regards,



Xavier Leckness

Regional Account Executive | TextMyGov



435.787.7222



515.525.8974



xleckness@textmygov.com



textmygov.com

TextMyGov



TextMyGov

TextMyGov
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Partnership Proposal

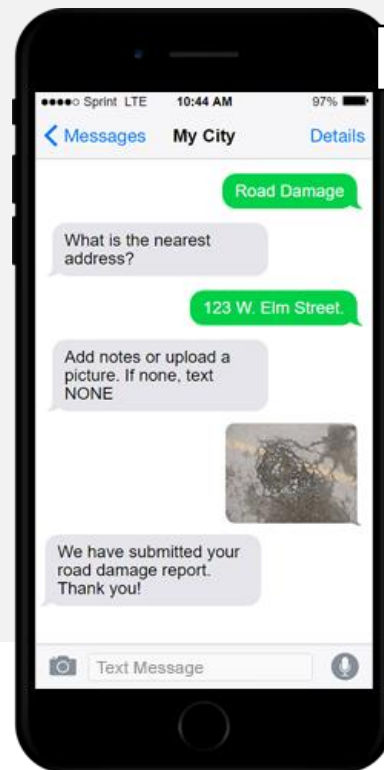
Introducing TextMyGov

TextMyGov was developed to open lines of communication with local government agencies and citizens. The system works 24 hours a day and easily connects with your website and other communication methods.

Using the regular messaging app on any smartphone, the smart texting technology allows the citizen to ask questions and get immediate responses, find links to information on the agency's website, address problems, report any issues and upload photos.

According to the Pew Research Center, **97% of smartphone owners text regularly.**

The technology analysts at Compuware reported **that 80 to 90% of all downloaded apps are only used once and then eventually deleted** by users.



Item 2A.

TextMyGov Solutions:

Communicate, Engage, Boost Website Traffic, Track, and Work



Communicate

TextMyGov uses smart texting technology to communicate with citizens. Local government agencies can answer questions, send links to their website, and provide details on garbage pickup, utility payments, city news, events, office hours, just to name a few.



Engage

TextMyGov uses smart texting technology to engage with citizens. Citizens can easily report issues to any department, such as potholes, drainage problems, tall grass, junk cars. The issue reporting function can be customized for each department and their most commonly reported items. Agencies can engage citizens and ask specific guided questions regarding location, address, street name, and more. If your goal is to engage with citizens and get smart valuable data- You need TextMyGov.



Boost Website Traffic

TextMyGov uses smart texting technology to maximize a city's website. Citizens can text in keywords like festival, parking, ticketing, meeting, sporting event, etc. The smart texting technology can answer the question or send a link from the city's website with additional information. Local government agencies spend thousands of dollars each year on their website. TextMyGov is the best way to benefit from that investment. If your goal is to benefit from your website investment- You need TextMyGov.



Track

TextMyGov uses smart texting technology to track and record all the information that is sent in. Agencies can track the cell phone number, date, and time of every request. If your agency wants to be compliant with FOIA- You need TextMyGov.



Work

Smart texting uses detailed information to track a citizen's request or create a work order. Work orders and requests can be generated and completed. Smart texting allows you to easily collect information like name, location, street address, and allows the user to upload a photo. If your agency wants to track real requests and real work orders submitted by a real cell phone number- You need TextMyGov.

Implementation

Getting Started

After the execution of the basic service agreement, a project manager will be assigned to assist the client through implementation. A local phone number will be obtained for use with TextMyGov.

Configuration

The project manager will work with the client to customize interactive responses, create automation flows, and keyword lists. Training will be provided on how to quickly create and edit data.

Media Kit

Advertising materials will be provided to the client, including an infographic for the website and downloadable flyer for social media and other communication methods used by the agency.

Unlimited Training and Support

After initial implementation and training, unlimited on-going support is included. Our experts are available M-F 6am-5pm MST.

Subscription Cost Breakdown

This quote represents a subscription to TextMyGov with an annual recurring charge for a period of two years. The agreement is set to automatically renew on the date of this agreement, after year two. See below for package price and other details.

Terms and conditions can be printed and attached as Exhibit A or viewed at www.TextMyGov.com/terms

Prepared for:

Lathrup Village
27400 Southfield Road, Lathrup
Village, MI 48706
Sue Montenegro

Prepared by:

Xavier Leckness
Account Executive
P.O. Box 3784
Logan, UT 84323

Package	Package Price	Billing
TextMyGov Package includes: • TextMyGov Web-Based Software • Local Phone Number • Short Code Number (for outgoing messages) • Unlimited Users • Unlimited Departments • Unlimited Support for Every User • 10 GB Managed online data storage • 50,000 Text Messages per year	\$3,800	Annual
Implementation/Setup Fee	\$1,900	One Time
Total (First Year):	\$5,700	First Year
Total (Ongoing):	\$3,800	Annual

Notes:

1. This is a two-year contract. After the initial two years, the contract can be canceled by providing 60-day written notice.
2. After the initial two-year contract, the agreement will revert to a year to year.
3. Customer is required to put TextMyGov widget on the Agency's Web Home page.
4. This agreement and pricing were provided at the customer's request and are good for 30 days.
5. Customer is required to provide copy of W-9

Additional Services

TextMyGov provides additional applications and services that can be purchased as part of the TextMyGov solution. These can be added to the customer's annual* cost, upon request.

Enhanced Media & Care Package – Marketing materials and expert implementation to promote and optimize TextMyGov, see us here for additional information- https://textmygov.com/enhanced-media-care/	Price based on Population	Annual
Additional Storage – Each unit of storage contains an additional 100 GB.	\$250	Annual
Additional text messages – Additional text messages can be purchased at any time. (\$750 for 100,000), (\$550 for 50,000), (\$300 for 25,000)	Price based on amount of text messages	Annual

Agreement Confirmation

Implementation Team Information

Name:

Title:

Email:

Office Phone:

Cell Phone (Required):

Implementation Team Information

Name:

Title:

Email:

Office Phone:

Cell Phone (Required):

Billing Information

Billing Contact Name:

Title:

Email:

Office Phone:

Address:

(Please attach copy of W-9 or Tax Exemption form. Must include FEIN #.)

Agreement Signature

Name:

Title:

Date:

Signature:

Widget Contact

Name:

Title:

Email:

Phone:

(This person is responsible for placing the TextMyGov Widget (see options-<https://support.textmygov.com/widget/>) on the agency's website within 60 days of the signature. The TextMyGov widget will remain on the agency's website for the duration of the agreement. This agreement was discounted \$1000/annually so the agency understands that they are required to place and maintain the widget on the agency's website.)

Twilio Contact Authorization**Twilio Authorized Contacts**

Employee Name (1):

Email:

Phone Number:

Job Position:

Business Title:

Employee Name (2):

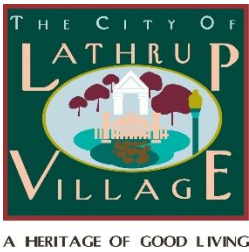
Email:

Phone Number:

Job Position:

Business Title:

☐ I confirm that my nominated authorized representatives agree to be contacted by Twilio.

**City of Lathrup Village**

27400 Southfield Road
Lathrup Village, Michigan 48076
248.557.2600
www.lathrupvillage.org

Memorandum

To: Sue Montenegro, City Administrator
From: Susie Stec, Director – Community & Economic Development
Date: November 10, 2022
RE: Dumpsters/Waste & Rubbish

At their most recent meeting on October 18th the Planning Commissioners were reviewing the site plan for 26647 Southfield Road (Ambassadors Institute). During their discussion, the question arose as to whether a dumpster is required or if conventional rubbish pick-up was permissible. It became apparent that there were conflicts regarding dumpsters and waste & rubbish between the general and zoning codes. Ultimately, the Planning Commission chose to approve the site plan with the condition that this provision of the site plan be handled administratively. This allows the Special Land Use component of the application to move forward thereby minimizing potential delays for opening of the business.

The City Attorney, staff, and planners met to review and discuss the ordinance conflicts following that meeting. Essentially, when it comes to site plan review, the general code seems to offer more common sense. It allows for non-residential properties to store their trash in standard containers outside of the building, so long as they are screened from public view. A dumpster may be utilized, so long as it is built to compliance with the zoning standards.

The zoning ordinance is more restrictive. Every building is required to provide indoor storage that is adequately suppressed. This requirement for indoor waste storage contradicts the general code in that sense and makes it difficult to fully understand what is required. The remainder of the zoning code (Sec. 5.3) only discusses the applicable standards for dumpsters.

To further complicate matters, the city enacted a sunset provision as part of the zoning ordinance with respect to the dumpster enclosures. All non-residential properties that had existing dumpsters as of 4/8/2014 were required to bring those structures into compliance with the new standards on or before 4/1/2019.

The recommendation is that the conflicts between the ordinances be removed, and that Council has an in-depth discussion at an upcoming study session.

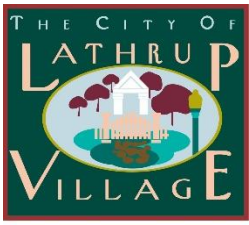
Below is the existing code language for reference:

General Code Sec. 54-32.C: Refuse outside nonresidential building.

Whenever refuse storage containers are used, and in all instances where there is storage or accumulation of refuse on other than residential premises, all refuse stored or accumulated outside of a building shall be stored or accumulated only in the refuse storage containers or the strong metal containers, as the case may be, with covers in place at all times except when refuse is being deposited or removed.

General Code Sec. 54-35. – Dumpsters.

Any business establishment generating more waste than can be stored within its building between collections shall contract privately with rubbish collectors for pickup. Dumpsters can be used by business establishments for outside storage by obtaining necessary permits in conformity with the zoning ordinance.

**City of Lathrup Village**

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The following discrepancies were identified with Section 54 (as a whole), as it relates to solid waste:

Zoning Code Sec. 5.3. – Waste & Rubbish.

Sec. 5.3.1: No garbage, sewage, filth, refuse, waste, trash, debris, or rubbish, including cans, bottles, wastepaper, cartons, boxes, crates, inoperable machinery, discarded building materials, discarded household goods, or any offensive or obnoxious matter, shall be kept in open containers or piled, placed, or stored on the open ground. The owners and occupants of every building shall provide proper receptacles for said waste and keep receptacles clean and not exposed on the grounds outside of a building. Rubbish may, however, be placed at roadside for pickup on designated days in conformity with the city's ordinances regulating rubbish collections.

Sec. 5.3.2: Every building in every district other than R1 and R2 shall provide within the building a fire protected waste and refuse storage space or spaces measuring five cubic feet for each 100 square feet of building floor area, but at least 225 cubic feet. To be acceptably fire protected, the waste and refuse storage space must be in an enclosure or room with a one-hour fire rated construction with self-closing fire door and must have sprinkler heads installed and maintained in working order. The heating furnace may not be located in the waste and refuse storage space.

Sec. 54-32.H: Placement at curb. All solid waste shall be stored inside a building or in an inconspicuous location on private property not exposed to public view until the collection date designated by the city for collection. After 4:00 p.m. of the day before collection, properly prepared solid waste may be placed at the curbside for pickup.

memorandum

DATE: October 26, 2022
TO: Mayor Kelly Garrett and Lathrup Village City Council
FROM: Jill Bahm & Eric Pietsch, Giffels Webster
SUBJECT: Zoning Amendment – Impervious Surfaces

Previous Discussion

The Planning Commission discussed the need to create standards for impervious surfaces as part of a larger goal to better address stormwater runoff, which contributes significantly to ongoing flooding in the city. Zoning standards to limit impervious surfaces are one of the tools in the stormwater management toolbox. At the August 2022 meeting, the Planning Commission decided not to include the allowance of an additional 5% of coverage when bioretention or rain garden areas are provided.

At the September 2022 meeting, the Planning Commission discussed several options of regulating impervious coverage requirements and settled on a flat percentage of a lot's overall size. The Commission may modify this standard over time.

The Commission expressed concern regarding extending residential driveways into the right-of-way, however, regulations pertaining to improvements in the right-of-way are found in the municipal code and not the zoning ordinance. As it relates to lot coverage and impervious surfaces, we recommend not more than one driveway leading from the street to the garage. See updated amendment language.

The remainder of this memo is provided as background.

Introduction

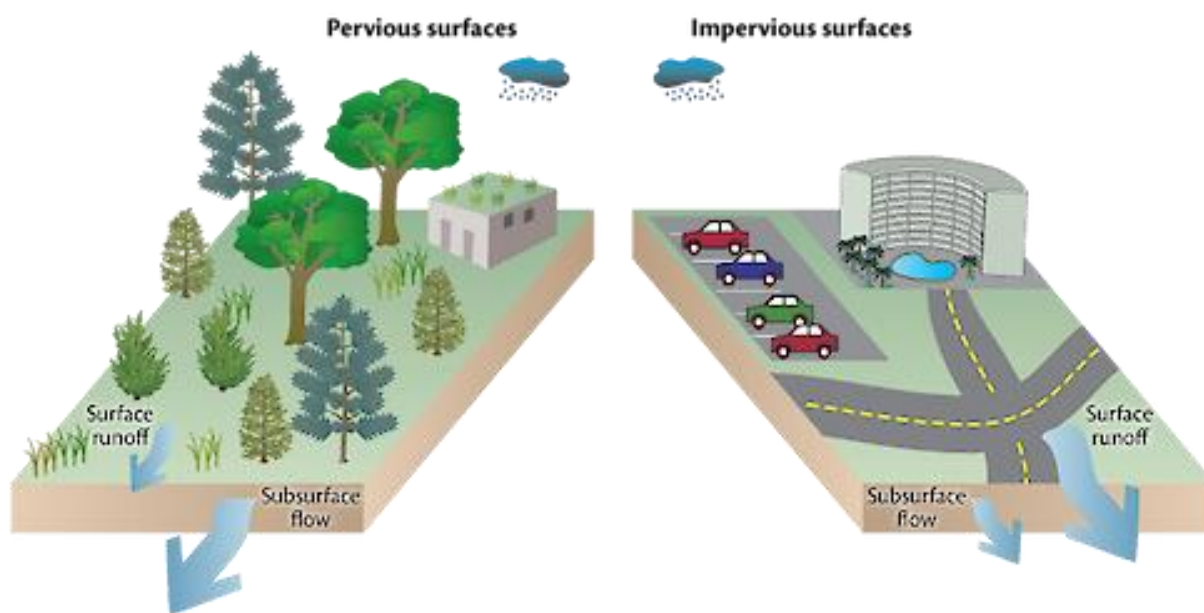
What prompted this amendment?

The Planning Commission has discussed previously the impact of impervious surfaces on stormwater runoff in the city, particularly with respect to flooding concerns.

Impervious surfaces are surfaces that limit the ability of water to be absorbed into the ground. Buildings and roofed areas, parking areas, loading areas, driveways, roads, sidewalks, concrete areas, and asphalt are all surfaces that prevent water from being absorbed. Further, even dirt or gravel surfaces that are highly compacted, like driveways that support vehicles, can also significantly prevent water from being adequately absorbed.

These surfaces affect water quality by increasing the amount of untreated water delivered to a waterbody during and after rainfall or storm event. As has been seen in the city, often the volume and speed of runoff during a storm event is more than the storm drain system can handle, and flooding occurs. In addition, this runoff has regional impacts as precipitation travels on top of the impervious surfaces and picks up pollutants and momentum before reaching a surface water body, like a stream, river, lake, or wetland. Both the pollutants and speed/volume of water negatively impact the receiving water body when this stormwater runoff arrives.

The City of Lathrup Village is located in the Rouge River Watershed, which covers 467 square miles, and is 50% urbanized (developed). As noted in the 2021 Comprehensive Plan, threats to the entire watershed include flooding and streambank erosion, combined sanitary and stormwater sewer overflows, illegal discharges, loss of wildlife habitat, and invasive species. Impervious surfaces play a significant role in these threats. However, efforts to reduce impervious surfaces in the watershed helps local streams withstand increased pollutant loads, peak flood flows, and channel stability. Limiting impervious surfaces allows precipitation that hits the natural ground surface to slowly infiltrate through the ground and into the groundwater.



Pervious surfaces such as grass, soils, and green roofs allow water to infiltrate the ground, slowing and reducing runoff and recharging groundwater. Impervious surfaces such as cement, asphalt, and roofing prevent infiltration, increasing the volume and velocity of surface runoff which carries nutrients and sediments with it. Diagram courtesy of the Integration and Application Network (ian.umces.edu).

Current Ordinance

The ordinance does not regulate impervious surfaces.

Considerations

How does limiting impervious surfaces affect property owners?

Using our mapping tools, we conducted a random sample of 14 residential properties throughout the city and approximated coverage by buildings, driveways, and other things like pools. We did not include commercial properties as they are primarily developed and have limited opportunities to reduce impervious surfaces in meaningful ways. Within this sample, we selected several parcels with circular driveways and/or inground pools, which contribute to higher amounts of impervious surfaces. In this small study, the lowest amount of impervious surface coverage is 24% and the highest is 53%. The average is 35% impervious surface coverage. We will share a map and table of these random properties at our upcoming meeting.

How do other communities regulate impervious surfaces?

Most communities have some regulations on impervious surfaces, whether through regulating all impervious surfaces or by limiting “lot coverage”, which may only address buildings and structures.

Berkley: Maximum percentage of lot coverage is 35% in all residential districts. In R-1A to R-1D districts, maximum lot coverage for corner lots shall not exceed 45%.

Beverly Hills: Maximum coverage of lot by all buildings varies from 25% to 35% in residential districts. In the R-M Multiple Family district, the total land coverage in multiple-developments by all buildings other than carports shall not exceed thirty percent (30%) of land area.

The Building Official shall have the authority to allow up to a 5% increase above the maximum building coverage if low impact design practices are incorporated into the storm water management plan for the property such that it mitigates the coverage increase.

Birmingham: Maximum lot coverage is 30% in single-family residential (R1A, R1, R2, R3) districts.

Oak Park: “Impervious Surface Coverage” definition includes calculation and bonus is allotted if green roofs are installed.

Maximum Impervious Surface is 50% in R-1, R-2, and R-3-50 districts and 60% in R-3-35 and R-4 districts, but 70% for non-residential uses in those districts. R-5, R-6, and R-7 the maximum is 65% for single-family, and 70% for two-family, 70-80% for non-residential, and townhomes and multi-family 75-80% in the R-6 and R-7 districts.

Detached accessory structures are included in and must comply with all maximum impervious surface and building coverage requirements.

Southfield: Maximum lot coverage is 25% in all single-family residence (R A, R 1 to R-4, and R E) districts, but none listed in other residential districts.

Discussion

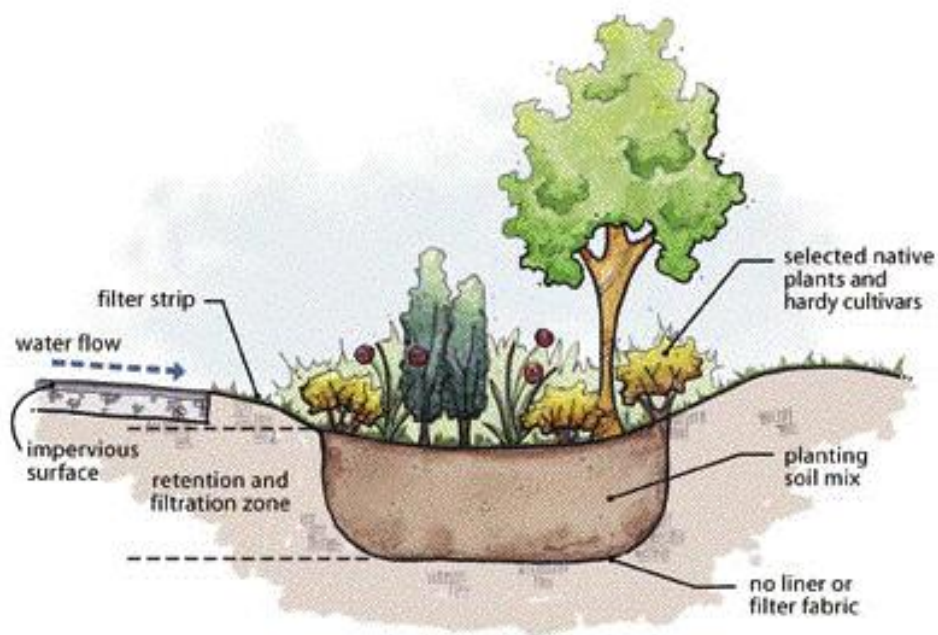
There are several options for regulating impervious surfaces, including:

One maximum percentage of impervious surfaces for all residentially zoned parcels.

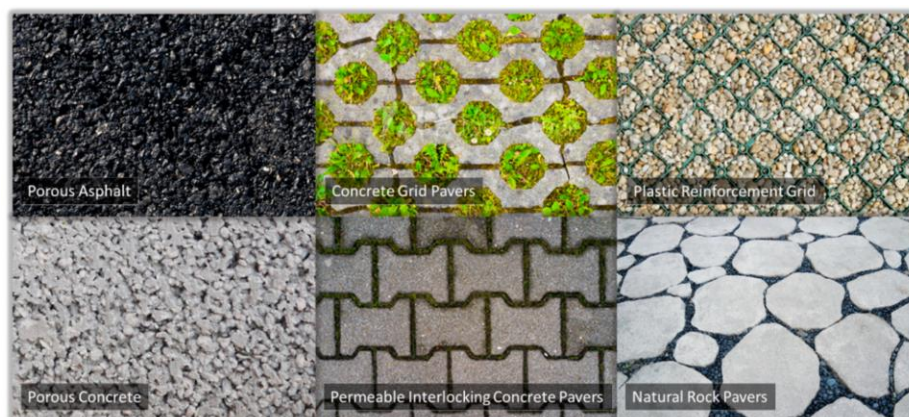
A sliding scale for regulating impervious surfaces that recognizes that smaller parcels may necessarily have more impervious surfaces with their house, driveway, patio, and other structure, like a swimming pool. The percentage of impervious surfaces on larger lots equates to more land area than on smaller lots.

Allow for offsets from the maximum percentage of impervious surfaces provided other techniques are used. Evaluation of these methods, some of which are noted below, would be by the city engineer.

Bioretention Areas (including rain gardens): These are natural features that capture and store stormwater runoff and pass it through a filter bed of sand, soil, and organic matter. Filtered runoff may be collected and returned to a storm drain or allowed to infiltrate into the soil. Lathrup Village has a history of utilizing rain gardens and several may still be found around the community, including at City Hall.



Permeable Pavements: Unlike concrete or asphalt, permeable pavement may include porous concrete and or pervious pavers. They are typically units separated by gaps filled with small stones or sand, layered over other aggregate that slows down and holds water until it can be absorbed. These pavements can be good for low traffic areas.



Rain Barrels: These are containers that hold water, typically from a downspout. The [Friends of the Rouge](#) has some interesting information on the benefits and types of rain barrels.

Green Roofs: A roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems. These materials slow the flow of precipitation.



Summary / Recommendation

On October 18, 2022, the Planning Commission moved to amend the zoning ordinance to add a definition for Impervious Surfaces and Lot Coverage to Section 2.2., and to add development standards for impervious surfaces and lot coverages to Section 3.1.2.D. Lastly, a new Section of 5.17 for impervious surfaces will be added outlining the intent of these amendments. The attached draft outlines the proposed changes that may be considered.

Amend Section 2.2: Definitions to add:

Impervious Surfaces. A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. Impervious surfaces include all drives, parking areas, building coverage, patios, decks, pools, pool decks, sport courts, graveled surfaces, and any other surface which does not readily absorb water. Permeable surfaces shall mean those areas that the City's consulting engineers determine are covered by materials that are sufficiently porous to allow water and/or other liquids to pass through said surface areas and shall not be included in the 45% impervious surface allowance.

Lot Coverage. The part or percentage of the lot occupied by buildings, including accessory buildings and swimming pools.

Amend Section 3.1.2.D, Development Standards, to add a new standard:

Lot Coverage: 30% maximum

Impervious Surface Coverage: 45% maximum

Amend Article 5, Site Development Standards, to add a new section:

Section 5.17 Impervious Surfaces

1. Intent. The purpose of the impervious surface standard is to limit the amount of impervious surfaces on residential lots, which make up the majority of land in the City of Lathrup Village, ensuring that adequate drainage is achieved, and potential runoff of the lot is controlled. In addition to the impact on the physical environment, impervious surfaces, and some permeable surfaces designed to support heavy loads, also have a visual impact that can detract from greenspace and landscaping that is part of the character of the city's residential neighborhoods. Some impervious surfaces, like recreational areas, provide visual relief from the built environment.
2. Impervious surface coverage is calculated as the percentage of all impervious surface areas of the total area of the lot.
3. A residential lot shall have no more than one driveway of a width not exceeding twenty (20) feet and the length being the single most direct route between the road right of way and a garage.

ARTICLE VI. - NOISE

Sec. 46-115. - Prohibition generally.

- (a) It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, in the city.
- (b) The enumerated noises prohibited in this article shall not be deemed to be exclusive. Any noise falling within the meaning of this section shall be prohibited.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Sec. 46-116. - On streets adjacent to schools, courts, churches, hospitals; display of identification sign.

It shall be unlawful for any person to create any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Sec. 46-117. - Sound trucks.

It shall be unlawful for any person to operate any sound truck in the city with sound amplifying equipment. The words "sound truck" as used in this section shall mean any vehicle propelled or drawn by person, beast, motor or other device having mounted, or attached, any sound amplifying equipment. The words "sound amplifying equipment" shall mean any machine or device for the amplification of the human voice, music or any other sound. "Sound amplifying equipment" as used in this section shall not be construed to include standard automobile radios when used and heard only by occupants of the vehicle in which installed or warning devices on authorized emergency vehicles or horns or other warning devices on other vehicles used only for traffic safety purposes.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Sec. 46-118. - Loud speakers, amplifiers, etc., to attract attention.

It shall be unlawful for any person to use, operate or permit to be played, used or operated any device. The term "device" constitutes any radio receiving set, musical instrument, drum, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon

the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure. A permit may be obtained for the operation or use of devices upon showing that it's the sound emissions shall not exceed 65 decibels.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Sec. 46-119. - Yelling, shouting, singing, etc., in public.

It shall be unlawful for any person to yell, shout, hoot, whistle or sing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m. of the following day or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Sec. 46-120. - Radios, phonographs, etc.; prima evidence.

It shall be unlawful to use, operate or permit to be played, used or operated any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. of the following day in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Sec. 46-121. - Blowers and engines.

It shall be unlawful to operate any noise-creating blower or power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Sec. 46-122. - Exhausts.

It shall be unlawful to discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Sec. 46-123. - Transporting of material.

It shall be unlawful to transport on rails, pillars or columns of iron, steel or other material, over and along streets and other public places upon carts, drays, trucks or in any other manner so loaded as to cause loud noises or as to disturb the peace and quiet of such streets or other public places.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Sec. 46-124. - Defective vehicles or loads.

It shall be unlawful to use any automobile, motorcycle, or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Sec. 46-125. - Loading and unloading vehicles; opening of containers.

It shall be unlawful to create a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Sec. 46-126. - Pile drivers, hammers, etc.

It shall be unlawful to operate between the hours 6:00 p.m. and 7:00 a.m. of the following day any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud or unusual noise.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Sec. 46-127. - Construction or repairing of buildings.

It shall be unlawful for any person to erect, excavate, perform demolition, perform alterations or repairs to any building other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays [is prohibited], except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues. If the building inspector determines that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m. of the following day and if he or she further

determines that loss of inconvenience would result to any party in interest, he or she may grant permission for such work to be done within the hours of 6:00 p.m. and 7:00 a.m. of the following day upon application being made at the time the permit for the work is awarded or during the progress of the work.

(Ord. No. 348-00, pt. VIII, 4-3-2000)

Secs. 46-128—46-134. - Reserved.