

## ORDINANCE

By A. Johnson

### **Amending Title 3, Chapter 59 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Construction Activities.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 59.30 of the above-entitled ordinance be amended to read as follows:

#### **59.30. After hours work permit required.**

(a) Operation of construction equipment without a permit is allowed only on Monday through Friday from 7:00 a.m. to 6:00 p.m., not including federal holidays. Operation of construction equipment outside of these hours and days without a permit from the Minneapolis Health Department and/or their designee is prohibited.

(b) The fees for an after hours work permit issued pursuant to paragraph 59.30(a) shall be established in the director's fee schedule pursuant to section 91.70. The fee for an after hours work permit for a department of public works project, other government agency project or projects of their agents shall be as established in section 91.70. Permits shall be obtained at least thirty-six (36) hours in advance of the proposed activity. The time requirements of the 36-hour advance permit issuance may be lessened at the discretion of the Minneapolis Health Department. Failure to do so may result in a penalty fee of one hundred percent (100%) of the original permit fee as designated in the director's fee schedule.

(c) Parties applying for an after hours work permit must provide a general notice of their activity to all occupants where the construction activity will occur and to the building owners and their tenants of all adjacent properties at least twenty-four (24) hours prior to the activity. The notice must include contact information for the party performing the construction activity, brief description of the proposed work, intended dates and times and identify that complaints regarding the construction activity will be received by Minneapolis Information and Services by dialing 311 in Minneapolis or 612-673-3000 from cell phones and phones outside of Minneapolis. The time requirements of the 24-hour advance notice may be lessened at the discretion of the Minneapolis Health Department.

(d) Applications for an after hours work permit shall be in such form as prescribed by the Minneapolis Health Department. A copy of the written notice required by 59.30(c) must be submitted with the permit application.

(e) Exemption from permit requirements:

(1) A property owner owning a valid rental license, or tenants, or property owner occupying a habitable ~~of a~~ residentially-used property may conduct construction activities on their residentially used property on weekdays from 7:00 a.m. to 8:00 p.m.; and on Saturdays, Sundays and federal holidays from 9:00 a.m. to 6:00 p.m.;

(2) A party using construction equipment in an enclosed and insulated building that does not share a common wall with another building or occupant; or

(3) A project for which the city engineer has determined that the expeditious construction, repair, or rehabilitation of any highway, road, or bridge or other public infrastructure necessitates the operation of pile drivers, jackhammers, engines, power units, or any other construction equipment and has so certified in writing.

(4) Utility companies conducting emergency repairs of their respective utility infrastructure to maintain or restore service. Utility companies must notify the Health Department of the emergency work, including the nature of the emergency, as soon as is practical.