

ORDINANCE NO. 4116

AN ORDINANCE to amend and reordain subsection (b) (UNLAWFUL NOISES ENUMERATED), of Section 11-5-4 (NOISES PROHIBITED - ENUMERATION), Chapter 5 (NOISE CONTROL), Title 11 (HEALTH, ENVIRONMENTAL AND SANITARY REGULATIONS), of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new subsubsection (19) (PILE DRIVING).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Subsection (b) of Section 11-5-4 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by adding thereto a new subsubsection (19) to read as follows:

(19) Pile Driving. Notwithstanding any contrary provision of this chapter, no person shall operate, and no person shall permit the operation by any employee, independent contractor or other person of, any pile driving equipment, except between the hours of 9:00 a.m. to 6:00 p.m., Monday through Friday, and 10:00 a.m. to 4:00 p.m., Saturday. The city manager is authorized, in his discretion, to grant relief from the provisions of this section, under the procedures set forth in section 11-5-7. In deciding whether to grant such relief, the city manager shall consider (i) the location at which pile driving is proposed to be conducted, (ii) its proximity to residential areas, business districts, public parks, recreation facilities, historic areas and tourist destinations, (iii) the availability and cost of alternative methods of construction, (iv) the mitigation measures available or proposed, (v) the impact upon the construction project, and upon the public, and (vi) such additional factors as the manager determines may be relevant to avoid undue annoyance, disturbance, injury, or danger to the welfare of residents, business employees and patrons, park patrons, students, tourists and other visitors to the city. For purposes of this subsubsection, pile driving shall mean the driving of piles into the earth through the use of a gravity- or pneumatic-driven hammer or similar device or mechanism, and person shall include any state, or agency, instrumentality or contractor of a state, in addition to the meaning defined in section 11-5-2(30).

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY
Mayor

Introduction: 03/18/00
First Reading: 03/18/00
Publication: 03/23/00
Public Hearing 03/28/00
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