

#### **509.10 CERTAIN BUSINESS ACTIVITIES PROHIBITED DURING CERTAIN TIMES.**

(a) Except in the case of an emergency, the following types of activities conducted outside of an enclosed building are hereby determined to create or constitute unduly loud, disturbing, unhealthy and unnecessary noise and shall not be performed in the City at any time on Sunday, or on any other days between the hours of 8:00 p.m. and 7:00 a.m. as set forth herein:

(1) Commercial Garbage Collection: The servicing of private or commercial garbage dumpsters by any person(s) using garbage collection vehicles and equipment within 1,500 feet (1,500') of any residential area.

(2) Pile Drivers, Excavation Equipment, Pneumatic Hammers, Derricks, Hoists and Other Similar Equipment: The operation of any pile driver, excavation equipment, pneumatic hammers, **derricks**, hoists, or other similar appliance or equipment, the use of which is attended by loud or unusual noise.

(3) Tools: The use or operation of any power saw, power planer, or other powered tool or appliance by anyone except a homeowner or immediate member of said homeowner's family or other person providing such assistance as a volunteer.

(4) Construction: The erection, including construction, excavation, alteration, or repair work, or the permitting or causing thereof, of any building or other structure, or the operation or the permitting or causing the operation of any tools or equipment used in construction, excavation, drilling, demolition, alteration or repair work performed by anyone except a homeowner or immediate member of said homeowner's family or other person providing such assistance as a volunteer.

(5) Loading and Unloading: The loading or unloading of any commercial truck or van in a residential area or in a commercially or manufacturing zoned area which borders a residential area. This section shall include the use of any hydraulic trash compacting equipment. This section shall not apply to the loading or unloading of common household items or appliances.

(b) It is not a violation of the provisions of this section to perform any emergency work being made necessary to restore property to a safe or secure condition following a public calamity or severe weather event, to perform the work required to protect persons or property from an imminent exposure to danger, or to perform the work required to restore any utility services.

(c) The following penalty and enforcement provisions shall be enacted relative to this Ordinance:

(1) Penalty. Whoever violates any of the provisions of this section is guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

(2) Nuisance. Any violation of this section is considered a nuisance, which can be ordered to be immediately terminated by the Director of Building and Zoning and enforced by court order when necessary.

(Ord. 04-23. Passed 8-2-04.)

#### **509.99 PENALTY.**

(EDITOR'S NOTE: See Section 501.99 for penalties applicable to any misdemeanor classification.)

RECORD OF ORDINANCES  
City of Grandview Heights

Ordinance No. 04-23.....

Passed... AUGUST 2, 2004

**An Ordinance to prohibit certain business activities during certain times, and declaring it an emergency.**

**WHEREAS**, the City finds it necessary to regulate certain business activities during certain time frames in order to promote the peace, health, safety and welfare of its residents and visitors; and

**WHEREAS**, such activities can and do interfere with the comfortable enjoyment of life, property and recreation and has in certain instances been proven to be deleterious to human health.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRANDVIEW HEIGHTS, OHIO THAT:**

**SECTION 1.** Except in the case of an emergency, the following types of activities conducted outside of an enclosed building are hereby determined to create or constitute unduly loud, disturbing, unhealthy and unnecessary noise and shall not be performed in the City at any time on Sunday, or on any other days between the hours of 8:00 p.m. and 7:00 a.m. as set forth herein:

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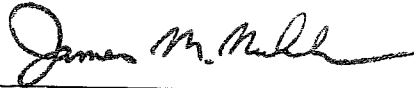
RECORD OF ORDINANCES  
City of Grandview Heights

Ordinance No. 04-23

Passed AUGUST 2, 19 2004

**Attest:**

**Approved as to form:**

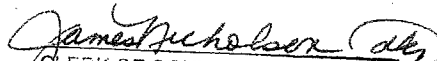


James M. Nicholson  
Clerk of Council



Gary E. Brown  
City Attorney

I HEREBY CERTIFY THAT PUBLICATION OF THE FOREGOING  
ORDINANCE OR RESOLUTION WAS MADE BY POSTING TRUE  
COPIES THEREOF AT FIVE OF THE MOST PUBLIC PLACES IN  
GRANDVIEW HEIGHTS AS DETERMINED BY COUNCIL PURSU-  
ANT TO ORC, 50-80, TO WIT: GRANDVIEW HEIGHTS MUNICIPAL  
BUILDING, STEVENSON ELEMENTARY SCHOOL, EDISON EL-  
EMENTARY SCHOOL, GRANDVIEW HEIGHTS HIGH SCHOOL,  
GRANDVIEW HEIGHTS PUBLIC LIBRARY, EACH FOR A PERIOD  
OF FIFTEEN DAYS COMMENCING ON THE 10 DAY OF  
AUGUST, 2004

  
CLERK OF COUNCIL,  
CITY OF GRANDVIEW HEIGHTS, OH