

**Ordinance No. 1271**  
**Introduced by All Commissioners**

**An Ordinance Amending Warrenton Municipal Code Title 9, Public Peace and Welfare, Chapter 9.04.040; Unnecessary Noise; and Amending Section 4 of Ordinance No. 851-A**

**WHEREAS**, the Warrenton Municipal Code currently allows a noise variance, outside of the permitted hours, to be granted by special permit;

**WHEREAS**, the City of Warrenton occasionally has emergency circumstances that require construction work to take place outside of the permitted hours, due to tidal requirements and other variables; and

**WHEREAS**, per the current language in Chapter 9.04.040 of the WMC, the City must request permission from the City Commission for a variance for emergency work, resulting in potential delays; and

**WHEREAS**, the City Commission finds it appropriate to amend the Warrenton Municipal Code to update permissions for noise variances for emergency work to meet the City's needs; and

**NOW, THEREFORE**, the City of Warrenton ordains as follows:

**Section 1.** Amending Ordinance No. 851-A, Sections 4 – (4) and (5); Amending Warrenton Municipal Code Section 9.04.040, to read as follows:

[new language; ~~deleted language~~]

**9.04.040 Unnecessary noise.**

No person shall create or assist in creating or permit the continuance of unreasonable noise in the City. The following enumeration of violations of this section is not exclusive but is illustrative of some unreasonable noises.

A. Keeping an animal that, by loud and frequent continued noise, disturbs the comfort and repose of a person in the vicinity.

B. Using an engine, thing or device that is so loaded, out of repair or operated in such a manner as to create a loud or unnecessary grating, grinding, rattling or other noise.

C. Using a mechanical device operated by compressed air, steam or otherwise, unless the noise created by it is effectively muffled.

D. ~~Construction, excavation, demolition, alteration or repair of a building between the hours of 6:00 p.m. and 7:00 a.m., except by special permit granted by the City.~~ Construction, excavation, demolition, alteration or repair of a building or infrastructure, including streets, embankments, sewer and

water lines, between the hours of 6:00 p.m. and 7:00 a.m. that is loud enough to disturb persons in its vicinity or in a manner that makes it a public nuisance. However, in the case of an emergency repair, the City Manager may grant permission to make emergency repairs after hours for a period of 72 hours, in order to assist public safety, maintain public services, or reduce loss to property or life safety. Any scheduled repairs that require work to be done between the hours of 6:00 p.m. and 7:00 a.m. shall be brought to the City Commission for approval.

E. Using or operating ~~an automatic or electric piano, phonograph, loudspeaker or a sound-amplifying device~~ so loudly that it disturbs persons in its vicinity, or in a manner that makes it a public nuisance. However, on application to the City Commission, permits may be granted to broadcast music, news, speeches or general entertainment.

**Section 2.** This Ordinance shall become effective 30 days after its adoption by the Commission of the City of Warrenton.

**First Reading:** February 27, 2024

**Second Reading:** March 12, 2024

ADOPTED by the City Commission of the City of Warrenton, Oregon this 12 day of *March*, 2024.

Attest:

  
Dawne Shaw, CMC, City Recorder

Approved:

  
Henry A. Balensifer III, Mayor