

# Waiver from Construction Noise Ordinance Limits

## City of Bozeman – Municipal Code Ch. 16, Art. 6

Section 16.06.090 of the Bozeman Municipal Code regulates construction operation noise. Instructions on how to apply for a temporary exemption from construction noise ordinance limits are below. Applications must be submitted a minimum of 96 hours in advance of the requested activity.

1. Download and fill out the attached form, completing all fields. Incomplete forms will be denied. The application should contain sufficient facts demonstrating why performing construction operations outside of the restrictions set forth in 16.06.090.C. is necessary (Sec. 16.06.090.D).
2. Email the completed form to the Development Review Coordinator assigned to your project. If you do not have a Development Review Coordinator, please email [building@bozeman.net](mailto:building@bozeman.net).
3. Pay the \$500 application fee, which will be assessed upon receipt of your electronic form. No review will occur until the fee is paid.
4. Planning, Building, and Transportation staff will review the information provided in the request. Several factors will be considered, some of which are listed below.
  - Are there circumstances that prevent the construction activity from occurring during regular hours?
  - Are there impacts that will be reduced if the activity occurs outside regular hours?
  - Are there nearby residences that might be disturbed by the activity?
  - If road closures are required and indicated, has coordination with Transportation & Engineering already occurred?
5. Staff will approve, approve with conditions, or deny the application. Notification will be emailed to the applicant and will be placed in the project's Approved folder in ProjectDox.
6. Approved waivers must be kept at the location of the activity and displayed to law enforcement upon demand. The approved permit applies only to the noise ordinance, and all conditions or restrictions must be followed.
7. If the applicant does not follow the requirements of the approval or is working outside of the approved date and time of the exemption, the Building Division can issue a stop work order.

### Additional Notes

- If you need to extend, a new request must be submitted prior to expiration of the previously approved waiver.
- If you need to change the date or time of the work referenced in the approved waiver, you must submit a revised form for approval.
- While construction activities result in noise and this waiver is meant to allow certain activities outside the hours of 7:00 a.m. to 8:00 p.m., it is expected that contractors will reduce, to the best of their ability, any and all noise within their respective site(s).

General questions about the noise waiver process may be sent to [building@bozeman.net](mailto:building@bozeman.net).

# Application for Waiver from Construction Noise Ordinance Limits

City of Bozeman – Municipal Code Ch. 16, Art. 6

Section 16.06.090 of the Bozeman Municipal Code provides regulations regarding construction operations and construction noise. Pursuant to Section 16.06.090.D, a process has been created to apply for temporary exemption from construction noise ordinance limits. Applications must be completed at least 96 hours (4 days) in advance of the requested activity, and the associated fee established in the Building Division Fee Schedule must be paid at time of application for consideration.

Active Building Permit Application #: \_\_\_\_\_

Primary Contact Name: \_\_\_\_\_

Primary Contact Address: \_\_\_\_\_

Primary Contact Phone: \_\_\_\_\_

Primary Contact Agency/Company: \_\_\_\_\_

Project Location/Address: \_\_\_\_\_

Activity/Construction Date(s): \_\_\_\_\_

Activity Start Time(s): \_\_\_\_\_ End Time(s): \_\_\_\_\_

Name and Phone Number for Person on Location during Activity: \_\_\_\_\_

Description of Event/Activity: Please describe (a) the proposed construction activity, and (b) why the exemption is necessary:

Please attach/email any supporting materials.

I acknowledge that the information contained in this Application for Waiver is true and correct to the best of my knowledge. I understand that applying for a waiver does not grant me an exemption from the noise ordinance unless the waiver is granted by the City. I understand that if granted, this waiver may be voided immediately if this application contains any inaccurate information, or if the event or activity exceeds the scope or duration specified above. I understand this waiver can be revoked at any time by law enforcement and/or code compliance if the event or activity is in any manner failing to comply with noise regulations or when public convenience and safety require such revocation. I understand this waiver must be kept at the location of the event or activity and displayed to law enforcement upon demand. I agree to abide by any conditions or restrictions required by the City. I acknowledge that this permit relates only to the noise ordinance.

\_\_\_\_\_  
Signature of Applicant (please type name)

By typing your name, you agree to the terms of the waiver

\_\_\_\_\_  
DATE

.....FOR CITY USE ONLY.....

THIS NOISE WAIVER REQUEST IS:    **GRANTED**            **CONDITIONALLY GRANTED**            **DENIED**

APPROVED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

**IMPORTANT:** Copies of approved construction noise waivers must be posted ***on site at all times.***

**Renewals/Extensions:** If you need to extend your time, a new Noise Waiver request must be submitted with ample time prior to the expiration of the previously approved waiver.

**Mitigate noise to the extent possible prior to commencing work:** While construction activities result in noise and this waiver is meant to allow certain activities outside the hours of 7:00 a.m. to 8:00 p.m., it is expected that contractors will reduce, to the best of their ability, any and all noise within their respective site(s).