

ORDINANCE NO. 2006

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING CHAPTER 20D.100 OF THE REDMOND MUNICIPAL CODE AND COMMUNITY DEVELOPMENT GUIDE IN ORDER TO UPDATE AND AMEND THE CITY'S NOISE STANDARDS, AMENDING CHAPTER 20A.20 TO ADD NOISE-RELATED DEFINITIONS TO THE COMMUNITY DEVELOPMENT GUIDE, ADDING A NEW CHAPTER 9.43 TO THE REDMOND MUNICIPAL CODE IN ORDER TO ADOPT STATE STANDARDS FOR MOTOR VEHICLE NOISE AND TO DECLARE VIOLATION OF SUCH MOTOR VEHICLE NOISE STANDARDS TO BE A TRAFFIC INFRACTION, ADDING A NEW CHAPTER 20D.95 TO THE COMMUNITY DEVELOPMENT GUIDE REGULATING THE EXTERNAL EFFECTS OF USES, SUCH AS NOISE, VIBRATION, HEAT, GLARE, AIR POLLUTION, ODOR, ELECTROMAGNETIC INTERFERENCE, RADIOACTIVITY, AND OTHER EFFECTS, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, certain land uses have the potential to adversely impact nearby uses through the generation of such things as noise, vibration, heat, glare, air pollution, odor, radioactive emissions, electromagnetic interference, loading operations, and hazardous substances, and

WHEREAS, the Redmond Community Development Guide and Redmond Municipal Code contain noise standards for land use activities and public disturbance noises, but such regulations are outdated and do not adequately address the impacts of the types and intensities of land uses that are allowed in the City, and

WHEREAS, the Redmond Comprehensive Plan contains policies supporting the development of new or amended regulations to protect against potential

adverse impacts, and

WHEREAS, the Planning Commission held a public hearing on April 8, 1998 in order to consider amending and adding to the City's regulations to address these potential impacts and, after the hearing and over the course of two study sessions, determined to recommend certain legislation to the City Council, and

WHEREAS, the Council has considered the Planning Commission's recommendations and has determined to take the actions described in this ordinance, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment of Noise Regulations. Chapter 20D.100 of the Redmond Municipal Code and Community Development Guide is hereby amended to read as set forth on Exhibit A attached hereto and incorporated herein by this reference as if set forth in full.

Section 2. Amendment of Definitions. Chapter 20A.20 of the Redmond Municipal Code and Community Development Guide is hereby amended to add definitions of those noise-related terms set forth on Exhibit A attached hereto and incorporated herein by this reference as it set forth in full.

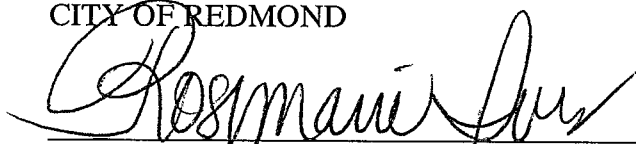
Section 3. Motor Vehicle Noise Standards. A new Chapter 9.43 is hereby added to the Redmond Municipal Code in order to adopt the Department of Ecology Standards for Motor Vehicle Noise and to render violation of the same a traffic infraction. The said new Chapter 9.43 shall read as set forth on Exhibit B attached hereto and incorporated herein by this reference as if set forth in full.

Section 4. Limitations on External Effects of Uses. A new Chapter 20D.95 entitled, "Limitations on External Effects of Uses (Performance Standards)," is hereby added to the Redmond Municipal Code and Community Development Guide to read as set forth on Exhibit C attached hereto and incorporated herein by this reference as if set forth in full.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND

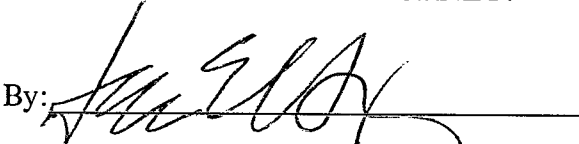


MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:


CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK
PASSED BY THE CITY COUNCIL:

December 9, 1998
December 15, 1998

Ordinance No. 2006

SIGNED BY THE MAYOR: December 15, 1998
PUBLISHED: December 19, 1998
EFFECTIVE DATE: December 24, 1998
ORDINANCE NO. 2006

EXHIBIT A PROPOSED REGULATIONS

20D.100 Noise Standards

20D.100.10-010	Purpose
20D.100.10-020	Applicability
20D.100.10-030	Prohibited Noise
20D.100.10-040	Identification of Environments and Maximum Permissible Noise Levels
20D.100.10-050	Exceptions
20D.100.10-060	Restrictions on Residential Development Adjacent to Arterials
20D.100.10-070	Arterial Improvement Requirements
20D.100.10-080	Measurement of Sound

20D.100.10-010 Purpose

It is the policy of the City to minimize the exposure of citizens to the physiological and psychological dangers of excessive noise and to protect, promote and preserve the public health, safety and general welfare. The purpose of this chapter is to control the level of noise in a manner that promotes commerce, the use, value and enjoyment of property, sleep and repose, and the quality of the environment.

It is also the City's intent to regulate noise as a nuisance or public disturbance in addition to any other means of regulation or enforcement established in this chapter. Regulation of nuisance and public disturbance noises is set forth in Redmond Municipal Code 9.42 and regulation of noise related to operation of motor vehicles is set forth in Redmond Municipal Code 9.43.

20D.100.10-020 Applicability

These standards shall apply to all lands within the city.

20D.100.10-030 Prohibited Noise.

- (1) General Prohibition: Unless otherwise specified, no person or thing shall make noise exceeding the maximum permissible noise levels required by this chapter.
- (2) Recurrent or Continuous Noise.
 - (a) For receiving properties within a Class A EDNA, noise from the recurrent or continuous use or operation of stationary equipment or appliances shall not be perceptible by a person of ordinary sensitivity, without instruments, at any point of any boundary line of the receiving property. This subsection applies whether the noise is generated within or outside a Class A EDNA if the receiving property is within a Class A EDNA. Commercial equipment, including emergency generators, shall comply with this subsection. Measures shall be taken to reduce noise, such as relocating, enclosing or screening the noise source or limiting the hours of operation.
 - (b) This subsection shall not apply to non-residential emergency generators that existed on or before the effective date of this regulation. New or replacement, non-residential, emergency generators shall comply with this subsection. Furthermore, testing of emergency generators shall be limited to after 8:00 a.m. and no later than 8:00 p.m.
 - (c) This subsection shall not apply to sounds listed in 20D.100.10-050, Exceptions, or any sound that is less than a 45 dBA noise level between 7:01 a.m. – 10:00 p.m. or 35 dBA noise level between 10:01 p.m. –

7:00 a.m. This subsection also shall not apply to manufacturing or industrial uses that existed on or before the effective date of this ordinance.

- (3) Specific Prohibitions. The following are examples of activities declared to be loud, excessively noisy and in violation of this section.
- (a) The use of any fixed or mobile device or loud speaker outside a building for commercial advertising purposes or for the purposes of attracting attention to any performance, show, or sale or display of merchandise, where the sound may be heard from any public street, park, or public place. Nothing in this section is intended to prohibit incidental sounds emanating from a sports, entertainment, or public event or ice cream vending vehicles.
 - (b) The sale of anything by outcry within an area of the City zoned primarily for residential uses.
 - (c) The owning or keeping of any animal which causes a noise disturbance by frequent or habitual howling, barking, or other noise making. The section also applies to all private or public facilities, including any animal pounds and kennels that hold or treat animals.
 - (d) The repair, modification or testing of any motor vehicle, off-road motor vehicle, motorized watercraft in or near a residential use district in such a manner as to cause a noise disturbance or violate the provisions of this chapter.
 - (e) The operation of any loudspeaker or other source of sound in a place of indoor public entertainment which exceeds 85 dBA at any point normally occupied by a person, without a conspicuous and legible sign located outside near the entrance which states:

WARNING!
SOUND LEVEL INSIDE MAY CAUSE
PERMANENT HEARING IMPAIRMENT

- (f) The creation of unnecessary or unusually loud noises within the vicinity of a school, hospital, nursing home, court of law, or other designated area where quiet is necessary.

20D.100.10-040 Identification of Noise Environments and Maximum Permissible Noise Levels

- (1) Environmental Designations for Noise Abatement (EDNA) are established based on consideration of historical, present and future land use of each zoning district.
- (2) No person shall cause or permit sound to intrude onto the real property of another person that exceeds the maximum permissible sound levels established by this chapter. The point of measurement shall be at the property boundary of the receiving property or anywhere within the receiving property.
- (3) Maximum Permissible Noise Levels are given below and are consistent with State requirements (RCW 70.197 and WAC 173-60).

Table 1: Maximum Permissible Noise Levels

EDNA of Noise Source (Land Use Zones)	EDNA of Receiving Property (Land Use Zones)			
	Class A (All R zones & RA)		Class B (UR, NC, CO, CB, GC, RC, CC)	Class C (MP, I, BP, OV)
	Daytime 7:00 a.m.– 10:00 p.m.	Nighttime 10:00 p.m.– 7:00 a.m.		
Class A (All R zones & RA)	55 dBA	45 dBA	57 dBA	60 dBA
Class B (UR, NC, CO, CB, GC, RC, CC)	57 dBA	47 dBA	60 dBA	65 dBA
Class C (MP, I, BP, OV)	60 dBA	50 dBA	65 dBA	70 dBA
Legend EDNA = Environmental Designation for Noise Abatement dBA = decibels				

20D.100.10-050 Exceptions

The following are exceptions to the maximum permitted noise levels established in RCDG 20D.100.10-040.

- (1) **Exceptions at any time.** The following sounds are exceptions to the provisions of this chapter at any time.
 - (a) The maximum permitted noise levels as established in RCDG 20.100.10-040 may be exceeded by 5 dBA for a total of 15 minutes in any one-hour period, or 10 dBA for a total of 5 minutes in any one-hour period, or 15 dBA for a total of 1.5 minutes in any one-hour period.
 - (b) Sounds originating from aircraft in flight and sounds that originate at airports which are directly related to flight operations.
 - (c) Sounds created by railroad trains engaged in interstate commerce or mass transit.
 - (d) Sounds created by warning devices not operating continuously for more than five (5) minutes
 - (e) Sounds created by bells, chimes, and carillons.
 - (f) Sounds created by safety and protective devices where noise suppressions would defeat the intent of the device or is not economically feasible.
 - (g) Sounds originating from City-approved parades and other public events.
 - (h) Sounds caused by natural phenomena and unamplified human voices.
 - (i) Sounds caused by motor vehicles when regulated by Chapter 173-62 WAC.
 - (j) Sounds from the startup of refinery boilers.
 - (k) Sounds caused by emergency equipment and work necessary in the interests of law enforcement or for the safety, health or welfare of the community. Nothing in this section shall be construed to permit law

enforcement, ambulance, fire or other emergency personnel to make excessive noise in the performance of their duties when such noise is clearly unnecessary.

- (l) Sounds caused by emergency residential generators when operating as necessary for their intended purpose. Commercial generators are not included as an exception.
 - (m) Sounds created by motor vehicles, licensed or unlicensed, when operated off public highways except when such sounds are received in residential zones (Class A EDNA).
- (2) **Daytime Exceptions.** The following may exceed the maximum permissible noise levels of RCDG 20D.100.10-040 on weekdays between the hours of 7:00 a.m. and 10:00 p.m., and on weekends between the hours of 9:00 a.m. and 10:00 p.m.
- (a) Sounds originating from residential property related to temporary projects for the maintenance or repair of homes, grounds and appurtenances.
 - (b) Sounds from new construction, additions or remodels of single family homes and accessory structures in residential zones (Class A) caused by the homeowner. Sounds from construction by hired contractors shall be limited to the hours specified in subsection (4)(b).
 - (c) Sounds created by the discharge of firearms at authorized shooting ranges.
 - (d) Sounds created by motorized watercraft.
 - (e) Sounds from the installation or repair of essential utility services.
 - (f) Sounds originating from forest harvesting and silvicultural activities.
 - (g) Sounds created by blasting.
- (3) **24-Hour Residential Zone Exceptions.** Within residential zones (Class A EDNA), the following activities are subject to the Daytime maximum permissible noise levels at all times (24 hours a day):
- (a) Sounds created by existing electrical substations and stationary equipment used to convey water, wastewater or natural gas by a utility.
 - (b) Sounds created by sources in industrial and manufacturing districts which, over the previous 3 years, have consistently operated in excess of 15 hours per day as demonstrated routine or as a consequence of process necessity. Changes in working hours or activity, which would increase the noise allowed under this exception, require the approval of the Administrator.
- (4) **Construction Noise Exceptions.**
- (a) Sounds from temporary construction may exceed the maximum permissible noise levels between the hours of 7:00 a.m. and 10:00 p.m. unless it impacts residential zones (Class A EDNA).
 - (b) Construction noise that impacts residential zones (Class A EDNA) has the following restricted hours unless it is for single family home repair, maintenance or construction and meets the requirements set forth in 20D.100.10-050(2)(a) and (b):

Monday through Friday: 7 a.m. to 7 p.m.

Saturdays: 9 a.m. to 6 p.m.

Sunday or Legal Holiday: Prohibited

(Legal holidays for enforcement of this subsection shall be limited to New Years Day, Memorial Day, July 4, Labor Day, Thanksgiving and Christmas.)

- (c) The point of measurement shall be at the property boundary of the receiving property or anywhere within the receiving property.
- (d) The Administrator, or the Director of Public Works for street and utility projects, may authorize expanded hours of temporary construction if at least one of the following criteria are met:
 - (i) Construction is necessary to accommodate transportation improvements or other work within the right-of-way, or construction on schools and essential government facilities which cannot be undertaken during exempt hours. In considering expanded hours for street and utility projects, the Director of Public Works shall evaluate the project duration, potential noise impacts, traffic and safety impacts and cost of the project with and without expanded hours. If expanded hours are necessary, the Director shall post a public notice board to inform neighboring property owners of the scope and duration of the construction project.
 - (ii) Emergency work.
 - (iii) Sounds caused by construction will not exceed the maximum permissible noise levels contained in RCDG 20D.100.10-040.

20D.100.10-060 Restrictions on Residential Development Adjacent to Arterials

- (1) This section applies to all new residential short plats, subdivisions, and multi-family projects (3 or more units) proposed after the effective date of this chapter.
- (2) For all new residential short plats, subdivisions, and multi-family projects proposed within 100 feet of an arterial or state highway that has an existing or projected traffic volume of 20,000 or more average daily trips, the applicant shall include sound attenuation measures in the site design and/or the design and construction plans of the structure(s).
- (3) The applicant shall demonstrate that proposed measures provide sound attenuation and the methods go beyond standard building construction practices. Measures that reduce noise at the site, such as building location, design, berms, and barriers, to help mitigate outside noise exposure should be used whenever practical in preference to measures, which only protect interior spaces. Noise walls, such as blank walls along the site perimeter, should be avoided and shall only be considered after all other mitigation measures are determined infeasible and impractical. The Technical Committee shall approve appropriate methods for reducing noise levels.

20D.100.10-070 Arterial Improvement Requirements

- (1) This section applies to arterial and state highway improvement projects in residential zones (Class A EDNA).
- (2) In residential zones (Class A EDNA), arterial and state highway improvement projects, not including the addition of walkways, bicycle lanes and minor widening (such as turn lanes), must include a noise analysis of the affected environment by a qualified noise consultant if:
 - (a) The existing or projected noise level exceeds 67 dBA peak noise hour Leq; or

- (b) The projected exterior noise level as a result of the project is estimated to increase beyond 67 dBA peak noise hour Leq; or
 - (c) The exterior noise level is expected to increase by 5 dBA or more as a result of the project.
- (3) The point of exterior noise level measurement for purposes of this section will be 5 feet above existing grade anywhere along a parallel line 60 feet on either side of the arterial centerline.
- (4) Noise mitigation measures intended to reduce exterior noise levels to 67 dBA peak noise hour leq or lower shall be determined by the Director of Public Works. Measures such as location, design, setbacks, earthen berms, landscaping and berm/wall barriers are preferable to the use of tall, linear, blank walls. Use of noise walls should be limited or avoided if other feasible measures are available. If noise walls are determined to be necessary, they should be located to maximize effectiveness and designed to avoid a long, linear, blank appearance. Noise walls should be limited to the lowest effective height, combined with earthen berms where feasible, screened by landscaping, modulated, and constructed with durable and decorative materials. If additional funding is necessary, the Director shall make a recommendation to the City Council. The criteria for evaluating noise mitigation measures are:
- (a) Whether reasonable noise mitigation measures are available which will reduce exterior noise levels by 5 dBA or more; and
 - (b) Whether the financial impacts of noise mitigation measures are not disproportionate to the overall cost of the arterial improvement project; and
 - (c) Whether benefited property owners contribute to the cost of mitigation, provided that this factor only applies if existing exterior noise levels exceed 67 dBA peak noise hour Leq; and
 - (d) Whether the benefited community is supportive of noise mitigation measures.

20D.100.10-080 Measurement of Sound

- (1) Sound Level Meter. If the measurement of sound is made with a sound level meter, the instrument shall be in good operating condition and shall meet the requirements for a Type I or Type II instrument, as described in American National Standards Institute Specifications as now exist or as hereafter amended or modified.
- (2) Location of Measurement. Unless otherwise specified, the point of measurement shall be at the property boundary of the receiving property or anywhere within it.
- (3) More than one EDNA. Where a receiving property lies within more than one EDNA, the maximum permissible noise level shall be determined by the most sensitive EDNA.
- (4) Technical Corrections. When the location, distance or technique prescribed in this chapter for measurement of sound is impractical or would yield misleading or inaccurate results, measurements shall be taken at other locations or distances using appropriate correction factors, as specified by the Administrator or a qualified noise-consultant.

20A.20 Definitions

20A.20.010 "A" Definitions.

A-weighted Sound Level

The sound pressure level in decibels measured using the "A" weighting network on a sound level meter as specified by the American National Standards Institute specification for sound level meters as now existing or as hereafter amended or modified. The level so read is designated dBA.

20A.20.030 "C" Definitions.

Construction

Any site preparation, assembly, erection, demolition, substantial repair, maintenance, alteration, or similar action for or of public or private rights-of-way, structures, utilities, or similar property.

20A.20.040 "D" Definitions.

Decibel or dBA

A unit expressed on a logarithmic scale, for measuring the relative intensity of sounds, ranging from zero to 130 for the average pain level of the human ear.

20A.20.040 "E" Definitions.

Environmental Designation for Noise Abatement or EDNA

An area or zones (environment) within which maximum permissible noise levels are established.

Emergency work

Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

20A.20.120 "L" Definitions.

Leq

The equivalent A-weighted sound level which is the constant sound level that, in a given situation and time period, conveys the same sound energy as the actual time-varying A-weighted sound.

20A.20.130 "M" Definitions.

Motorized watercraft

Those floating devices, which are designed to be propelled by the use of internal combustion engines or electric motors. Inflatable, motorized watercraft may be included in this definition if they are propelled by the use of internal combustion engines or electric motors.

20A.20.140 "N" Definitions.

Noise

The intensity, duration and character of sounds from any and all sources.

20A.20.160 "P" Definitions.

Peak hour noise

The noisiest hour within a 24 hour period where the primary source of noise is from traffic.

20A.20.170 "Q" Definitions.

Qualified Noise Consultant

Person/s to perform noise impact analysis of specific activities or land use, and prepares a written report of findings. Such person/s shall be professionally trained and qualified to perform the necessary tasks to identify, evaluate, manage and mitigate impacts related to noise.

20A.20.180 "R" Definitions.

Receiving property

Real property within which sound originating from sources outside the property is received.

20A.20.190 "S" Definitions.

Sound level

A weighted sound pressure level measured by the use of a sound level meter using an A-weighted network and reported as decibels, dBA.

Sound level meter

An electronic instrument that includes a microphone, output meter, and amplifier, and measures sound pressure levels.

20A.20.230 "W" Definitions.

Weekday

Any day, Monday through Friday, which is not a legal holiday.

Weekend

The days of Saturday, Sunday, and any legal holiday.

EXHIBIT B

PROPOSED REGULATIONS

REDMOND MUNICIPAL CODE 9.43 MOTOR VEHICLE NOISE

Motor Vehicle Noise Levels.

Noise Standards – Violations. No person shall operate any motor vehicle or any combination of such vehicles upon any public highway in violation of standards specified in WAC 173-62-060(1) through (4), which section is hereby adopted by reference. For purposes of this section, “public highway” means the entire width between the boundary lines of every road, street, alley lane, boulevard, parking lot and every way or place in the city, whether publicly or privately maintained, when any part thereof is open at any time to the use of the public for purposes of vehicular traffic.

Exemptions. The exemptions to motor vehicle noise as stated in WAC 173-62-040 are hereby adopted by reference

Penalty for violation. All offenses defined in this section relating to the operation of a motor vehicle shall constitute traffic infractions, and a violator shall be civilly liable for monetary penalty as specified in RMC 1.14.

EXHIBIT C

PROPOSED REGULATIONS

20D.95 Limitations on External Effects of Uses (Performance Standards)

How to Use the Limitations on External Effects of Uses (Performance Standards)

1. Identify what, if any, standards could not be met with normal construction and operational practices. If some cannot, determine what additional measures will be necessary to meet the standards.
2. Monitoring, while not required, is a good strategy to ensure that the standards are being met.
3. If standards are not met during operation, modify processes or structures to meet the requirements.

20D.95.10 Purpose

Certain land uses have the potential to adversely impact nearby uses. Such adverse impacts include vibration, heat, glare, air pollution, odor, radioactive emissions, or electromagnetic interference. This chapter contains standards to prevent unacceptable adverse impacts on nearby uses.

20D.95.20 Applicability

All uses, activities, and structures shall comply with the requirements of this chapter. Uses, activities, or structures that do not comply with these standards shall be brought into conformance with them. With respect to the requirements of this chapter, non-conforming use provisions shall not apply to uses, activities, or structures that do not comply with these requirements.

20D.95.30 Performance Standards

20D.95.30-010 Vibration

Recurrently generated ground vibrations shall not be perceptible by a person of ordinary sensitivity, without instruments, at any point of any boundary line of the property on which a use or structure is located. Vibrations from temporary construction activities and vehicles that leave the property (such as trucks, trains, airplanes and helicopters) are excluded.

20D.95.30-020 Glare and Heat

Any operation producing intense glare or heat shall be conducted within an enclosed building or with other effective screening in such a manner as to make such glare or heat completely imperceptible from any point along the property line.

20D.95.30-030 Light

Exterior lighting; except for overhead street lighting and warning, emergency, or traffic signals; shall be installed in such a manner that the light source will be sufficiently obscured to prevent glare on public streets and walkways or into any residential zone. The installation or erection of any lighting that may be confused with warning signals, emergency signals, or traffic signals shall be prohibited.

20D.95.30-040 Smoke Emissions

- (1) No air contaminant that is of such a shade or density as to obscure an observer's vision to a degree in excess of 20 percent opacity shall be emitted into the atmosphere from any source.
- (2) Exceptions.
 - (a) No air contaminant shall be emitted into the atmosphere from any pilot plant or experimental operation for a period or periods aggregating more than three minutes in any 60 consecutive minutes which is of such a shade or density as to obscure an observer's vision to a degree in excess of 40 percent opacity. This emission standard for pilot plants and experimental operations shall be in effect for a period not to exceed 180 operating days, cumulative total, from the date such operations commence; thereafter, the 20 percent opacity limitations provided in subsection (1) above shall apply to emissions from pilot plants and experimental operations.
 - (b) Emissions from fireplaces used for noncommercial or recreational purposes shall be exempt from subsection (1) above.
 - (c) Subsection (1) above shall not apply to emissions during the buildup of a new fire, cleaning of fires, soot blowing, start-up, any process modification or adjustment or occasional cleaning of control equipment, the shade or appearance of which is not darker than an equivalent opacity so as to obscure an observer's view to a degree not greater than 40 percent for a period or periods aggregating no more than three minutes in any one hour.
 - (d) Subsection (1) shall not apply to fugitive dust.

20D.95.30-050 Odor Emissions

- (1) This section, RCDG 20D.95.30-050 (*Odor Emissions*), shall only apply to uses established after the effective date of this ordinance or buildings constructed after the effective date of this ordinance.
- (2) Recurrently generated offensive odors shall not be perceptible by a person of ordinary sensitivity, without instruments, at any point of any boundary line of the lot or lots on which the use or structure is located. Odors from temporary construction activities and vehicles that leave the lot (such as trucks, trains, airplanes and helicopters) are excluded.

20D.95.30-060 Radioactivity

The emission of radioactive material shall comply with the latest requirements of the State of Washington and U.S. Government pertaining to radiation control and radioactive materials.

20D.95.30-070 Electromagnetic Interference

Electric fields and magnetic fields shall not be created that adversely affect the public health, safety, and welfare including, but not limited to, interference with the normal operation of equipment or instruments or normal radio, telephone, or television reception from off the premises where the activity is conducted. This section does not apply to telecommunication facilities which are regulated by the Federal Communications Commission under the Federal Telecommunication Act of 1996 or its successor.

20D.95.30-080 Loading Operations

- (1) This section, RCDG 20D.95.30-080 (*Loading Operations*), shall only apply to uses established after the effective date of this ordinance or buildings constructed after the effective date of this ordinance.
- (2) Truck or railroad loading or unloading operations located within 200 feet of a residential zone shall not be conducted between the hours of 10:00 p.m. and 6:00 a.m. unless conducted entirely within an enclosed structure.

20D.95.30-090 Hazardous Materials

Uses that use and/or store hazardous materials (including hazardous wastes) on-site shall comply with all fire and building codes applicable to structures containing hazardous materials and with all state and federal requirements. Adequate precautions shall be taken to protect against negative off-site impacts from a hazardous materials release by the using best available technology.

20A.20.070 "G" Definitions

Glare

A bright or dazzling light that substantially interferes that the normal use of property or the operation of motor vehicles on city streets.