



CITY OF SAN ANTONIO  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST

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19 AUG - 8 PM 12:44

TO: Mayor and City Council  
FROM: John Courage, Councilmember District 9  
COPIES TO: Erik Walsh, City Manager; Leticia Vacek, City Clerk; Andy Segovia, City Attorney; John Peterek, Assistant to the City Manager; Christopher Callanen, Assistant to City Council  
SUBJECT: Goodnight, Goodnight Construction Site<sup>1</sup>  
DATE: August 8, 2019

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

Amend Section 21-52 (a)(6) of the Local Government Code to prohibit exterior overnight construction within 300 feet of an inhabited residential property between the hours of 7:00 p.m. and 7:00 a.m. (Monday through Friday) and 7:00 p.m. and 9:00 a.m. (Saturday and Sunday).

Brief Background

Recently, residents in the Deer Hollow and Village on the Hill neighborhoods – located in District 9 – expressed concern and frustration over construction noise that was disturbing them at all hours of the night. These communities are adjacent to developing commercial and multifamily properties. My office confirmed that construction was taking place between midnight and 5:00 a.m. In the Deer Hollow case, residents were informed by SAPD and Development Services that despite the inconvenience, they were unable to intervene. We are certain that other neighborhoods throughout the city are experiencing similar problems. I expect and advocate that all San Antonio residents be afforded peace and quiet when they need it most.

Beyond setting a maximum allowable sound level across a real property boundary of 80 decibels (*sound equivalent to standing in front of a blender or garbage disposal*) at any time, Section 21-52 (a)(6) of our Local Government Code states that loud construction shall be allowed only during the daytime on weekdays. This section of the Code does not provide adequate protection for area residents from excessive overnight noise nuisances and is challenging to enforce.

<sup>1</sup> Rinker, S. D., & Lichtenheld, T. (2011). *Goodnight, goodnight, construction site*. San Francisco, CA: Chronicle Books.



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**Adopted Ordinances in Texas**

Fort Worth prohibits noise created by construction work within 300 feet of an occupied residential structure involving the erection, excavation, demolition, alteration, or repair of any building, structure, or flatwork as follows: Before 7:00 a.m., or after 8:00 p.m. Monday – Friday and before 9:00 a.m. or after 8:00 p.m. Saturday – Sunday.

Dallas limits major construction activity adjacent to residential uses to the hours of 7:00 a.m. to 7:00 p.m. Monday – Friday and 8:00 a.m. to 7:00 p.m. on Saturdays and legal holidays, but does allow permits to be issued by the director of public works to exceed these hours in the name of public health, safety, or welfare.

These are just two examples which we could build upon to provide the best local solution.

The goal of this initiative is not to prevent development in any sense, but ask that the City require developers to respect the communities in which they have chosen to build. In order for San Antonio to undergo smart and responsible growth, the peace and quiet our residents enjoy in their homes should be respected.

Submitted for Council consideration by: John Courage  
Councilman John Courage, District 9

Supporting Councilmembers' Signatures (4 only)	District
1. <u>[Signature]</u>	<u>1</u>
2. <u>Lada Andrews Sullivan</u>	<u>2</u>
3. <u>[Signature]</u>	<u>4</u>
4. <u>[Signature]</u>	<u>7</u>