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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3491

AN ORDINANCE establishing maximum permissible environmental noise levels within the City, establishing areas or zones within the City within which maximum permissible environmental noise levels apply; declaring certain noises to be a nuisance; adding new chapter 9.18 to the Bellevue City Code; and declaring the existence of an emergency and setting forth the facts constituting that emergency.

WHEREAS, inadequately controlled noise adversely affects the health, safety and welfare of the people, the value of property, and the quality of the environment; and

WHEREAS, there is a need to establish regulations regarding the abatement and control of noise, considering the social and economic impact upon the community; and

WHEREAS, an emergency exists in the City that requires that this ordinance be effective upon adoption for the immediate preservation of public peace, health and safety; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. A new chapter 9.18 is hereby added to the Bellevue City Code to read as follows:

CHAPTER 9.18
NOISE CONTROL

Section 9.18.010 Purpose. The purpose of this chapter is to control noise which adversely affects the health, safety and welfare of the people, the value of property, and the quality of the environment by establishing maximum environmental noise levels applicable within designated areas or zones of the City and to declare certain deleterious noise to be a public nuisance.

Section 9.18.020 State Regulations Adopted. The City of Bellevue adopts the maximum permissible environmental noise levels and exemptions set forth in Washington Administrative Code 173-60-040 and Washington Administrative Code 173-60-050.

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Section 9.18.030 Identification of Environments. The environmental designation for noise abatement of any property shall, for purposes of this chapter, be based on the criteria set forth in Washington Administrative Code 173-60-030(1)(a)(c).

Section 9.18.040 Noise--Public Nuisance. Any noise which injures, or endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or the use of property, is declared to be a public nuisance and is a violation of this chapter. Any such nuisance may be abated as provided for in Bellevue City Code Chapter 9.10.


Section 9.18.050 Violation a Misdemeanor. Any person violating this chapter is guilty of a misdemeanor.

Section 2. An emergency exists in the City of Bellevue in that there are repeated and recurring instances of excessive noise occurring in the City which are injurious to the peace, health, safety and property of persons, thereby making it necessary that this ordinance be made effective upon adoption for the immediate preservation of public peace, health and safety.

Section 3. This ordinance is hereby declared to be an emergency ordinance necessary for immediate preservation of public peace, health, and safety and shall be effective upon adoption by unanimous vote of the City Council.

PASSED by unanimous vote of the whole membership of the City Council this 6th day of May, 1985 and signed in authentication of its passage this 6th day of May, 1985.

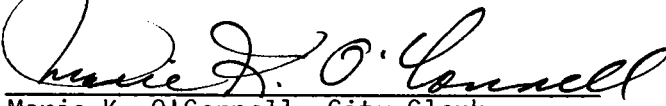
(SEAL)


Cary E. Bozeman, Mayor

Approved as to form:


Richard L. Andrews, City Attorney

Attest:


Marie K. O'Connell, City Clerk

Published May 10, 1985