

# Council Business Meeting

February 5, 2019

<b>Agenda Item</b>	Request from the Oregon Department of Transportation for a Noise Exemption Permit for Night Work to Complete Traffic Signal Upgrades	
<b>From</b>	Scott Fleury PE	Deputy Public Works Director
<b>Contact</b>	<a href="mailto:scott.fleury@ashland.or.us">scott.fleury@ashland.or.us</a>	541-552-2412

## **SUMMARY**

Before the Council is a request from the Oregon Department of Transportation (ODOT) to authorize a noise exemption permit for night work to upgrade traffic signals. ODOT's overall project will upgrade signals in 16 cities within ODOT Region 3. The work is planned for January through August of 2019. There are 12 signals within Ashland that will be upgraded by a contractor under contract with ODOT.

## **POLICIES, PLANS & GOALS SUPPORTED**

*City Council:*

*21. be proactive in using best practices in infrastructure management and modernization*

Department Goals:

- Maintain existing infrastructure to meet regulatory requirements and minimize life-cycle costs
- Deliver timely life cycle capital improvement projects
- Maintain and improve infrastructure that enhances the economic vitality of the community

## **PREVIOUS COUNCIL ACTION**

The City Council has previously approved nighttime construction work within City limits to minimize the disturbance to the traveling public that can be created with daytime construction activities.

## **BACKGROUND AND ADDITIONAL INFORMATION**

ODOT has requested the ability to perform nighttime work associated with their signal upgrade project. Ashland Municipal Code (AMC 9.08.170(6)) details work hours for construction projects within the public right of way. Approved hours are from 7:00 am to 7:00 pm on weekdays and 8:00 am to 6:00 pm on weekends. Nighttime work under certain circumstances can be approved by the City Administrator as allowed by the AMC. ODOT's proposed nighttime work for the signal upgrade project could possibly exceed the ten (10) days total time allowable under Administrator approval, thus staff is bringing forward the request to Council for approval of nighttime work to exceed 10 total days.

## **Work Proposed**

ODOT is upgrading signal lenses and reflectorized back plates at 126 locations in Southwest Oregon.

In some locations, new wires will be installed to accommodate an additional signal head for right turns. The new wires will run through existing conduit and no trenching will be needed. There are nine additional intersections where ODOT proposes to replace the LEDS in the signals. All locations are within ODOT jurisdiction. No right of way will be needed for this project and no ground disturbance will occur. This project will: increase visibility of the signals, save taxpayers on electrical costs and increase safety for pedestrians by holding right turning traffic when the crosswalk is in walk mode.

ODOT and staff feel the work proposed is best served to be completed at night due to the reduction in traffic volumes which will minimize disturbance to the traveling public, but also provide safer conditions for the contractor performing the work.

**Permit Conditions of Approval**

If approved by Council staff recommends specific conditions of approval that include:

1. Notification by ODOT to City 24 hours in advance of construction activities with specific location and hours of proposed nighttime work.
2. ODOT to notify adjacent residents via door hangar of nighttime work activities.

*City will post on the Public Works website and Facebook page indicating the specific locations and times of nighttime work activities.*

**AMC 9.08.170 (6)**

*Construction or Repair of Buildings, Excavation of Streets and Highways.* The construction, demolition, alteration or repair of any building or the excavation of streets and highways other than between the hours of 7:00 a.m. and 7:00 p.m., on weekdays, and 8:00 a.m. and 6:00 p.m. on weekends and holidays, except in the case of an emergency in the interest of the public welfare and safety. In cases of emergency, construction or repair noises are exempt from this provision. In nonemergency situations, the City Administrator may issue a permit, upon application, if the City Administrator determines that the public health and safety, as affected by loud and raucous noise caused by construction or repair of buildings or excavation of streets and highways between the hours of 7:00 p.m. and 7:00 a.m. will not be impaired, and if the City Administrator further determines that loss or inconvenience would otherwise result. The permit shall grant permission in nonemergency cases for a period of not more than five days. The permit may be renewed once for a period of five days or less. The actual owner of property may do work on property which is owner occupied between the hours of 6:00 p.m. and 10:00 p.m. without obtaining a permit under this paragraph.

**FISCAL IMPACTS**

There are no fiscal impacts.

**STAFF RECOMMENDATION**

Staff recommends approval of the nighttime construction activities with appropriate noticing to be done by ODOT and City staff.

**ACTIONS, OPTIONS & POTENTIAL MOTIONS**

- 1) I move approval of a noise exemption permit for ODOT night work to complete traffic signal upgrades.
- 2) I recommend the City not approve the nighttime work permit and require ODOT to direct their contractor to complete all construction activities between 7:00 a.m. and 7:00 p.m.

**REFERENCES & ATTACHMENTS**

Attachment 1: ODOT Memo

Attachment 2: Signal Location Map

**STATE OF OREGON**  
**Department of Transportation**  
**Region 3**

Planning and Programming Unit  
3500 NW Stewart Parkway  
Roseburg, Oregon 97470  
(541) 957-3521 FAX (541) 957-3547

**INTEROFFICE MEMO**

File Code: PLA

Date: 8.28.18

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**TO:** Scott Fleury, City of Ashland Engineering Services Manager

**FROM:** Janell Stradtner, Transportation Planner

**SUBJECT:** **Signal Upgrade – Ashland Noise Exemption**

The Oregon Department of Transportation is requesting a noise exemption to the normal operating hours of 7 AM to 7 PM weekdays and 8 AM to 6 PM on weekends and holidays for the Sothern Oregon Signal Upgrade STIP project.

The Southern Oregon Signal Upgrade STIP project involves 16 cities in Southern Oregon. The time frame for the work will be from January through August of 2019. Each signal should take 1-2 nights to complete. For safety reasons and inconveniencing of the traveling public the work needs to be completed at night.

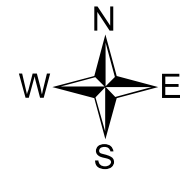
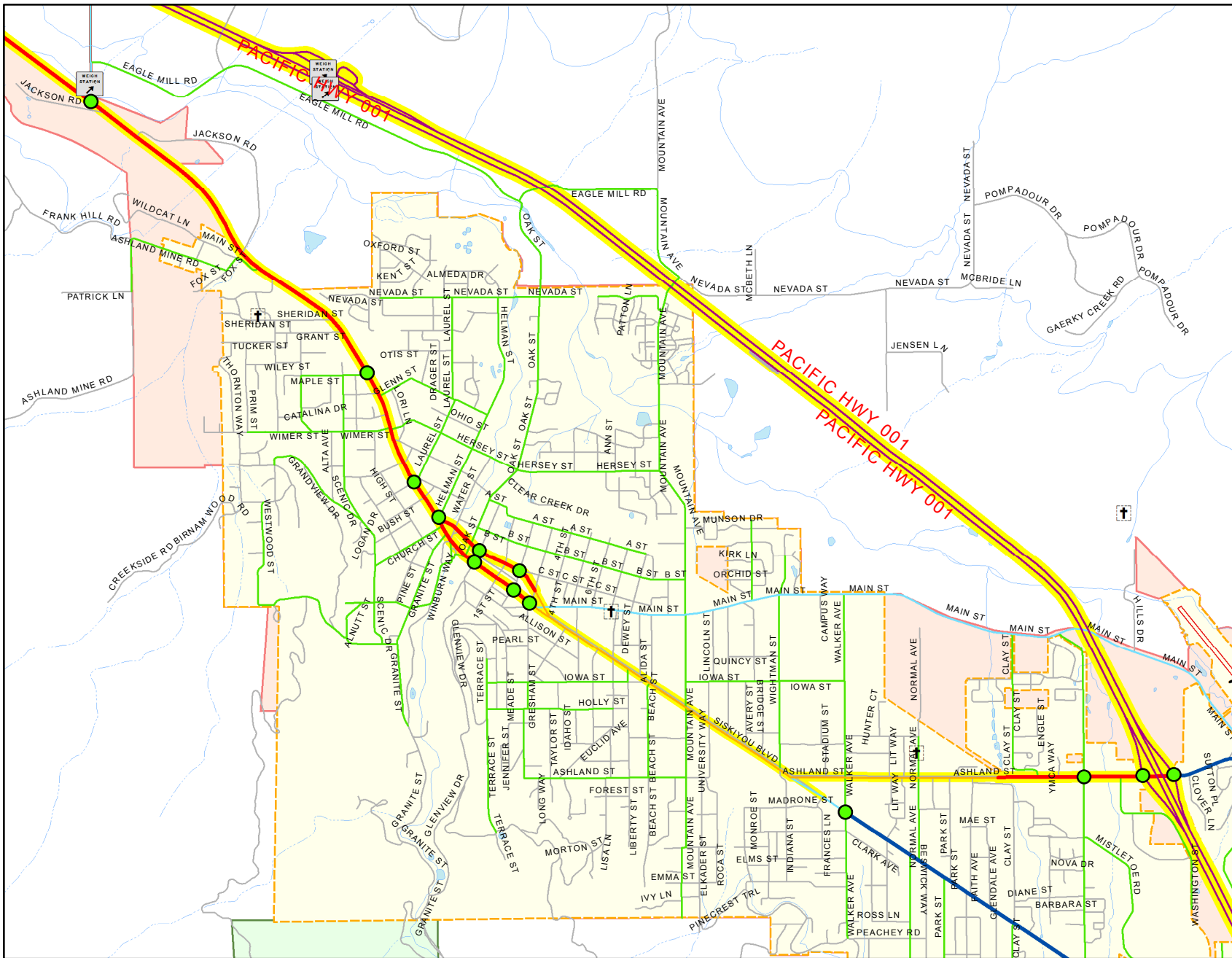
I've included a map and list of the multiple locations throughout Ashland. Work will involve replacing the traffic signal bulbs or heads and adding reflectorized back-plates on the signals.

Since there are numerous locations throughout Ashland the request will exceed the 5-day limit for noise exemptions.

Gary Leaming, ODOT's Public Information Specialist, will give the city more accurate dates as the project nears. His contact information is:

Oregon Department of Transportation  
Gary Leaming, Public Information Specialist  
100 Antelope Road, White City, OR 97503  
541.774.6388  
gary.w.leaming@odot.state.or.us

Ashland Municipal Code 9.08.170(D.6) allows for the City Administrator to approve and issue a permit. Code states "City Administrator may issue a permit, upon application, if the City Administrator determines that the public health and safety, as affected by loud and raucous noise caused by construction or repair of buildings or excavation of streets and highways between the hours of 7:00 p.m. and 7:00 a.m. will not be impaired, and if the City Administrator further determines that loss or inconvenience would otherwise result. The permit shall grant permission in non-emergency cases for a period of not more than five days. The permit may be renewed once for a period of five days or less."



OREGON DEPARTMENT OF TRANSPORTATION

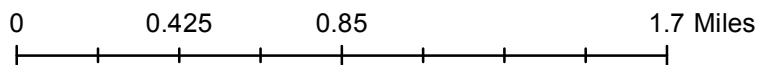
# Southern Oregon Signal Upgrades

Ashland

● Signal Head Replacement

KN 21308

Federal Aid No. SA00(194)



May 2018