

ORDINANCE NO. 1199

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAUSALITO
AMENDING SECTION 12.16.140 OF THE SAUSALITO MUNICIPAL CODE
REGARDING TIME RESTRICTIONS ON OPERATING CONSTRUCTION
DEVICES IN RESIDENTIAL ZONES**

THE CITY COUNCIL OF THE CITY OF SAUSALITO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 12.16.140 of the Sausalito Municipal Code is hereby amended to read as follows:

- A. The operation of construction, demolition, excavation, alteration or repair devices and equipment shall only take place during the following hours:
 - 1. Weekdays - Between eight a.m. and six p.m.
 - 2. Saturdays - Between nine a.m. and five p.m.
 - 3. Sundays - Prohibited.
 - 4. Holidays officially recognized by the city of Sausalito not including Sundays - Between nine a.m. and seven p.m.

- B. Homeowners currently residing on the property and all other legal residents may operate construction, demolition, excavation, alteration or repair devices and equipment themselves on their own property on Sundays and holidays officially recognized by the City provided that such operations occur between 9:00 am and 6:00 pm and otherwise comply with the city's laws regulating noise

- C. For purposes of this Section 12.16.140 "holidays officially recognized by the City" are those holidays indicated on the official City Calendar which is adopted by the City Council as it currently exists and may hereinafter be amended.

Section 2. The adoption of this ordinance is exempt from the application of the California Environmental Quality Act, Public Resources Code section 21000, *et seq.*, in accordance with section 15305 (Minor Alterations in Land Use Limitations).

Section 3. This ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The City Council hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

