



500 West Big Beaver
Troy, MI 48084
troymi.gov

FROM THE OFFICE OF THE CITY MANAGER

Date: December 12, 2024
To: Frank Nastasi, City Manager
From: Robert J. Bruner, Deputy City Manager
Dylan Clark, Management Analyst
Subject: Troy City Code Chapter 88

Background

Troy City Code Chapter 88 – Nuisances, Section 9.5 regulates construction noise within the City of Troy and reads as follows:

Noises. Among other, each of the following acts is declared unlawful and is prohibited, but this enumeration shall not be deemed to be exclusive, namely

(a)...

(h) *Construction Noises. The erection (including excavating), demolition, alteration, or repair of any building, the excavation and/or grading of streets, highways, or private property other than between the hours of 7:00 a.m. and 8:00 p.m. on Mondays through Saturdays, unless a permit be first obtained from the Building Department for building work or from the Engineering Department for street work.*

At the November 11, 2024 City Council meeting, council requested that City Management provide research as to the possibility of amending City Code Chapter 88, Section 9.5 (h), specifically as it pertains to changing the Saturday construction start time from 7:00 AM to 8:00 AM.

It was also asked that Management provide insight regarding landscaping related noises, and their relationship with the noise ordinance.

Research

There is no specific mention of landscaping within the noise ordinance, but DPW and City Contractors utilize the Construction Noise ordinance to inform when city-owned property ought to be cut. The Troy Police Department, the City's enforcement mechanism for noise nuisances, considers lawn care to be a general noise complaint. These are often considered neighbor disputes and instead of deferring to the construction hours, officers work with the residents to achieve an outcome that is beneficial to all parties.

Management researched surrounding communities' noise ordinances which yielded the following results:



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Community	Monday through Saturday	Sunday
Birmingham	7:00 AM - 7:00 PM	-
Farmington Hills	7:00 AM - 7:00 PM	-
Novi	7:00 AM - 7:00 PM	-
Rochester Hills	7:00 AM - 8:00 PM	-
Royal Oak	7:00 AM - 8:00 PM	10:00 AM - 6:00 PM
Sterling Heights	7:00 AM - 9:00 PM	7:00 AM - 9:00 PM
Troy	7:00 AM - 8:00 PM	-

Management also sought the opinion of staff in order to gauge how, if at all, a change from 7:00 AM to 8:00 AM would affect operations. This can be broken down into three categories:

Enforcement: Construction noise complaints are infrequent. A change would have little to no impact to the Police Department’s ability to enforce the noise ordinance.

City Operations: Without municipal exception, a change would have a negative impact on the City’s ability to carry out work, from maintenance to road work. As an example, road work early in construction season requires earlier start times when temperatures are manageable. Road work late in construction season requires an earlier start time as daylight is limited. A change would also likely increase workload with an expected increase in the number of special work permits for early start.

Residents and Businesses: A change may improve the quality of life for residents by reducing noise. However, a reduction in noise may not impact overall frustration with major construction projects. The change may negatively impact residents’ and businesses’ ability to complete work, particularly as it pertains to residents that may only have the weekend work on home improvements.

Next Steps

Chapter 5, Section 5.3 of Troy’s Charter dictates that amendments to ordinances within Troy’s city code must be done through the adoption of an updated ordinance, with the revised section re-enacted and published in full, via the affirmative vote of not less than a majority of the members elect of City Council.

Discussions with staff have revealed that Troy Code Chapter 88 may be outdated, and updates including, but not limited to, specified hours for landscaping or expanded exemptions for City projects may be beneficial for consideration. A 7:00 AM start time for construction on Saturday is consistent with surrounding communities. A change to this start time may reduce noise concerns and may not affect enforcement. However, this change may also have a negative impact on the City’s operational efficiency as well as residents’ and business’ ability to complete work.

If Council desires to move forward with any change to the code, Management may work with staff and the City Attorney to prepare updated language for City Council’s consideration at a future date.