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8-21-2023

RESOLUTION 23-163

A RESOLUTION TO AUTHORIZE EXTENSION OF CONSTRUCTION HOURS FOR T.W. FRIERSON CONTRACTOR, INC. FOR TIMBERLINE DRIVE WAREHOUSE

WHEREAS, Title 11, Chapter 4, Section 11-402 of the Spring Hill Code of Ordinances states that,

“(10) *Construction or repairing of buildings.*

(a) The erection (including excavation), construction, demolition, alteration or repair of any building other than between the hours of 7:00 a.m. to 6:00 p.m. on weekdays (7:00 a.m. to 8:00 p.m. June 1 - August 30), and from 9:00 a.m. to 6:00 p.m. on Saturday. Work may also begin on Saturdays at 7:00 a.m. if it would not result in any loud, disturbing, or unnecessary noise that would otherwise violate this chapter. No work shall be performed on New Year’s, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas holidays that would result in any loud, disturbing, or unnecessary noise that would otherwise violate this chapter and shall be considered as a Sunday for purposes of this section. An exception to this section is work that is inherently creates no detectable noise from beyond the property boundary including loud voices or radios (for example, painting with brushes and rollers not attached to pumps, tile or carpet work where no use of hammers, saws or other noise producing equipment is utilized). This section shall not apply to homeowners and occupants performing exterior work at or on their principal place of residents after 7:00 a.m. and before 6:00 p.m.; and

(b) If the City Administrator or his or her designee should determine that the interest of the public health and safety are served by the erection, demolition, alteration or repair of any building or the excavation of streets or highways, outside the hours stated above and, if he or she shall determine that any loss or inconvenience that might result is outweighed by the public’s interest in its safety and welfare, he or she may grant permission for a permit not to exceed 30 days for such work to be done outside the hours stated above, upon application being made. ; and . . .”

WHEREAS, T.W. Frierson Contractor, Inc. is requesting an extension of construction hours to include Sunday construction in order to perform installation of curbs and asphalt pavement.

WHEREAS, the applicant is requesting Sunday work be permitted until curb installation and asphalt pavement is completed.

WHEREAS, if the request is approved construction activity on Sundays would only be permitted between 9:00 AM and 6:00 PM

WHEREAS, The City of Spring Hill Board of Mayor and Alderman find this request reasonable given the project is surrounded by entirely industrially zoned property to the east, south, and west and bounded by Saturn Parkway along the northern property line.

NOW THEREFORE BE IT RESOLVED that the Board of Mayor and Aldermen of the City of Spring Hill, authorizes the extension of construction hours for Williamson County School Board and associated contractors with the following criteria:

1. The extension is permitted until completion of the curb and asphalt installation or September 15, 2023, whichever occurs first.
2. If the extension of construction hours expires an additional request will be required to be approved by BOMA.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 21st Day of August, 2023.

Jim Hagaman, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:

Patrick Carter, City Attorney



T.W. FRIERSON
CONTRACTOR, INC.

August 7, 2023

Mrs. April Goad
City of Spring Hill
P.O. Box 789
Spring Hill, TN 37174

RE: Sunday Work Request
Griffin
TWF Project # 22-019K

Mrs. Goad,

T.W. Frierson Contractor, Inc. is requesting to be able to work on the above-referenced project to place concrete curbs and/or asphalt pavement on Sundays, which is outside of normal working hours listed in the Spring Hill Noise Ordinance. We are requesting this time variance due to the weather we have experienced over the past several months, which has impacted our ability to complete the site work and complete our asphalt paving. We would like the ability to place concrete curb and/or asphalt paving on Sundays when the weather allows.

We are asking that this request be added to the agenda at the next BOMA meeting, or sooner if possible. Please advise if you have any questions or need further information.

Sincerely,
T.W. Frierson Contractor, Inc.

Justin Cochrane
Senior Project Manager

CC: Brad Jameson – Griffin Partners
Jack Barrett – T.W. Frierson Contractor, Inc.
Lance Holdorf – City of Spring Hill
Peter Hughes – City of Spring Hill
File