



## **Staff Report**

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RESOLUTION AUTHORIZING THE CITY OF BELMONT TO BE EXEMPT FROM BELMONT MUNICIPAL CODE, ARTICLE VIII – NOISE CONTROL ORDINANCE FOR THE EMMETT HOUSE RELOCATION PROJECT, CITY CONTRACT NUMBER 478

Honorable Mayor and Council Members:

### **Summary**

Staff is seeking authorization from City Council to exempt the City of Belmont from the Municipal Code, Article VIII – Noise Control Ordinance for the Emmett House Relocation Project, City Contract Number 478.

### **Background**

City Council has authorized the relocation of the Emmett House from its current location on Ralston Avenue to 1000 O’Neill. The relocation will require closing Ralston Avenue and Sixth Avenue to traffic for four to five hours to facilitate the actual move. Sixth Street may not have sufficient width for the entire length to facilitate the house move. El Camino Real may be the preferred alternate route. The City will have to obtain a permit from Caltrans to use El Camino Real. Caltrans will determine the time of day that the house may be moved.

### **Discussion**

It is highly desirable to relocate the Emmett House during the late night hours to minimize the impact on the public and to maximize the safety of the physical move.

The City planned to move the house outside the allowable construction hours outlined in the Municipal Code to minimize the impact on the community by moving the house during late night hours.

The Municipal Code, Section 15-103 – Exemptions indicates that City Council may exempt capital improvement projects from the Noise Ordinance. The Belmont Municipal Code does allow the City Council to exempt any capital improvement project from the noise provisions of the Municipal Code and allow for work outside the hours designated by the Municipal Code.

### **General Plan/Vision Statement**

No impact.

**Fiscal Impact**

There is no fiscal impact as the result of Council taking this action.

**Public Contact**

Posting of City Council agenda.

**Recommendation**

It is recommended that the City Council authorize the City of Belmont to be exempt from Belmont Municipal Code, Article VIII – Noise Control Ordinance for the Emmett House Move, City Contract Number 478.

**Alternatives**

1. Take No Action.
2. Refer back to staff for further information.
3. Deny the request.

**Attachments**

- A. Resolution

Respectfully submitted,

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Raymond E. Davis III, PE, PTOE  
Public Works Director

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Jack R. Crist  
City Manager

**Staff Contact:**

Ray Davis, Public Works Director  
595-7460  
[rdavis@belmont.gov](mailto:rdavis@belmont.gov)

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT  
AUTHORIZING THE CITY OF BELMONT TO BE EXEMPT FROM BELMONT  
MUNICIPAL CODE, ARTICLE VIII – NOISE CONTROL ORDINANCE FOR THE  
EMMETT HOUSE RELOCATION PROJECT, CITY CONTRACT NUMBER 478**

**WHEREAS**, the Council has authorized the relocation of the Emmett House from its current location on Ralston Avenue to 1000 O’Neill; and,

**WHEREAS**, the relocation will require closing Ralston Avenue and Sixth Avenue to traffic for four to five hours to facilitate the actual move; and,

**WHEREAS**, the City planned to move the house outside the allowable construction hours outlined in the Municipal Code to minimize the impact on the community by moving the house during late night hours; and,

**WHEREAS**, the Belmont Municipal Code, Section 15-103 – Exemptions, does allow the City Council to exempt any capital improvement project from the noise provisions of the Municipal Code and allow for work outside the hours designated by the Municipal Code.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Belmont authorizes the City of Belmont to be exempt from Belmont Municipal Code, Article VIII – Noise Control Ordinance for the Emmett House Move, City Contract Number 478.

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I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on October 9, 2007 by the following vote:

AYES, COUNCILMEMBERS: \_\_\_\_\_

NOES, COUNCILMEMBERS: \_\_\_\_\_

ABSTAIN, COUNCILMEMBERS: \_\_\_\_\_

ABSENT, COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_  
CLERK of the City of Belmont

APPROVED:

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MAYOR of the City of Belmont