

CITY OF PORTLAND, MAINE  
DEPARTMENT OF PUBLIC SERVICES  
TIME WAIVER REQUEST

DATE:

TO: Director of Public Works  
55 Portland Street  
Portland, ME 04101

REGARDING: Request for Waiver of Established Work Hours for  
Construction Activities - - Section 17-18 of the  
Municipal Code

Dear Sir:

My firm of \_\_\_\_\_  
(NAME OF FIRM) (ADDRESS) (TELEPHONE) (FAX) (CONTACT PERSON)  
requests a waiver of the City of Portland from its Municipal Code, Section 17-18 (see  
back of waiver request form) prohibiting construction activities between the hours of  
7:00 p.m. and 7:00 a.m. of the following morning.

We are doing \_\_\_\_\_ type of construction activity at  
\_\_\_\_\_ in Portland, Maine, and request permission to  
(ADDRESS)  
begin work at \_\_\_\_\_ a.m., and end work by \_\_\_\_\_ p.m. for \_\_\_\_\_  
day (s). Work will begin on \_\_\_\_\_ and cease on \_\_\_\_\_.

I understand and agree that if this waiver is approved, work will be of a non-reoccurring  
nature as noted in the ordinance and is acceptable only for the above listed company,  
location, single-construction activity and time.

SIGNED: \_\_\_\_\_  
(SIGNATURE OF APPLICANT)

\_\_\_\_\_  
(COMPANY)

\_\_\_\_\_  
(DATE)

APPROVED: \_\_\_\_\_  
(DIRECTOR OF PUBLIC SERVICES)

\_\_\_\_\_  
(DATE)

Sec. 17-18 Construction activities.

(a) No person shall engage in construction activities between the hours of 7:00 p.m. and 7:00 a.m., of the following day within five hundred (500) feet of any building used for residential, hospital or nursing home purposes.

(b) Construction activities shall include, but not be limited to, the following:

- (1) The use or operation of power or heavy equipment in connection with road, street, or bridge construction, reconstruction or repair;
- (2) The use or operation of power or heavy equipment in connection with the installation or repair of utility lines, pipes, wires or cables;
- (3) The use or operation of power or heavy equipment in connection with the construction of buildings, including specifically excavation for foundations or landscaping work of any kind;
- (4) The renovation, repair, remodeling or demolition of any existing building or structure.

(c) This section shall not apply in the following situations:

- (1) Emergency repair work on any utility line, pipe, wire or cable required to restore normal utility service;
- (2) Situations where the public works authority determines that the construction activity is of a unique character which cannot reasonably be completed or performed during the permitted hours and which is not of a recurring nature, provided that prior to engaging in such activity the contractor or his representatives gives notice of the time and scope of such proposed activity, the notice to be given in a manner approved by the public works authority (Code 1968, ξ 703.3A; Ord. No. 403-71, 8-16-71).