

REVIEWED  
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LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

# NOISE PERMIT

PURSUANT TO DESCHUTES COUNTY CODE (DCC) CHAPTER 8.08

LOCATION: US Highway 20 from milepost (MP) 14.31 to 17.43, within County limits and the Unincorporated Community of Tumalo, (see attached Location Map).

FILE NUMBER: 247-22-000903-V

OWNER: Oregon Department of Transportation (ODOT)

PHONE: (541) 388-6180

PROJECT DESCRIPTION: The applicant requests approval of a noise permit to allow nighttime construction for the proposed ODOT Tumalo-Cooley Road project which will include:

- 1. Paving operations
- 2. Lane extensions
- 3. Roundabout construction

DATES AND TIMES OF PROJECT: Construction activities are expected to begin January 12, 2023, with a completion date of November 30, 2023. Nighttime construction will occur from 10:00 p.m. to 7:00 a.m.

FINDINGS: The Board of County Commissioners ("Board") finds that a public necessity exists for granting this permit for construction hours between 10:00 p.m. and 7:00 a.m. The Board has the authority to approve the requested variance under Deschutes County Code section 8.08.080, and bases the findings on evidence in the record and testimony at the hearing. These findings include:

- 1. A need to increase safety and reduce crash rates on US Highway 20;
- 2. Improve safety for workers by completing work during periods of lowest traffic volume; and
- 3. A desire to conduct construction from 10:00 p.m. to 7:00 a.m. to minimize traffic delays, decrease the risk of construction related accidents on US Highway 20.

CONDITIONS OF APPROVAL:

1. Construction activities may be conducted beginning January 12, 2023
2. Fifteen days prior to commencing any construction activities, the Owner shall notify all property owners who testified at the public hearing for this permit of the dates and times the construction activities will occur.
3. This permit expires November 30, 2023.
4. THE APPROVED PERMIT SHALL BE RETAINED ON-SITE UNTIL THE PROJECT IS COMPLETE.
5. BY ACCEPTANCE OF THIS PERMIT, OWNER/OPERATOR CONSENT TO ALLOW BOTH COUNTY CODE ENFORCEMENT AND LAW ENFORCEMENT PERSONNEL TO COME ON THE PREMISES FOR WHICH THE PERMIT HAD BEEN GRANTED FOR THE PURPOSE OF INSPECTION AND ENFORCEMENT OF THE TERMS AND CONDITIONS OF THE PERMIT AND DCC 8.08, AND ANY OTHER APPLICABLE LAWS OR ORDINANCES.

Dated this \_\_\_\_\_ of \_\_\_\_\_, 2023

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

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ANTHONY DEBONE, Chair

\_\_\_\_\_  
PATTI ADAIR, Vice Chair

ATTEST:

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Recording Secretary

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PHIL CHANG, Commissioner

Exhibit A: Location Map