

Board of Public Health and Environment

Alisha Brown, Chair

Jim Rada, Vice Chair

Patti Shwayder

Jim Garcia

Chris Wiant

Lewis Koski

Celia Vanderloop

Genene Duran

Cathy Cooney

September 6, 2018

BEFORE THE BOARD OF
PUBLIC HEALTH AND ENVIRONMENT
CITY AND COUNTY OF DENVER

ORDER OF THE BOARD OF PUBLIC HEALTH AND ENVIRONMENT

IN THE MATTER OF:

Petition for Variance on Appeal from Kiewit Infrastructure Co., to the City and County of Denver's Noise Ordinance, Denver Revised Municipal Code Chapter 36, Docket No. BPHE 18-17

On August 20, 2018, Kiewit Infrastructure Co. ("Petitioner"), filed an Amended Petition for Variance on Appeal with the Board of Public Health and Environment for the City and County of Denver ("Board") seeking a variance of Denver's Noise Ordinance, Denver Revised Municipal Code Chapter 36. On August 28, 2018, the Department of Public Health and Environment ("Department") filed its Findings and Recommendations, wherein the Department recommended that the Board approve the Petitioner's variance for nighttime construction with certain conditions.

The Board finds that Petitioner has met its burden of proof pursuant to section 3.10 of the Rules and Regulations Governing Hearings Before the Board of Environmental Health, dated March 14, 2014 and, as such, hereby approves the Amended Petition with the following conditions:

1. Petitioner shall comply with all conditions outlined in the Department's Findings and Recommendations, dated August 28, 2018 (Attachment 1), except for the duration condition; and
2. The duration of the variance shall extend until no later than September 6, 2019.

s/ Alisha Brown

Alisha Brown

Chair, Board of Public Health and Environment