

CITY OF CAMBRIDGE
POLICE DEPARTMENT
INTEROFFICE CORRESPONDENCE

TO: Mr. Paul E. Healy
City Clerk
FROM: Ray Santilli *RS*
Police Department
SUBJECT: City Council Order #11

DATE: April 22, 1985

REFERENCE:

In the above referenced City Council order, mention was made of specifications described in the noise ban regulation presented to the City Council by Diane Tabor on February 26, 1985. So that the Police Department may properly respond to the order, may we receive a copy of the specifications.

Thank you for your attention.

4/24/85

TO: Ray Santilli, Police Dept.
FROM: Paul E. Healy, City Clerk
RE: Your above memo

In response to your above memo, attached you will find a copy of the joint report of the Committees on Public Safety and Transportation after hearing held on February 26, 1985. Said report relative to truck traffic passing through Cambridge, and testimony concerning noise, pollution & frequency of such truck travel. Also enclosed is a copy of City Council Order #11 of April 1, 1985, which refers specifically to this matter, and for informational purposes, we are enclosing a copy of the Noise Ordinance.

We hope you will find this information of assistance.

City of Cambridge

In City Council March 4, 1985

The Committee on Public Safety and the Committee on Transportation conducted a public hearing on Tuesday, February 26, 1985 beginning a 7:00 PM in the City Council Chambers. The purpose of the hearing was to discuss the serious issue of truck traffic traveling through Cambridge.

Councillor Alice Wolf, Chair of the Public Safety Committee, opened the hearing by stating that many residents and City Councillors have been working on this issue for many years. Furthermore, she stated she had written a memo to the City Manager requesting information from both Police Chief Anthony Paolillo and Traffic Director George Teso which would assist the Committees and the general public in understanding what has been done, the statutory authority of the Traffic Department and a description of enforcement regulations which may be on-going relative to alternative truck routes.

At this time Mr. Teso outlined to the Committee that essentially his authority is derived from a Special Act of the Legislature, Chapter 455, Acts of 1961. This enables him to promulgate rules and regulations prohibiting heavy commercial wheels from public ways. He further stated that current regulations of the Traffic Department were constituted in 1966 and amended in 1983.

Mr. Teso stated that truck traffic has always been a difficult problem and one that often times takes several years and the cooperation of State agencies and adjoining cities. He stated he will not take trucks from one street only to put them on others. He further stated that 40% of the goods and services are transported by trucks. Furthermore, he stated that 66% of all trucks traveling through Cambridge neither originate nor have a destination here. He further stated that many studies have already been completed dealing with alternative truck routes but as of yet none have been implemented. Mr. Teso further stated that several pieces of legislation are currently pending before the Legislature and that State Secretary of Transportation Frederick Salvucci has indicated his willingness to look at these both. However, it is important that he be encouraged to do so by the City Council and the City Manager.

At this time Councillor David Sullivan asked a series of questions regarding the current Prospect Street route and the midnight to 6:00 AM restriction and the general rules regulating dangerous cargo. Mr. Teso responded by stating that truckers would prefer to travel during non-peak hours when it is possible. He further stated that the City is bound by Chapter 90 of the Massachusetts General Laws in terms of vehicles traveling through the streets. Furthermore he stated that in terms of regulating the type of dangerous cargo that is up to the Health and Fire Departments.

At this point Police Chief Anthony Paolillo outlined the manner by which his department enforces the regulations issued by Mr. Teso. He further stated that during the past year his department issued 24,000 moving violations, including automobiles as well as trucks. He further stated he has fifteen patrol officers assigned to the Traffic Division and they have been concentrating on such specific truck routes as River Street, (249 violations), Western Avenue (61 violations), Gore Street (25 violations), Prospect Street (30 violations).

Councillor David Sullivan questioned whether or not the fines for violations were enough. Chief Paolillo responded by stating the fines were set by statute and currently chap. 90 16 calls for a \$100 fine and chap. 85 16 calls for a \$50 fine. Councillor David Sullivan stated that possibly the fines are too low and that trucking companies are considering paying the fines as a cost of doing business.

Chief Paolillo stated that some trucks carry letters which paraphrase Mr. Teso's rules and regulations, but some concern and confusion has developed. Apparently these letters are not totally correct.

Councillor David Sullivan questioned the source of the letters. Mr. Teso responded by stating it come from the wording from the agreement he has with the Commonwealth.

Councillor Wolf questioned whether or not there was regular communications between the Police and Traffic Departments. Chief Paolillo responded by stating that monthly meetings are held between the two departments.

Councillor Wolf suggested that possibly a regulation could be issued allowing trucks to travel between the hours of midnight to 6:00 AM versus 7:00 AM to midnight. Mr. Teso responded by stating that the noise factor becomes a real issue at that hour of the evening.

Councillor Wolf questioned whether or not Chief Paolillo was having any success dealing with the truckers as to establishing alternative routes. Chief Paolillo responded by stating he has been able to direct some but not many trucks.

At this time Councillor Wolf stated the public could provide testimony. A series of local residents appeared before the committee to offer testimony outlining their concerns regarding the noise, pollution and frequency of trucks traveling throughout their neighborhood, as well as what they perceived as a general lack off enforcement.

Those offering testimony were:

Celia Somervell
1717 Cambridge Street

Thomas Lampi
326 Broadway

David Sherman
171 Auburn Street

Diane Tabor
132 Magazine Street

Susan Holiday
65 Pleasant Street

Walter Scher
244 River Street

Asaph Gay Lee-Smith
65 Putnam Avenue

Steven Clark
3 Tremont Street

Ronald Montrose
1522 Cambridge Street

Mr. Scher questioned whether or not one patrol officer and one police cruiser could be assigned strictly for enforcement of truck violations. He further stated that the cost of the officer and car could be paid from fine collected.

Chief Paollillo responded by stating the cost of such an operation would be in excess of \$31,000 and stated he did not think this was necessary due to the number of violations being cited by his officers.

Mr. Clark questioned whether or not general ordinances governing noise could be enforced as well as those governing motor vehicles. Councillor Wolf stated that possibly the City Council should consider amending the current noise ordinance to include noise emissions from trucks.

At this time Carolyn Shipley of 15 Laurel Street presented the Committee with a petition signed by some 414 people urging the City Manager and the City Council to enforce all existing regulations and ordinances relating to heavy trucks traveling through Cambridge.

At this time Mr. Teso read excerpts from a press release issued by Governor Dukakis in 1974 relative to permits for dangerous cargo to travel through Cambridge. Councillor Wolf and Councillor David Sullivan requested that Mr. Teso provide the Committee with a copy.

Also speaking in opposition to truck traffic were:

George Pappaloros
155 Prospect Street

Susan
18 Laurel Street

Peter Sheinfelt
Cambridge Transportation Forum

Kathy Coughlin
67 Pleasant Street

Susan Hagerdorn
17 Murdock Street

Charles Smith
46 Western Avenue

William Cavellini
Ward 5, Democratic City Committee

Jack Shepley
15 Laurel Street

Speaking on behalf of the trucking industry were:

Michael Paul Sullivan - a petroleum carrier from Worcester who stated that truckers really don't want to go through city streets because it is dangerous for them as well as the residents and it is also time consuming.

Also speaking was James Paul Selby who stated that the truck rates are predicated on mileage per trip. Therefore, if Cambridge bans trucks, the rates will increase. He further stated it would be easier if trucks did not have to exit off the Massachusetts Turnpike into Cambridge, but they are not allowed to travel under the Prudential Tower.

At this time Councillor Wolf and Councillor David Sullivan summarized what they believe to be the most important things which should be done in order to address the concerns voiced at this public hearing:

1. Enforce all existing laws, ordinances and regulations.
2. Public Works Department should conduct a comprehensive program to repair potholes throughout the city.
3. The agreement referred to by Mr. Teso should be obtained and distributed to the City Council.
4. Police Chief should arrange for a clarification of the agreement to be read at all roll calls at the Police Department.
5. The Traffic Director should continue to address the "empty bus" issue with the MBTA in order to reduce the number of empty buses traveling down Kirkland and Quincy Streets.
6. Enforce the noise ordinance.
7. Appoint a full time enforcement officer.
8. Establish regular communication with the trucking industry.
9. Public Works Department and the Traffic Department should improve the signs indicating time and cargo relating to trucks.
10. The Traffic Department should work on improving the pedestrian lights at intersections heavily traveled by trucks.

In terms of things which could be done at the state level, both Councillors suggested:

1. That the agreement with the Commonwealth be changed relative to dangerous cargo.
2. Fines for truck violations be increased by the legislature.
3. The Massachusetts Turnpike Authority allow trucks to travel through to Boston and under the Prudential Tower.

The hearing was adjourned at 10:15 PM.

For the Committee

Councillor Alice K. Wolf, Chair
Public Safety Committee

Daniel J. Clinton, Chair
Transportation Committee

ADDENDUM TO REPORT

Alice K. Wolf, Chair, Committee on Public Safety

Suggestions made by the public for Action to lessen impact of heavy trucks on Cambridge Streets.

LEGISLATION

1. Support legislation that increases fines for violations.
2. Support Councillor Graham's bill, House 5708, to ban trucks with hazardous material from the Boston extension of the Mass. Turnpike.

COORDINATION WITH STATE AGENCIES

1. Lobby Secretary of Transportation Salvucci to develop alternate routes either through Prudential and South Station tunnels or around 129 and 93.
2. Get enforcement of agreement with MBTA to reroute empty busses going back to the yards.
3. Clarify state regulations with regard to trucks.

TRUCK BANS

1. Clarify present regulations and enforcement with regard to dangerous cargo bans in corridor between Memorial Drive and Somerville.
2. Assess whether hazardous cargo should be allowed to go only at heavy traffic times when they must drive slowly.
3. Increase the time of ban to 9:00 AM, after children are in school.
4. Make the ban for all trucks daily 7:00 PM - 7:00 AM and all Saturday and Sunday.

ENFORCEMENT

1. Reinforce instructions about truck violators at Police roll calls.
2. Enforce the noise ordinance with regard to buses and trucks that do not have proper mufflers and other noise emission protection.

3. Increase fines for violation of truck bans.
4. Enforce speed limits on main streets. Trucks are often driving in excess of the limit.
5. Assign a police officer, full-time, to enforcement of traffic regulations involving trucks. This would more than pay for itself through fine collection.
6. Enforce the truck ban at Memorial Drive, requiring trucks that are trying to violate the ban to turn around, via Putnam Avenue, and go back!

WORK WITH TRUCKERS

1. Communicate with trucking companies on speed limits and enforcement thereof.
2. Try to get truckers, particularly oil trucks, to use 128 and 93. The argument is that in reality it does not take much longer or require much more fuel.

OTHER CITY ACTION

1. Repair pot holes or uneven grading on River, Western Avenue, Magazine Street, Cambridge Street, Rindge Avenue, and other heavily used truck thoroughfares.
2. Work with Stop and Shop at Memorial Drive to reduce nighttime and early morning deliveries or affect the routes truckers use to the store.
3. Lower speed limits on truck routes to 20 MPH.
4. Increase the number of "Children at Play" signs and street markings on heavy truck routes.
5. Check and increase pedestrian lights on heavy truck routes.
6. Develop a Monitor and Review Committee.



City of Cambridge

11.

COUNCILLOR CLINTON
COUNCILLOR WOLF
COUNCILLOR DAVID SULLIVAN
COUNCILLOR GRAHAM

IN CITY COUNCIL
April 1, 1985

ORDERED:

That the City Manager be requested to instruct the appropriate agencies to report on the current ban on noise as it applies to truck traffic on city streets, especially with respect to Paragraph IX, which deals with interstate trucking; and be it further

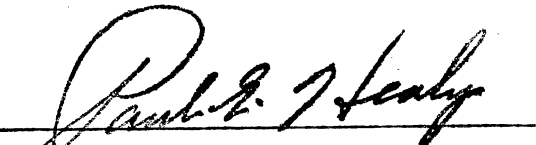
ORDERED:

That the City Manager be requested that some actual noise monitoring take place on River-Western-Prospect Streets according to the specifications described in the noise ban regulation presented to the City Council by Diane Tabor on February 26, 1985.

In City Council April 1, 1985.
Adopted by the affirmative vote of 9 members.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-


Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-Seven

AN ORDINANCE

In amendment to an ordinance formerly entitled: "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter Thirteen entitled: "Offenses" Article IV entitled: "Offenses Against Public Peace" is hereby amended by striking out the present sections 13-10 and 13-11 and substituting in place thereof a new section 13-10 entitled: "Regulations for the Control of Noise".

City of Cambridge

NOISE CONTROL REGULATION - CITY OF CAMBRIDGE

- I. Purpose
- II. Definitions
- III. General Prohibition of Noise Emissions
- IV. Prohibition of Noise Emissions in Dwelling Units
- V. Prohibition of Non-Measured Noise Polluting Acts
- VI. Restrictions - Zoning Districts
- VII. Restrictions - Construction Sites
- VIII. Restrictions - Noise Emitted from New Motor Vehicles
- IX. Interstate Motor Carrier Operation Standard
- X. Permits
- XI. Exemptions
- XII. Penalties
- XIII. Enforcement
- XIV. Conflict
- XV. Variances
- XVI. Severability

City of Cambridge

13-10. Regulations for the Control of Noise.

I. PURPOSE.

This ordinance provides standards for the control of noise pollution and prohibits those acts which most frequently create noise pollution. The general objectives of these standards are to secure the public health, comfort, convenience, and safety of, and to promote the welfare, prosperity, peace and quiet of, the citizens of the City of Cambridge.

Be it ordained by the City Council of the City of Cambridge as follows:-

II. DEFINITIONS.

Terms used in this ordinance shall be defined as follows:-

- ACOUSTICAL TERMINOLOGY - Acoustical Terminology used throughout these regulations is that most recently approved as American Standard Acoustical Terminology by the American National Standards Institute (ANSI); except as may be specified otherwise herein.
- BUSINESS USE - shall be as set forth in the Zoning Ordinance of the City of Cambridge Article IV, Section 2.
- CONSTRUCTION - shall mean any and all physical activity necessary or incidental to the erection, placement, demolition, assembling, altering, cleaning, repairing, installing, or equipping of buildings and other structures, public or private highways, roads, premises, parks, utility lines, or other property, and shall include land clearing, grading, excavating, filling and paving.
- COMMERCIAL SERVICE EQUIPMENT - shall mean all engine-or motor-powered equipment intended for infrequent service work in inhabited areas, typically requiring commercial or skilled operators (such as chain saws, log chippers, paving rollers, etc.).
- CONSTRUCTIVE DEVICE - shall mean any powered device or equipment, designed and intended for use in construction. Examples of "construction devices" are air compressors, bulldozers, backhoes, trucks, shovels, derricks, or cranes.
- CONSTRUCTION SITE - shall mean that area within which a contractor confines a construction operation. This includes defined boundary lines of the project itself plus any contractor staging area outside those defined boundary lines and used expressly for the construction.
- DAYTIME - shall mean the period between the hours of seven ante meridian (7:00 A. M.) and six post meridian (6:00 P. M.) daily except Sunday according to the time system locally in effect.

City of Cambridge

- dB is the abbreviation for decibel.
- dB(A) shall mean the A-weighted sound level in decibels, as measured by a general purpose sound level meter complying with the provisions of Specifications for Sound Level Meters (Sl. 4 1971), American National Standards Institute (ANSI), properly calibrated, and operated on the "A" weighting network.
- EMERGENCY WORK -- work necessary to restore public or private property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger. The necessity of such work shall be determined by the Building Superintendent or his deputy or by other authorized emergency or public utility personnel after consultation with the Superintendent of Buildings.
- HOMEOWNER'S LIGHT RESIDENTIAL OUTDOOR EQUIPMENT -- shall mean all engine-or motor-powered garden or maintenance tools intended for repetitive use in residential areas, typically capable of being used by a homeowner (such as lawn mowers, garden tools, riding tractors, snow blowers, snow plows, etc.).
- Hz is the abbreviation for Hertz, which means cycles per second.
- IMPACT DEVICE -- shall mean a construction device in which or by which a hammer, meaning a moving mass of hard solid material, is mechanically by means of a working fluid or compressed air caused to repetitively impact upon and transmit kinetic energy to a tool. The tool may be included as part of the device, as in the case of a moil on a paving breaker or the drill steel or a jackhammer, or it may be a mass to which the impact device is temporarily connected as in the case of a pile and pile driver. Examples of impact devices are pile drivers, paving breakers and power impact hammers, impact wrenches, riveters and stud drivers.
- INDUSTRIAL USE -- shall be as set forth in the Zoning Ordinance of the City of Cambridge, Article IV, Section 2.

City of Cambridge

L_{10} LEVEL

shall mean the A-weighted sound level exceeded 10% of the time.

NOISE POLLUTION -

means the presence of that amount of acoustic energy for that period of time necessary:-

- a) to cause temporary or permanent hearing loss in persons exposed;
- b) to otherwise be injurious, or tend to be, on the basis of current information, injurious, to the public health or welfare;
- c) to cause a nuisance;
- d) to interfere with the comfortable enjoyment of life and property or the conduct of business; or
- e) to exceed standards or restrictions established herein or pursuant to the granting of any permit by the Superintendent of Buildings.

NON-MEASURED NOISE POLLUTION ACTS -

Uses and activities that create or cause to be created loud and unnecessary noises which, by virtue of the nature, duration or time of occurrence, are not readily subject to measurement by official testing devices.

PAVING BREAKER -

shall mean any hydraulically or pneumatically powered impact device intended to cut or trench pavement, subbase macadam, gravel, concrete or hard ground.

PERSON -

means an individual, partnership, association, firm, syndicate, company, trust, corporation, department, bureau or agency, or any other entity recognized by law as the subject of rights and duties.

PILE DRIVER -

shall mean an impact device designed or used for the driving of piles, columns and other supports into soil or other material by means of impact, vibrations, pressure or other means.

City of Cambridge

RESIDENTIAL USE -

shall be as set forth in the Zoning Ordinance of the City of Cambridge, Article IV, Section 2.

SOUND PRESSURE LEVEL (SPL) -

shall be numerically equal to twenty times the logarithm (to the base ten) of the sound pressure to the reference sound pressure (the reference sound pressure shall equal twenty micropascals.) Unless otherwise stated, the level is understood to be that of a root mean-square pressure.

ZONING DISTRICTS -

shall mean the zoning districts and land uses therein as established by the Zoning Ordinance of the City of Cambridge.

III. GENERAL PROHIBITIONS OF NOISE EMISSIONS.

- A. No person or persons owning, leasing, or controlling the operation of any source or sources of noise shall willfully, negligently, or through failure to provide necessary equipment or facilities or to take necessary precautions, permit the establishment or continuation of a condition of noise pollution.

IV. PROHIBITION OF NOISE EMISSIONS WITHIN DWELLING UNITS.

- A. It shall be unlawful for any person or persons owning, leasing, or controlling the operation of any source or sources of noise to make continue or cause to be made or continued any loud, unnecessary or unusual noise within a dwelling unit which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of other living in adjacent dwelling units or otherwise living in close proximity to the source of noise.

V. PROHIBITION OF NON-MEASURED NOISE POLLUTING ACTS.

- A. The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this ordinance, but said enumeration shall not be deemed to be exclusive namely:

- 1) Horns, Signaling Devices, etc. The sounding of any horn or signalling device on any automobile, motorcycle, street car or other vehicle on any street or public place of the city, except as a danger warning; the creation by means of any such signalling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time. The use of any signalling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any such signalling device when traffic is for any reason held up.

City of Cambridge

- 2) Radios, Phonographs, etc. The using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, loudspeaker or public address systems, unless used by the City of Cambridge or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of eleven o'clock P. M. and seven o'clock A. M. on weeknights and twelve o'clock P. M. and seven o'clock A. M. on weekend nights in such a manner, as to be plainly audible at a distance of fifty (50) feet approximately fifteen (15) meters from the building, structure, vehicle, or dwelling unit in which it is located shall be prima facie evidence of a violation of this section.
- 3) Yelling, Shouting, etc. Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 11:00 P. M. and 7:00 A. M. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.
- 4) Animals, Birds, etc. The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any persons in the vicinity.
- 5) Steam Whistles. The blowing of any locomotive steam whistle of steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon request of proper city authorities.
- 6) Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

City of Cambridge

- 7) Defect in Vehicle or Load. The use of any automobile, motorcycle, or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- 8) Loading, Unloading, Opening Boxes. The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, crates, and containers.
- 9) Drums. The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show, sale, or exhibition.
- 10) Hawkers, Peddlers. The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

VI. NOISE RESTRICTIONS ACCORDING TO ZONING DISTRICTS.

A. This regulation shall apply to the use or occupancy of any lot or structure thereon and to the noise produced thereby, but shall not apply to the following:-

- 1) To the intermittent or occasional use, during the daytime, of light homeowner's residential outdoor equipment or commercial service equipment provided said equipment and its use complies with other provisions of these regulations;
- 2) To construction activities and the associated use of construction devices nor to the noise produced thereby, provided such activities, and such equipment and its use, comply with other provisions of these regulations;
- 3) To the operation of any motor vehicle on any public way, nor to the noise produced thereby.

B. NOISE IN RESIDENTIAL ZONING DISTRICTS OR AFFECTING RESIDENTIAL PROPERTY.

No person shall create or cause to be emitted from or by any source subject to regulation VI any noise which causes or results in a noise level, measured at any lot line of any lot located in any Residential Zoning District or in residential use elsewhere in conformance with the Cambridge Zoning Ordinance, in excess of any level of the "Residential District Noise Standard", Regulation VI. E., provided that if said lot is located in any Industrial District, the noise level measured at the lot line shall not exceed any level of the "Residential-Industrial Noise Standard", Regulation VI. E. Noise emitted from construction sites shall be excepted from this regulation.

City of Cambridge

C. NOISE IN BUSINESS, OFFICE ZONING DISTRICTS.

No person shall create or cause to be emitted from or by any source subject to Regulation V any noise which causes or results in a noise level, measured at any lot line of any lot in any Business Zoning District other than a lot in residential use in conformance with the Cambridge Zoning Ordinance, in excess of any level of the "Business District Noise Standard", Regulation VI. E. Noise emitted from construction sites shall be excepted from this regulation.

D. NOISE IN INDUSTRIAL ZONING DISTRICTS.

No person shall create or cause to be emitted from or by any source subject to Regulation VI, any noise which causes or results in a noise level, measured at any lot line of any lot in recreational or business use in any Industrial Zoning District in conformance with the Cambridge Zoning Ordinance, in excess of any level of "Industrial District Noise Standard", Regulation VI. E. Noise emitted from construction sites shall be excepted from this regulation.

E. ZONING DISTRICT NOISE STANDARDS.

Noise standards referred to in these Regulations for the several zoning districts of the City of Cambridge, as defined in and established pursuant to the Cambridge Zoning Ordinance are as established by the following Table.

TABLE OF ZONING DISTRICT NOISE STANDARDS

Maximum Allowable Octave Band Sound Pressure Levels

Octave Band Center Frequency of Measurement (Hz)	Residential		Residential in Industrial		Office Business	Industry
	Daytime	All other times	Daytime	All other times	Anytime	Anytime
31.5	76	68	79	72	79	83
63	75	67	78	71	78	82
125	69	61	73	65	73	77
250	62	52	68	57	68	73
500	56	46	62	51	62	67
1000	50	40	56	45	56	61
2000	45	33	51	39	51	57
4000	40	28	47	34	47	53
8000	38	26	44	32	44	50
Single Number- Equivalent (dB(A))	60	50	65	55	65	70

City of Cambridge

VII. RESTRICTIONS ON NOISE EMITTED FROM CONSTRUCTION SITES.

- A. Except as provided for in Regulation VII. C. and VII. D., it shall be unlawful for any person to operate any construction device or devices on any construction site if the operation of such device or devices emits noise, measured at the lot line of the affected property, in excess of the values shown below:-

<u>LOT USE OF AFFECTED PROPERTY</u>	<u>L₁₀ LEVEL</u>	<u>MAX. NOISE LEVEL</u>
Residential	75 dB(A)	86 dB(A)
Business or Office	80 dB(A)	_____
Industrial	85 dB(A)	_____

The same level shall apply to a public way as applies to an industrial use. Measurements should not be taken closer than fifty feet or approximately fifteen (15) meters from the nearest active construction device on the construction site. The maximum noise level shall be measured on the sound level meter at slow response.

- B. THE L₁₀ LEVEL SHALL BE DETERMINED IN THE FOLLOWING MANNER:-

- 1) Every ten seconds, on the mark, the A-weighted noise level on the sound level meter with slow response is recorded until 100 observations have been made. If, during any of these observations, a measurement is substantially affected by any source outside the construction site (such as aircraft overflight), measurements made during these periods will not be considered. However the observation period shall be extended until 100 valid measurements are obtained. The L₁₀ level will be that level that is equal to the tenth highest level recorded.
- 2) If in the estimation of the person taking the measurements, outside noise sources contribute significantly to the noise level, the above procedure shall be repeated (with the same outside noise source contributions) when construction is inactive, in order to determine the existing background L₁₀ level. The L₁₀ level during construction must exceed the background L₁₀ level by 5 dB(A) to be considered a violation of Regulation VII. A.

City of Cambridge

- C. Except as provided for in Regulation VII. D., it shall be unlawful to operate a construction device at any street excavation, grading or repair, utility street work installation or repair, which produces a noise level exceeding 86 dB(A) at a distance of fifty (50) feet or approximately fifteen (15) meters from the device.

The provisions of Regulation VII. A., shall not apply to any construction site covered by Regulation VII. C. The provisions of Regulation VII. C. will not be applicable to any construction device used in emergency service work that is necessary to return utility service to an area provided that within twenty-four (24) hours such device is brought into compliance with Regulation VII. C. or is not reused within the City until it does comply.

- D. The provisions of Regulation VII. A. and VII. C. shall not be applicable to impact devices.

VIII. RESTRICTIONS ON NOISE EMITTED FROM NEW MOTOR VEHICLES.

No person shall sell or lease a new motor vehicle that produces a maximum noise level, in dB(A), exceeding the following limits (measured at a distance of fifty (50) feet approximately fifteen (15) meters from the center line of travel.)

Date of Manufacture of vehicle	Light Motor vehicle	Heavy Motor vehicle	Motorcycle
after date or ordina- tion	80	84	84
after January 1, 1980	75	75	75

IX. INTERSTATE MOTOR CARRIER OPERATION STANDARDS.

No motor carrier subject to these regulations shall operate any motor vehicle of a type to which this regulation is applicable which at any time or under any condition of highway grade, load, acceleration or deceleration generates a sound level in excess of 88dB(A) measured on an open site with fast meter response at fifty (50) feet from the centerline of lane of travel on highways with speed limits of thirty-three (33) MPH or less; or ninety (90) dB(A) measured on an open site with fast meter response at fifty (50) feet from the centerline of lane of travel on highways with speed limits of more than thirty-five (35) MPH.

City of Cambridge

X. PERMITS - GENERAL.

- A. A permit shall constitute permission to use or to allow the use of a device or to engage in an activity to which reference has been made in these Regulations or in the Ordinances of the City of Cambridge.
- B. All applications for permits shall be made to the Superintendent of Buildings in such form and detail as he shall prescribe. Such application shall not relieve any person from otherwise complying with the provisions of these Regulations or any other law or ordinance.
- C. Such permit shall include such provisions and conditions as the Commissioner may deem necessary to protect the public health, welfare and comfort.
- D. Any permit required by these Regulations shall be displayed to any police officer or employee of the Building Department upon request.
- E. Any permit issued by the Superintendent of Buildings under the provisions of these Regulations may be revoked for violation of any of the terms and conditions of such permit.

XI. EXEMPTIONS.

- A. The following uses and activities shall be exempt from noise level regulations:-
 - 1) Noises of safety signals, warning devices, and emergency pressure relief valves.
 - 2) Noises resulting from any authorized emergency vehicle, when responding to an emergency call or acting in time of emergency.
 - 3) Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefore has been granted by the City in accordance with Section X of this Ordinance.
 - 4) Any aircraft operated in conformity with, or pursuant to, federal law, federal air regulations, and air traffic control instruction used pursuant to and within the duly adopted federal air regulations shall be exempt from the regulations of this ordinance. Any aircraft operating under technical difficulties, in any kind of distress, under emergency orders of air traffic control or being operated pursuant to and subsequent to the declaration of an emergency under federal air regulations shall also be exempt from the provisions of this ordinance.

City of Cambridge

- 5) Noises resulting from emergency work as defined in
DEFINITIONS SECTION.

XII. PENALTIES.

- A. Any person who violates any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined an amount not exceeding \$100.00, or by imprisonment for not more than five (5) days, or by both said fine and said imprisonment.
- B. Every day that the offense continues shall be considered a separate violation.

XIII. ENFORCEMENT.

- A. The Chief of Police of the City of Cambridge shall be the officer charged with the enforcement of this ordinance. He shall, at any time necessary, call on the Superintendent of Buildings or his deputy to provide personnel to perform such tests as the Chief of Police deems necessary to determine violations of this ordinance.

XIV. CONFLICT WITH OTHER REGULATIONS.

- A. The noise regulations shall not relieve any person from complying with other laws, statutes, codes, regulations, or ordinances of the Commonwealth or of the City of Cambridge.

XV. VARIANCES.

- A. The Superintendent of Buildings may grant variances after public hearing or may reject applications on review without a hearing. Variances thus granted may be effective for no longer than one year.

XVI. SEVERABILITY.

- A. Each of these Regulations shall be constructed as separate to the end that if any Regulation or section, sentence, clause or phrase thereof shall be held invalid for any reason, the remainder of these Regulations shall continue in full force.

In City Council April 11, 1977.

Passed to be ordained as amended by a yeas and nays vote:- Yeas 7; Nays 0;
Absent 2.

James L. Sullivan, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-Seven

AN ORDINANCE

In amendment to an ordinance formerly entitled: "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter Thirteen entitled: "Offenses" Article IV entitled: "Offenses Against Public Peace" is hereby amended by striking out the present sections 13-10 and 13-11 and substituting in place thereof a new section 13-10 entitled: "Regulations for the Control of Noise".

City of Cambridge

NOISE CONTROL REGULATION - CITY OF CAMBRIDGE

- I. Purpose
- II. Definitions
- III. General Prohibition of Noise Emissions
- IV. Prohibition of Noise Emissions in Dwelling Units
- V. Prohibition of Non-Measured Noise Polluting Acts
- VI. Restrictions - Zoning Districts
- VII. Restrictions - Construction Sites
- VIII. Restrictions - Noise Emitted from New Motor Vehicles
- IX. Interstate Motor Carrier Operation Standard
- X. Permits
- XI. Exemptions
- XII. Penalties
- XIII. Enforcement
- XIV. Conflict
- XV. Variances
- XVI. Severability

City of Cambridge

13-10. Regulations for the Control of Noise.

I. PURPOSE.

This ordinance provides standards for the control of noise pollution and prohibits those acts which most frequently create noise pollution. The general objectives of these standards are to secure the public health, comfort, convenience, and safety of, and to promote the welfare, prosperity, peace and quiet of, the citizens of the City of Cambridge.

Be it ordained by the City Council of the City of Cambridge as follows:-

II. DEFINITIONS.

Terms used in this ordinance shall be defined as follows:-

- ACOUSTICAL TERMINOLOGY - Acoustical Terminology used throughout these regulations is that most recently approved as American Standard Acoustical Terminology by the American National Standards Institute (ANSI); except as may be specified otherwise herein.
- BUSINESS USE - shall be as set forth in the Zoning Ordinance of the City of Cambridge Article IV, Section 2.
- CONSTRUCTION - shall mean any and all physical activity necessary or incidental to the erection, placement, demolition, assembling, altering, cleaning, repairing, installing, or equipping of buildings and other structures, public or private highways, roads, premises, parks, utility lines, or other property, and shall include land clearing, grading, excavating, filling and paving.
- COMMERCIAL SERVICE EQUIPMENT - shall mean all engine-or motor-powered equipment intended for infrequent service work in inhabited areas, typically requiring commercial or skilled operators (such as chain saws, log chippers, paving rollers, etc.).
- CONSTRUCTIVE DEVICE - shall mean any powered device or equipment, designed and intended for use in construction. Examples of "construction devices" are air compressors, bulldozers, backhoes, trucks, shovels, derricks, or cranes.
- CONSTRUCTION SITE - shall mean that area within which a contractor confines a construction operation. This includes defined boundary lines of the project itself plus any contractor staging area outside those defined boundary lines and used expressly for the construction.
- DAYTIME - shall mean the period between the hours of seven ante meridian (7:00 A. M.) and six post meridian (6:00 P. M.) daily except Sunday according to the time system locally in effect.

City of Cambridge

- dB is the abbreviation for decibel.
- dB(A) shall mean the A-weighted sound level in decibels, as measured by a general purpose sound level meter complying with the provisions of Specifications for Sound Level Meters (Sl. 4 1971), American National Standards Institute (ANSI), properly calibrated, and operated on the "A" weighting network.
- EMERGENCY WORK - work necessary to restore public or private property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger. The necessity of such work shall be determined by the Building Superintendent or his deputy or by other authorized emergency or public utility personnel after consultation with the Superintendent of Buildings.
- HOMEOWNER'S LIGHT RESIDENTIAL OUTDOOR EQUIPMENT - shall mean all engine-or motor-powered garden or maintenance tools intended for repetitive use in residential areas, typically capable of being used by a homeowner (such as lawn mowers, garden tools, riding tractors, snow blowers, snow plows, etc.).
- Hz is the abbreviation for Hertz, which means cycles per second.
- IMPACT DEVICE -- shall mean a construction device in which or by which a hammer, meaning a moving mass of hard solid material, is mechanically by means of a working fluid or compressed air caused to repetitively impact upon and transmit kinetic energy to a tool. The tool may be included as part of the device, as in the case of a moil on a paving breaker or the drill steel or a jackhammer, or it may be a mass to which the impact device is temporarily connected as in the case of a pile and pile driver. Examples of impact devices are pile drivers, paving breakers and power impact hammers, impact wrenches, riveters and stud drivers.
- INDUSTRIAL USE - shall be as set forth in the Zoning Ordinance of the City of Cambridge, Article IV, Section 2.

City of Cambridge

L₁₀ LEVEL

shall mean the A-weighted sound level exceeded 10% of the time.

NOISE POLLUTION -

means the presence of that amount of acoustic energy for that period of time necessary:-

- a) to cause temporary or permanent hearing loss in persons exposed;
- b) to otherwise be injurious, or tend to be, on the basis of current information, injurious, to the public health or welfare;
- c) to cause a nuisance;
- d) to interfere with the comfortable enjoyment of life and property or the conduct of business; or
- e) to exceed standards or restrictions established herein or pursuant to the granting of any permit by the Superintendent of Buildings.

NON-MEASURED NOISE POLLUTION ACTS -

Uses and activities that create or cause to be created loud and unnecessary noises which, by virtue of the nature, duration or time of occurrence, are not readily subject to measurement by official testing devices.

PAVING BREAKER -

shall mean any hydraulically or pneumatically powered impact device intended to cut or trench pavement, subbase macadam, gravel, concrete or hard ground.

PERSON -

means an individual, partnership, association, firm, syndicate, company, trust, corporation, department, bureau or agency, or any other entity recognized by law as the subject of rights and duties.

PILE DRIVER -

shall mean an impact device designed or used for the driving of piles, columns and other supports into soil or other material by means of impact, vibrations, pressure or other means.

City of Cambridge

RESIDENTIAL USE -

shall be as set forth in the Zoning Ordinance of the City of Cambridge, Article IV, Section 2.

SOUND PRESSURE LEVEL (SPL) -

shall be numerically equal to twenty times the logarithm (to the base ten) of the sound pressure to the reference sound pressure (the reference sound pressure shall equal twenty micropascals.) Unless otherwise stated, the level is understood to be that of a root mean-square pressure.

ZONING DISTRICTS -

shall mean the zoning districts and land uses therein as established by the Zoning Ordinance of the City of Cambridge.

III. GENERAL PROHIBITIONS OF NOISE EMISSIONS.

- A. No person or persons owning, leasing, or controlling the operation of any source or sources of noise shall willfully, negligently, or through failure to provide necessary equipment or facilities or to take necessary precautions, permit the establishment or continuation of a condition of noise pollution.

IV. PROHIBITION OF NOISE EMISSIONS WITHIN DWELLING UNITS.

- A. It shall be unlawful for any person or persons owning, leasing, or controlling the operation of any source or sources of noise to make continue or cause to be made or continued any loud, unnecessary or unusual noise within a dwelling unit which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of other living in adjacent dwelling units or otherwise living in close proximity to the source of noise.

V. PROHIBITION OF NON-MEASURED NOISE POLLUTING ACTS.

- A. The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this ordinance, but said enumeration shall not be deemed to be exclusive namely:

- 1) Horns, Signaling Devices, etc. The sounding of any horn or signalling device on any automobile, motorcycle, street car or other vehicle on any street or public place of the city, except as a danger warning; the creation by means of any such signalling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time. The use of any signalling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any such signalling device when traffic is for any reason held up.

City of Cambridge

- 2) Radios, Phonographs, etc. The using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, loudspeaker or public address systems, unless used by the City of Cambridge or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of eleven o'clock P. M. and seven o'clock A. M. on weeknights and twelve o'clock P. M. and seven o'clock A. M. on weekend nights in such a manner, as to be plainly audible at a distance of fifty (50) feet approximately fifteen (15) meters from the building, structure, vehicle, or dwelling unit in which it is located shall be prima facie evidence of a violation of this section.
- 3) Yelling, Shouting, etc. Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 11:00 P. M. and 7:00 A. M. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.
- 4) Animals, Birds, etc. The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any persons in the vicinity.
- 5) Steam Whistles. The blowing of any locomotive steam whistle of steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon request of proper city authorities.
- 6) Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

City of Cambridge

- 7) Defect in Vehicle or Load. The use of any automobile, motorcycle, or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- 8) Loading, Unloading, Opening Boxes. The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, crates, and containers.
- 9) Drums. The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show, sale, or exhibition.
- 10) Hawkers, Peddlers. The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

VI. NOISE RESTRICTIONS ACCORDING TO ZONING DISTRICTS.

A. This regulation shall apply to the use or occupancy of any lot or structure thereon and to the noise produced thereby, but shall not apply to the following:-

- 1) To the intermittent or occasional use, during the daytime, of light homeowner's residential outdoor equipment or commercial service equipment provided said equipment and its use complies with other provisions of these regulations;
- 2) To construction activities and the associated use of construction devices nor to the noise produced thereby, provided such activities, and such equipment and its use, comply with other provisions of these regulations;
- 3) To the operation of any motor vehicle on any public way, nor to the noise produced thereby.

B. NOISE IN RESIDENTIAL ZONING DISTRICTS OR AFFECTING RESIDENTIAL PROPERTY.

No person shall create or cause to be emitted from or by any source subject to regulation VI any noise which causes or results in a noise level, measured at any lot line of any lot located in any Residential Zoning District or in residential use elsewhere in conformance with the Cambridge Zoning Ordinance, in excess of any level of the "Residential District Noise Standard", Regulation VI. E., provided that if said lot is located in any Industrial District, the noise level measured at the lot line shall not exceed any level of the "Residential-Industrial Noise Standard", Regulation VI. E. Noise emitted from construction sites shall be excepted from this regulation.

City of Cambridge

C. NOISE IN BUSINESS, OFFICE ZONING DISTRICTS.

No person shall create or cause to be emitted from or by any source subject to Regulation V any noise which causes or results in a noise level, measured at any lot line of any lot in any Business Zoning District other than a lot in residential use in conformance with the Cambridge Zoning Ordinance, in excess of any level of the "Business District Noise Standard", Regulation VI. E. Noise emitted from construction sites shall be excepted from this regulation.

D. NOISE IN INDUSTRIAL ZONING DISTRICTS.

No person shall create or cause to be emitted from or by any source subject to Regulation VI, any noise which causes or results in a noise level, measured at any lot line of any lot in recreational or business use in any Industrial Zoning District in conformance with the Cambridge Zoning Ordinance, in excess of any level of "Industrial District Noise Standard", Regulation VI. E. Noise emitted from construction sites shall be excepted from this regulation.

E. ZONING DISTRICT NOISE STANDARDS.

Noise standards referred to in these Regulations for the several zoning districts of the City of Cambridge, as defined in and established pursuant to the Cambridge Zoning Ordinance are as established by the following Table.

TABLE OF ZONING DISTRICT NOISE STANDARDS

Maximum Allowable Octave Band Sound Pressure Levels

Octave Band Center Frequency of Measurement (Hz)	Residential		Residential in Industrial		Office Business	Industry
	Daytime	All other times	Daytime	All other times	Anytime	Anytime
31.5	76	68	79	72	79	83
63	75	67	78	71	78	82
125	69	61	73	65	73	77
250	62	52	68	57	68	73
500	56	46	62	51	62	67
1000	50	40	56	45	56	61
2000	45	33	51	39	51	57
4000	40	28	47	34	47	53
8000	38	26	44	32	44	50
Single Number- Equivalent (dB(A))	60	50	65	55	65	70

City of Cambridge

VII. RESTRICTIONS ON NOISE EMITTED FROM CONSTRUCTION SITES.

- A. Except as provided for in Regulation VII. C. and VII. D., it shall be unlawful for any person to operate any construction device or devices on any construction site if the operation of such device or devices emits noise, measured at the lot line of the affected property, in excess of the values shown below:-

<u>LOT USE OF AFFECTED PROPERTY</u>	<u>L₁₀ LEVEL</u>	<u>MAX. NOISE LEVEL</u>
Residential	75 dB(A)	86 dB(A)
Business or Office	80 dB(A)	_____
Industrial	85 dB(A)	_____

The same level shall apply to a public way as applies to an industrial use. Measurements should not be taken closer than fifty feet or approximately fifteen (15) meters from the nearest active construction device on the construction site. The maximum noise level shall be measured on the sound level meter at slow response.

- B. THE L₁₀ LEVEL SHALL BE DETERMINED IN THE FOLLOWING MANNER:-

- 1) Every ten seconds, on the mark, the A-weighted noise level on the sound level meter with slow response is recorded until 100 observations have been made. If, during any of these observations, a measurement is substantially affected by any source outside the construction site (such as aircraft overflight), measurements made during these periods will not be considered. However the observation period shall be extended until 100 valid measurements are obtained. The L₁₀ level will be that level that is equal to the tenth highest level recorded.
- 2) If in the estimation of the person taking the measurements, outside noise sources contribute significantly to the noise level, the above procedure shall be repeated (with the same outside noise source contributions) when construction is inactive, in order to determine the existing background L₁₀ level. The L₁₀ level during construction must exceed the background L₁₀ level by 5 dB(A) to be considered a violation of Regulation VII. A.

City of Cambridge

- C. Except as provided for in Regulation VII. D., it shall be unlawful to operate a construction device at any street excavation, grading or repair, utility street work installation or repair, which produces a noise level exceeding 86 dB(A) at a distance of fifty (50) feet or approximately fifteen (15) meters from the device.

The provisions of Regulation VII. A., shall not apply to any construction site covered by Regulation VII. C. The provisions of Regulation VII. C. will not be applicable to any construction device used in emergency service work that is necessary to return utility service to an area provided that within twenty-four (24) hours such device is brought into compliance with Regulation VII. C. or is not reused within the City until it does comply.

- D. The provisions of Regulation VII. A. and VII. C. shall not be applicable to impact devices.

VIII. RESTRICTIONS ON NOISE EMITTED FROM NEW MOTOR VEHICLES.

No person shall sell or lease a new motor vehicle that produces a maximum noise level, in dB(A), exceeding the following limits (measured at a distance of fifty (50) feet approximately fifteen (15) meters from the center line of travel.)

Date of Manufacture of vehicle	Light Motor vehicle	Heavy Motor vehicle	Motorcycle
after date of ordina- tion	80	84	84
after January 1, 1980	75	75	75

IX. INTERSTATE MOTOR CARRIER OPERATION STANDARDS.

No motor carrier subject to these regulations shall operate any motor vehicle of a type to which this regulation is applicable which at any time or under any condition of highway grade, load, acceleration or deccleration generates a sound level in excess of 88dB(A) measured on an open site with fast meter response at fifty (50) feet from the centerline of lane of travel on highways with speed limits of thirty-three (33) MPH or less; or ninety (90) dB(A) measured on an open site with fast meter response at fifty (50) feet from the centerline of lane of travel on highways with speed limits of more than thirty-five (35) MPH.

City of Cambridge

X. PERMITS - GENERAL.

- A. A permit shall constitute permission to use or to allow the use of a device or to engage in an activity to which reference has been made in these Regulations or in the Ordinances of the City of Cambridge.
- B. All applications for permits shall be made to the Superintendent of Buildings in such form and detail as he shall prescribe. Such application shall not relieve any person from otherwise complying with the provisions of these Regulations or any other law or ordinance.
- C. Such permit shall include such provisions and conditions as the Commissioner may deem necessary to protect the public health, welfare and comfort.
- D. Any permit required by these Regulations shall be displayed to any police officer or employee of the Building Department upon request.
- E. Any permit issued by the Superintendent of Buildings under the provisions of these Regulations may be revoked for violation of any of the terms and conditions of such permit.

XI. EXEMPTIONS.

- A. The following uses and activities shall be exempt from noise level regulations:-
 - 1) Noises of safety signals, warning devices, and emergency pressure relief valves.
 - 2) Noises resulting from any authorized emergency vehicle, when responding to an emergency call or acting in time of emergency.
 - 3) Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefore has been granted by the City in accordance with Section X of this Ordinance.
 - 4) Any aircraft operated in conformity with, or pursuant to, federal law, federal air regulations, and air traffic control instruction used pursuant to and within the duly adopted federal air regulations shall be exempt from the regulations of this ordinance. Any aircraft operating under technical difficulties, in any kind of distress, under emergency orders of air traffic control or being operated pursuant to and subsequent to the declaration of an emergency under federal air regulations shall also be exempt from the provisions of this ordinance.

City of Cambridge

- 5) Noises resulting from emergency work as defined in DEFINITIONS SECTION.

XII. PENALTIES.

- A. Any person who violates any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined an amount not exceeding \$100.00, or by imprisonment for not more than five (5) days, or by both said fine and said imprisonment.
- B. Every day that the offense continues shall be considered a separate violation.

XIII. ENFORCEMENT.

- A. The Chief of Police of the City of Cambridge shall be the officer charged with the enforcement of this ordinance. He shall, at any time necessary, call on the Superintendent of Buildings or his deputy to provide personnel to perform such tests as the Chief of Police deems necessary to determine violations of this ordinance.

XIV. CONFLICT WITH OTHER REGULATIONS.

- A. The noise regulations shall not relieve any person from complying with other laws, statutes, codes, regulations, or ordinances of the Commonwealth or of the City of Cambridge.

XV. VARIANCES.

- A. The Superintendent of Buildings may grant variances after public hearing or may reject applications on review without a hearing. Variances thus granted may be effective for no longer than one year.

XVI. SEVERABILITY.

- A. Each of these Regulations shall be constructed as separate to the end that if any Regulation or section, sentence, clause or phrase thereof shall be held invalid for any reason, the remainder of these Regulations shall continue in full force.

In City Council April 11, 1977.

Passed to be ordained as amended by a yeas and nays vote:- Yeas 7; Nays 0;
Absent 2.

James L. Sullivan, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

11.

COUNCILLOR CLINTON
COUNCILLOR WOLF
COUNCILLOR DAVID SULLIVAN
COUNCILLOR GRAHAM

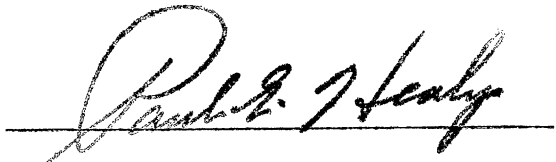
IN CITY COUNCIL
April 1, 1985

- ORDERED: That the City Manager be requested to instruct the appropriate agencies to report on the current ban on noise as it applies to truck traffic on city streets, especially with respect to Paragraph IX, which deals with interstate trucking; and be it further
- ORDERED: That the City Manager be requested that some actual noise monitoring take place on River-Western-Prospect Streets according to the specifications described in the noise ban regulation presented to the City Council by Diane Tabor on February 26, 1985.

In City Council April 1, 1985.
Adopted by the affirmative vote of 9 members.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-


Paul E. Healy, City Clerk.

Order # 11 *F-121*
C.D. Sullivan R. Graham

C. Clinton & C. Wolf, order re: City Manager
to instruct the appropriate agencies to report
on the current ban on noise as it applies to
truck traffic on City streets, especially
with respect to Paragraph IX dealing with
interstate trucking.

LPS
CT added to
order

See copy within of Police Dept request
regarding forwarding this order + 3/4/85
Committee report. 4/24/85 mh

In City Council,

April 1, 1985

4/1/85

CL
CW
LPS
CT

Order Adopted -