



EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX. 349-4307

12.

September 11, 1995

To The Honorable, The City Council:

Please find attached for your consideration a proposed amendment to the Noise Ordinance as it relates to car alarms, received from City Solicitor Russell B. Higley.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
attachment



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795 Massachusetts Avenue
Cambridge, Massachusetts 02139
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Fax. (617) 349-4134

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Michael C. Costello
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July 7, 1995

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Re: Proposed amendment to Noise Control Ordinance--car alarms;
Council Communication #05 of May 15, 1995

Dear Mr. Healy:

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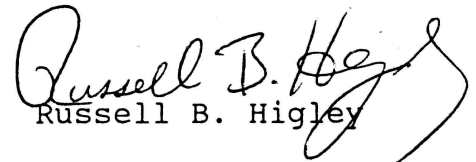
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In addition, car alarms that are unintentionally activated either by wind or rain, a bump, or a burglar must be deactivated within 1 minute.

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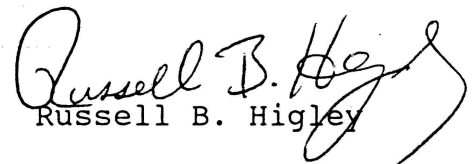
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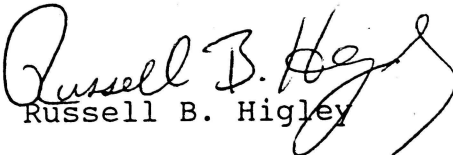
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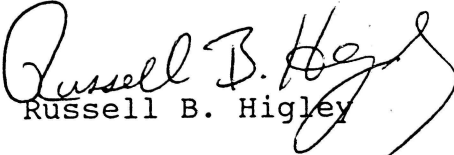
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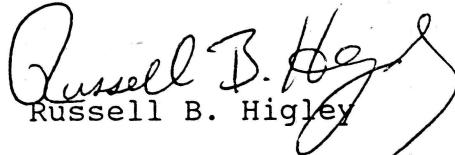
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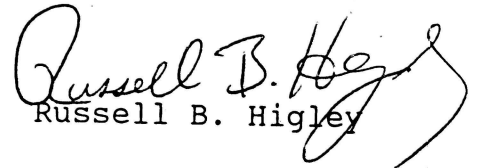
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Mr. Stern's proposal:

Section 8.16.080(J)(3) is deleted in its entirety and the following language is hereby enacted in its place:

If a car burglar alarm is to be tested (all car alarms), it must be tested during a one hour period at a time of day when it will not infringe upon the rights of most residents. The alarm must not be activated for more than 15 seconds, and the owner must be present next to the vehicle at the time the alarm is activated.

In addition, car alarms that are unintentionally activated either by wind or rain, a bump, or a burglar must be deactivated within 1 minute.

In addition, all owners of cars with car alarms must register that fact with the Police Department. The Police Department must have the right to ticket abusers of the law, and impound cars of multiple abusers. The Police must enforce these laws.

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§8.16.080(J)(3) is hereby amended by adding the words ", and in the case of motor vehicle alarms, within five minutes of activation."

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Testing of any motor vehicle alarm may only occur during the hours of 9:00 a.m. and 6:00 p.m. Any such testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. The motor vehicle owner shall be present at the time such alarm is tested.

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time, day or night, and who are authorized to respond to an emergency signal transmitted by an alarm system, and who can open the premises, or the motor vehicle in which the alarm system is located.

B. All alarm users, including motor vehicle alarm users, must notify the police department, in advance of any testing of equipment. Failure to notify the Police Department in advance of a testing of equipment shall constitute a false alarm and be subject to the assessment schedule contained in this chapter.

C. All alarm systems, including motor vehicle alarms, which use an audible bell or horn shall be equipped with an automatic shut off device which will deactivate the alarm system within ten minutes, and, for motor vehicle alarms, within five minutes. All alarm users with an audible bell or horn must comply with this section within ninety days of the effective date of the ordinance codified in this chapter. Current motor vehicle alarm users must comply with this section within ninety days from _____, 1995.

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Any alarm system, including any motor vehicle alarm, which has two or more false alarms within a calendar year shall be subject to assessment as provided in this chapter:....



12.

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

September 11, 1995

To The Honorable, The City Council:

Please find attached for your consideration a proposed amendment to the Noise Ordinance as it relates to car alarms, received from City Solicitor Russell B. Higley.

Very truly yours,

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City Manager

RWH/mec
attachment



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July 7, 1995

Robert W. Healy
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Re: Proposed amendment to Noise Control Ordinance--car alarms;
Council Communication #05 of May 15, 1995

Dear Mr. Healy:

The City Council referred resident David Stern's proposed amendments to the Noise Control ordinance (copy attached) to the Law Department "to prepare an ordinance for consideration by the Ordinance Committee." Mr. Stern seeks to change §8.16.080(J)(3) in its entirety. Section 8.16.030(J)(3) currently states that the following is a prohibited non-measured noise disturbance:

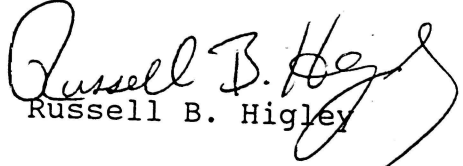
Sounding or permitting the sounding of any exterior burglar (or fire) alarm or any motor vehicle burglar alarm unless such alarm is automatically terminated within ten minutes of activation.

A proposed ordinance amendment containing Mr. Stern's language is attached as page 3.

Also attached as pages 4 and 5 is a proposed amendment that is, in my opinion, consistent with Mr. Stern's purposes and more consistent with existing ordinances. I note that his proposed language would apparently simply delete the references to "exterior burglar (or fire) alarms," which he perhaps(?) did not intend. I also note that he proposes to reduce the time a car alarm may sound from ten minutes to one minute. The Council must balance the greatly diminished protection afforded a car owner by a one minute alarm against the desire for quiet of residents bothered by the noise. Perhaps a five minute cut-off is a reasonable compromise.

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If a car burglar alarm is to be tested (all car alarms), it must be tested during a one hour period at a time of day when it will not infringe upon the rights of most residents. The alarm must not be activated for more than 15 seconds, and the owner must be present next to the vehicle at the time the alarm is activated.

In addition, car alarms that are unintentionally activated either by wind or rain, a bump, or a burglar must be deactivated within 1 minute.

In addition, all owners of cars with car alarms must register that fact with the Police Department. The Police Department must have the right to ticket abusers of the law, and impound cars of multiple abusers. The Police must enforce these laws.

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§8.16.080(J)(3) is hereby amended by adding the words ", and in the case of motor vehicle alarms, within five minutes of activation."

§8.16.080(J)(3) is further amended by adding thereto the following language:

Testing of any motor vehicle alarm may only occur during the hours of 9:00 a.m. and 6:00 p.m. Any such testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. The motor vehicle owner shall be present at the time such alarm is tested.

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time, day or night, and who are authorized to respond to an emergency signal transmitted by an alarm system, and who can open the premises, or the motor vehicle in which the alarm system is located.

B. All alarm users, including motor vehicle alarm users, must notify the police department, in advance of any testing of equipment. Failure to notify the Police Department in advance of a testing of equipment shall constitute a false alarm and be subject to the assessment schedule contained in this chapter.

C. All alarm systems, including motor vehicle alarms, which use an audible bell or horn shall be equipped with an automatic shut off device which will deactivate the alarm system within ten minutes, and, for motor vehicle alarms, within five minutes. All alarm users with an audible bell or horn must comply with this section within ninety days of the effective date of the ordinance codified in this chapter. Current motor vehicle alarm users must comply with this section within ninety days from _____, 1995.

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Any alarm system, including any motor vehicle alarm, which has two or more false alarms within a calendar year shall be subject to assessment as provided in this chapter:.....



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September 11, 1995

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City Manager

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Re: Proposed amendment to Noise Control Ordinance--car alarms;
Council Communication #05 of May 15, 1995

Dear Mr. Healy:

The City Council referred resident David Stern's proposed amendments to the Noise Control ordinance (copy attached) to the Law Department "to prepare an ordinance for consideration by the Ordinance Committee." Mr. Stern seeks to change §8.16.080(J)(3) in its entirety. Section 8.16.080(J)(3) currently states that the following is a prohibited non-measured noise disturbance:

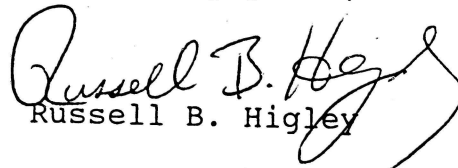
Sounding or permitting the sounding of any exterior burglar (or fire) alarm or any motor vehicle burglar alarm unless such alarm is automatically terminated within ten minutes of activation.

A proposed ordinance amendment containing Mr. Stern's language is attached as page 3.

Also attached as pages 4 and 5 is a proposed amendment that is, in my opinion, consistent with Mr. Stern's purposes and more consistent with existing ordinances. I note that his proposed language would apparently simply delete the references to "exterior burglar (or fire) alarms," which he perhaps(?) did not intend. I also note that he proposes to reduce the time a car alarm may sound from ten minutes to one minute. The Council must balance the greatly diminished protection afforded a car owner by a one minute alarm against the desire for quiet of residents bothered by the noise. Perhaps a five minute cut-off is a reasonable compromise.

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If a car burglar alarm is to be tested (all car alarms), it must be tested during a one hour period at a time of day when it will not infringe upon the rights of most residents. The alarm must not be activated for more than 15 seconds, and the owner must be present next to the vehicle at the time the alarm is activated.

In addition, car alarms that are unintentionally activated either by wind or rain, a bump, or a burglar must be deactivated within 1 minute.

In addition, all owners of cars with car alarms must register that fact with the Police Department. The Police Department must have the right to ticket abusers of the law, and impound cars of multiple abusers. The Police must enforce these laws.

Law Department adaptation of Mr. Stern's proposed amendments:

§8.16.080(J)(3) is hereby amended by adding the words ", and in the case of motor vehicle alarms, within five minutes of activation."

§8.16.080(J)(3) is further amended by adding thereto the following language:

Testing of any motor vehicle alarm may only occur during the hours of 9:00 a.m. and 6:00 p.m. Any such testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. The motor vehicle owner shall be present at the time such alarm is tested.

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time, day or night, and who are authorized to respond to an emergency signal transmitted by an alarm system, and who can open the premises, or the motor vehicle in which the alarm system is located.

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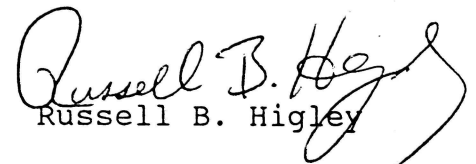
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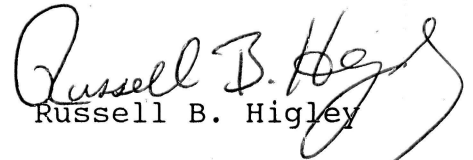
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Consent Agenda Item # 12 *0-41*

Proposed amendment to the Noise Ordinance
as it relates to car alarms.

*12/18/95 Placed on file
at end of Legislative
Session*

In City Council,

Sept. 11, 1995

*Referred to the
Ordinance Committee
Copy sent to Ordinance
Committee 9/13/95 (dc)*