



CITY OF CAMBRIDGE

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November 7, 1994

Robert W. Healy
City Manager
City Hall
Cambridge, MA 02139

Re: Noisy leaf blowers; Council Order #33 of 10/31/94

Dear Mr. Healy:

This is the clarification of the Noise Control ordinance, Chapter 8.16, requested by the License Commission as it relates to domestically used leaf blowers. See attached memo of November 3. The analysis of the Acting Chairman of the License Commission is essentially correct. I would add that it is reasonably clear from §8.16.060(A)(1) that leaf blowers are not a "measured noise disturbance." That section provides that the measured noise provisions of the Noise Control ordinance do not apply, "To the intermittent or occasional use, during the daytime, of light homeowner's residential outdoor equipment...."

The provisions of §8.16.080 regarding "non-measured noise disturbances", at paragraph L, govern. They prohibit the use of noisy domestic power tools used outdoors in residential areas between the hours of 10:00 p.m. and 7:00 a.m.

If the City Council wishes to further restrict the use of leaf blowers based on a finding that they are a problem requiring special treatment, the Council may, by amending the ordinance, expand the hours during which they are prohibited or make another appropriate amendment.

Very truly yours,

Russell B. Higley
Russell B. Higley



CAMBRIDGE LICENSE COMMISSION CITY OF CAMBRIDGE

831 MASSACHUSETTS AVE., 1ST FLOOR, CAMBRIDGE, MASSACHUSETTS 02139 • TEL. 349-6140

ALEX RODRIGUEZ
Commission Chairman

KEVIN FITZGERALD
Chief-of-Fire Department
Commission Member

HENRY BREEN
Police Representative
Commission Member

RICHARD V. SCALI
Commission Executive Officer

Date: November 3, 1994

To: Robert W. Healy, City Manager

Fr: Richard V. Scali, Acting Chairman/Executive Officer *RVS*

Re: Council Order #33, dated 10/31/94 Report on Mechanical
Equipment Such as Leaf Blowers Whether Violated the Noise
Ordinance

In response to the above order, I offer you the following with regard to leaf blowers.

Chapter 8.16.080, section L, of the Cambridge Noise Ordinance, provides that operating a domestic power tool such as a snowblower or other similar device, used outdoors, in residential areas between the hours of 10:00 p.m. and 7:00 a.m., is a non-measured noise disturbance so as to be plainly audible at a distance of 50 feet from the lot line on which such activity is located, or in a noise sensitive zone.

Thus, we have determined that, other than the hours specified above, a leaf blower is not in violation of the noise ordinance. The noise ordinance does not specify operation of a leaf blower during the hours of 7:00 a.m. to 10:00 p.m. or less than 50 feet away.

Operation of a leaf blower, during the hours of 7:00 a.m. and 10:00 p.m., would most definitely be higher than the 60 d(B)A allowed in residential areas under the measured noise section of the ordinance. However, the ordinance is not clear whether a device such as a leaf blower, would come under the measured section of the ordinance when it is specified in the non-measured section so clearly.

I would recommend a clarification of the noise ordinance on this matter in order for our office to enforce this measured noise disturbance.

cc: Russell Higley, City Solicitor; Andrea Boyer, Chief Investigator; Henderson Headley, Investigator; Mary Ellen Vera



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

December 12, 1994

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item No. 35, regarding whether the use of leaf blowers violates the Noise Ordinance, received from Richard Scali, Executive Officer of the License Commission as well as City Solicitor Russell B. Higley.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert W. Healy", is written over a horizontal line.

Robert W. Healy
City Manager

RWH/mev
attachment

Consent Agenda # 2

S-579

Awaiting Report Item Number Thirty-Five regarding
whether the use of leaf blowers violates the
Noise Ordinance.

for original order
see 1994 City Manager
Requests #370.

In City Council,

December 12, 1994

Placed on file