



CAMBRIDGE LICENSE COMMISSION CITY OF CAMBRIDGE

831 MASSACHUSETTS AVE., 1ST FLOOR, CAMBRIDGE, MASSACHUSETTS 02139 • TEL. ~~499-6140~~

349-6140

JAMES THADDEUS McDAVITT
Commission Chairman

ANTHONY G. PAOLILLO
Chief-of-Police Department
Commission Member

THOMAS V. SCOTT
Chief-of-Fire Department
Commission Member

RICHARD V. SCALI
Commission Executive Officer

TO: Robert W. Healy, City Manager
FROM: James T. McDavitt, License Commission Chair
RE: City Council Order #42
DATE: February 1, 1991

James T. McDavitt

RECEIVED
91 JAN 32 PM 12:42
OFFICE OF THE CITY MANAGER

Please be advised that License Commission resources, if available, may assist the Police Department with the handling of a noise complaint from premises not requiring a license, such as HVAC units (Heating-Ventilating-Air Conditioning Units) atop a telephone building or supermarket.

The scheme for allowable noise limits is set by ordinance and is attached to this report. If the noise levels are found to be in violation, the offender is given a reasonable time (up to eight weeks in practice) to hire a sound engineer and a contractor to abate the noise nuisance. If the offender is uncooperative, the solution is to seek a criminal complaint in the matter.

There is in the Noise Ordinance a provision which allows the Inspectional Services Commissioner to grant a variance from the terms of the Noise Ordinance, but Inspectional Services Commissioner Joseph Cellucci has advised me that such a variance has never been granted.

The Inspectional Services Commissioner also advised me that he is currently working on a policy and procedure which would incorporate the protections of the Noise Ordinance into the building permit process, whenever a HVAC or similar unit is to be installed. Commissioner Cellucci also said the new policy and procedure must be consistent with the terms of the State Building Code, so that careful deliberation is required. Commissioner Cellucci has advised me that, in order to formulate said new policy, he has been working for the past several months with both a mechanical engineer and Building Code officials at the state level. He said he would advise you when his work on this matter is completed.

In terms of complaint procedure, a complaint about noise may be made to the Police Department at any time.

Robert W. Healy
February 1, 1991
Page Two

If the alleged source of annoying noise is a site licensed and regulated by the License Commission, a call may be made to the License Commission during regular working hours. This call to the Commission may be in addition to or in lieu of a call to the Police Department. When an annoyance is allegedly emanating from licensed premises, the License Commission investigator initiates action on her own and, if appropriate, brings the matter before the License Commission as a disciplinary matter. If an offending licensee is uncooperative, the license may be suspended or revoked.

Please advise if there are questions or comments.

cc: Joseph Grainger, Acting Chief of Police
Joseph Cellucci, Inspectional Services Commissioner

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
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

February 4, 1991

To The Honorable, The City Council:

In reference to Awaiting Report Item No. 2, relative to types of controls the city has to regulate air conditioning units, please find attached a response from James T. McDavitt, License Commission Chair, concerning this issue.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
attachment

Agenda # 10

S 224

CONSENT

Awaiting Report Item Number Two
regarding types of controls the city
has to regulate air conditioning
units.

In City Council,

February 4, 1991

Placed on file