



16.

CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex Inman & Broadway

To The Honorable, the City Council

From David R. Vickery, Assistant City
Manager for Community Development

Date August 27 , 1980

Subject Noise Control Ordinance Status Report

Re: City Council Order #2

This memorandum is in response to the City Council Order of June 16, 1980 requesting a written report from the Cambridge Police Department and the Community Development Department as to the current status of the implementation of the noise ordinance and enforcement procedures related thereto.

The Community Development Department has reviewed the current Noise Control Ordinance which was adopted in 1977 and has discussed this City Council Order with the appropriate enforcement officials at the Cambridge Police Department and with Building Department personnel familiar with the Ordinance. We find that the Noise Control Legislation as written could offer adequate protection from noise pollution to the citizens of Cambridge. However, the lack of enforcement of this legislation fails to provide that protection. It is our understanding that the Ordinance is enforced only when complaints are made to City officials. According to the Cambridge Police Department officials, who are responsible for the enforcement of the Noise Control Ordinance, this low level of enforcement is due primarily to the lack of available technically trained personnel and to a low level funding priority for noise control in the City.

Enclosed is a copy of the "Environmental Noise Control Program Survey" which we are sending to the National League of Cities and the U. S. Environmental Protection Agency. This survey may be of some assistance to you in assessing the problems of noise control in Cambridge. It is our feeling that more effective noise control would be possible only if a significant staffing and budget commitment is made to regularly monitor noise levels and to enforce the present ordinance.

Enclosure

ENVIRONMENTAL NOISE CONTROL PROGRAM SURVEY

City Code: MA025
(NLC use only)

SEND REQUEST
If you have already returned this
questionnaire, please disregard this request.
Thank you

General Instructions

This survey is designed to provide the National League of Cities (NLC) and the U.S. Environmental Protection Agency (EPA) with valuable information on the scope and nature of environmental noise control activities in the nation's municipalities. It is important that you complete the entire survey. For municipalities that do not currently undertake noise control activities, those questions that do not apply have been noted in the survey.

Part I of the survey includes a series of questions about noise in your community. Through these questions, NLC and EPA will be better able to determine the nature and scope of *noise problems* encountered in the nation's cities. Answers to these questions should be based on your perceptions and opinions, and are designed to be completed in a relatively short time.

Part II of this survey contains a number of questions to determine the specific nature and scope of *noise legislation* in your municipality. In those municipalities without noise control legislation, some questions will not apply while others are designed specifically for municipalities that do not currently have such legislation. If your municipality has noise control legislation, you may wish to request that the person in charge of the enforcement of the legislation complete this section.

Part III is similar to Part II and contains questions related to the nature of existing *noise control programs* in your municipality. It is understood that your municipality may have a noise control program without specific legislation. Similarly, your municipality may have specific noise control legislation without having a noise control program.

Part IV of this survey provides an opportunity for you to indicate the utility of various types of *information on noise* related issues.

Participation in this survey program is strictly on a voluntary basis. All returned questionnaires will become public record. Upon completion of the analysis of the survey results, you will be sent a copy of the Executive Summary of the report.

If you have any questions or problems in completing the survey, please feel free to contact Craig Caywood at (202) 293-7174.

Please return the survey in the enclosed envelope by June 30, 1980.

Thank you for your cooperation.

Return to:

Craig Caywood
National League of Cities
1620 Eye Street N.W.
Washington, D. C. 20006

Person completing this questionnaire:

Name David Vickery

Title Assistant City Manager

Department Community Development Department

Address 57 Inman Street

City Cambridge State Ma. Zip 02139

Phone ()

Part I COMMUNITY NOISE

1. Please indicate how serious you feel each of the following types of pollution are in your municipality. (Circle the number of the appropriate response for each item.)

	Very serious	Fairly serious	Not too serious	Don't know
a. Air pollution	<u>1</u>	2	3	8
b. Pollution of drinking water	1	<u>2</u>	3	8
c. Pollution of waterways, rivers, lakes, oceans	1	<u>2</u>	3	8
d. Noise pollution from traffic, construction, etc.	<u>1</u>	2	3	8
e. Solid waste pollution	1	2	<u>3</u>	8

2. Is noise a more serious or a less serious problem in your municipality than it was five years ago? (Check one.)

- 1 ☒ More serious
 2 ☐ About the same
 3 ☐ Less serious
 8 ☐ Don't know

3. How would you rate current efforts to control noise in your municipality? (Check one.)

- 1 ☐ Too much
 2 ☐ About right
 3 ☒ Not enough
 8 ☐ Don't know

4. Do you feel that noise in your municipality represents a threat to the health of your citizens? (Check one.)

- 1 ☒ Yes
 2 ☐ No
 8 ☐ Don't know

5. How much does each of the following sources of information contribute to your understanding of noise pollution issues in your municipality? (Circle the number of the appropriate response for each item.)

	Substantial Contribution	Some Contribution	No Contribution	Don't Know
a. Individual complaints	<u>1</u>	2	3	8
b. Activities or complaints initiated by groups	1	<u>2</u>	3	8
c. Public hearings or meetings	1	<u>2</u>	3	8
d. Surveys/monitoring	1	2	<u>3</u>	8
e. News media	1	2	<u>3</u>	8
f. Other (Specify) _____	1	2	3	<u>8</u>

6. Please indicate how much each of the following contribute to the current noise levels in your municipality.
(Circle the number of the appropriate response for each item.)

	Substantial Contribution	Some Contribution	No Contribution	Don't Know
a. Aircraft	1	2	3	8
b. Trucks	1	2	3	8
c. Buses	1	2	3	8
d. Autos	1	2	3	8
e. Motorcycles	1	2	3	8
f. Railroad operations	1	2	3	8
g. Construction equipment	1	2	3	8
h. Fixed industrial facilities	1	2	3	8
i. Emergency vehicles/sirens	1	2	3	8
j. Garbage trucks	1	2	3	8
k. Recreational vehicles	1	2	3	8
l. Public entertainment (i.e. public address systems, etc.)	1	2	3	8
m. Personal entertainment (i.e. home stereos, radios, etc.)	1	2	3	8
n. Animals	1	2	3	8
o. Home power equipment (i.e. lawn mowers, etc.)	1	2	3	8
p. Off road vehicles	1	2	3	8
q. Residential heating and cooling equip- ment (i.e. air conditioners, heat pumps, etc.)	1	2	3	8
r. Commercial heating and cooling equip- ment (i.e. air conditioners, heat pumps, etc.)	1	2	3	8
s. Other (Specify) <u>Musical sculptures</u>	1	2	3	8

Part II LEGISLATION AND ENFORCEMENT

7. a. Does your municipality have *any* existing legislation with noise control provisions? (Check one.)

- 1 ☒ Yes IF YES, THEN CONTINUE WITH QUESTION 7, Part b.
2 ☐ No IF NO, THEN ANSWER QUESTION 9, Part a.

b. If YES, please indicate the type of existing legislation with noise control provisions your municipality has. (Check one.)

- 1 ☐ Legislation specifically designed to control noise **with no** decibel (noise level) limits
2 ☒ Legislation specifically designed to control noise **with** specific decibel (noise level) limits
3 ☐ General public nuisance legislation designed to control noise and other disruptions to public order
4 ☐ Other (specify) _____

8. If you have a *municipal* code/ordinance, was it based on EPA's "Model Noise Control Ordinance?" (Check one.)

- 1 ☒ Yes
2 ☐ No

Partially

9. Please answer only one part of this question, either a or b.

a. If you **do not have** a local noise control code/ordinance, is any such legislation pending or anticipated?

- 1 ☐ Yes
2 ☐ No

b. If you **do have** legislation with noise control provisions, do you anticipate further legislation or modifications?

- 1 ☐ Yes
2 ☒ No

IF YOU HAVE NO LEGISLATION WITH NOISE CONTROL PROVISIONS OF ANY KIND, PLEASE SKIP TO QUESTION 13.

IF YOU HAVE LEGISLATION WITH NOISE CONTROL PROVISIONS BUT **NO SPECIFIC DECIBEL (NOISE LEVEL) LIMITS**, PLEASE SKIP TO QUESTION 12.

IF YOU HAVE LEGISLATION **WITH SPECIFIC DECIBEL (NOISE LEVEL) LIMITS**, PLEASE CONTINUE WITH QUESTION 10.

10. Does your municipality currently have any of the following laws or ordinances (excluding nuisance laws) which incorporate noise control provisions with specific decibel (noise level) limits? For those laws or ordinances which you have please indicate the agency (s) responsible for enforcement. (Circle the number of the appropriate response below.) Note: It would be appreciated if you would enclose copies of any existing or proposed laws or ordinances incorporating noise control provisions.

ENFORCEMENT PROVIDED BY:

TYPE OF LEGISLATION:	Legislation Exists		No Enforcement	Transportation	Police/ Public Safety	Public Health	Environment/ Pollution Control	Planning/ Development	Public Works	Building/ Zoning	Other (Specify)
	Yes	No									
a. Municipal code/ ordinance	1	2	9	1	2	3	4	5	6	7	8
b. Zoning code/ ordinance	1	2	9	1	2	3	4	5	6	7	8
c. Vehicle code	1	2	9	1	2	3	4	5	6	7	8
d. Building code	1	2	9	1	2	3	4	5	6	7	8
e. Health/safety code	1	2	9	1	2	3	4	5	6	7	8
f. Aircraft/airport code	1	2	9	1	2	3	4	5	6	7	8
g. Administrative code	1	2	9	1	2	3	4	5	6	7	8
h. State statute	1	2	9	1	2	3	4	5	6	7	8
i. Other (Specify)	1	2	9	1	2	3	4	5	6	7	8

11. For each of the following types of laws or ordinances with specified decibel (noise level) limits currently in effect (see question #10), please indicate which noise sources are covered by the legislation. (Circle the numbers of all appropriate responses for each item. Make sure the answers to this question correspond with the answers given in question 10.)

Type of Legislation:

Noise Sources:	Municipal code/ordinance	Zoning code/ordinance	Vehicle code	Building code	Health/safety code	Aircraft/airport code	Administrative code	State Statute	Other
a. Aircraft	1	2	3	4	5	6	7	8	9
b. Trucks	6	2	3	4	5	6	7	8	9
c. Buses	6	2	3	4	5	6	7	8	9
d. Autos	6	2	3	4	5	6	7	8	9
e. Motorcycles	1	2	3	4	5	6	7	8	9
f. Railroad operations	1	2	3	4	5	6	7	8	9
g. Construction equipment ...	1	2	3	4	5	6	7	8	9
h. Fixed industrial facilities ...	1	2	3	4	5	6	7	8	9
i. Emergency vehicles/sirens	1	2	3	4	5	6	7	8	9
j. Garbage trucks	1	2	3	4	5	6	7	8	9
k. Recreational vehicles	1	2	3	4	5	6	7	8	9
l. Public entertainment (i.e. public address systems, etc.)	1	2	3	4	5	6	7	8	9
m. Personal entertainment (i.e. home stereos, radios, etc.)	1	2	3	4	5	6	7	8	9
n. Animals	1	2	3	4	5	6	7	8	9
o. Home power equipment (i.e. lawnmowers, etc.)	1	2	3	4	5	6	7	8	9
p. Off road vehicles	1	2	3	4	5	6	7	8	9
q. Residential heating and cooling equipment (i.e. air conditioners, heat pumps, etc.)	1	2	3	4	5	6	7	8	9
r. Commercial heating and cooling equipment (i.e. air conditioners, heat pumps, etc.)	1	2	3	4	5	6	7	8	9
s. Other (Specify)	1	2	3	4	5	6	7	8	9

12. In your opinion, to what degree does each of the following represent a problem in the enforcement of noise regulations. (Circle the number of the appropriate response for each item.)

	Major Problem	Minor Problem	No Problem	Don't Know
a. Ambiguous legislation	1	2	<u>3</u>	8
b. Unenforceable legislation	<u>1</u>	2	3	8
c. Inadequate measurement devices/techniques	1	<u>2</u>	3	8
d. Lack of citizen support	1	2	3	<u>8</u>
e. Inadequate manpower	<u>1</u>	2	3	8
f. Enforcement actions not upheld in court .	<u>1</u>	2	3	8
g. Inadequate funding	<u>1</u>	2	3	8
h. Other (Specify) _____	1	2	3	8

PART III NOISE CONTROL PROGRAMS

13. Does your municipality have a noise control program? A noise control program is defined as a program having the following: funding, staff, equipment, and enforcement of a law or ordinance which includes decibel (noise level) limits. The law or ordinance must include decibel (noise level) limits in *any one* of the following areas: vehicles, property line, construction and land use. Your municipality may have a noise control program without specific municipal legislation as long as some other federal, state or county law or ordinance is enforced. (Check one.)

1 ☐ Yes IF YES, THEN ANSWER QUESTION 15, PART III.

2 ☒ No IF NO, THEN ANSWER QUESTION 14, PART III AND SKIP TO QUESTION 21, PART IV.

14. If your municipality does not have a noise control program, why not? (Check each response as applicable.)

- 1 ☐ Not a problem
- 2 ☒ Not a high priority problem
- 3 ☐ Nothing can be done
- 4 ☐ No legislative basis
- 5 ☐ Not a local responsibility
- 6 ☐ Too expensive
- 7 ☐ Opposition from industry
- 8 ☐ Other (Specify) _____

15. Indicate the approximate number of full-time municipal employees (including public safety employees) in each category who usually spend more than 20% of their work week on noise control activities. (Indicate the appropriate number in each category.)

- _____ a. Public Safety/Police
 _____ b. Public Health
 _____ c. Environmental Control
 _____ d. Planning/Development
 _____ e. Public Works
 _____ f. Building/Zoning
 _____ g. Transportation
 _____ h. Other (Specify) _____

16. Please indicate whether or not these activities are part of your municipality's noise control program. (Circle the number of the appropriate response for each item.)

	Part of Program	
	Yes	No
a. Enforcement	1	2
b. Complaint handling	1	2
c. Development of laws/regulations	1	2
d. Public education	1	2
e. Environmental impact reports	1	2
f. Monitoring/surveys	1	2
g. Research	1	2
h. Administration	1	2
i. Other (Specify) _____	1	2

17. Please indicate the significance of the following problems facing your noise control efforts. (Circle the number of the appropriate response for each item.)

	Significant Problem	Minor Problem	No Problem	Don't Know
a. Lack of citizen support	1	2	3	8
b. Lack of political support	1	2	3	8
c. Lack of manpower	1	2	3	8
d. Untrained personnel	1	2	3	8
e. Inadequate operating budget	1	2	3	8
f. Lack of effective legislation	1	2	3	8
g. Enforcement related problems	1	2	3	8
h. Inability to demonstrate program success	1	2	3	8
i. General inability to meet program objectives ..	1	2	3	8
j. Other (Specify) _____	1	2	3	8

18. How much progress over the last five years has been made by your noise control program in reducing the noise from each of the following sources? (Circle the number of the appropriate response for each item.)

	Significant Progress	Minimal Progress	No Progress	Don't Know
a. Aircraft	1	2	3	8
b. Trucks	1	2	3	8
c. Buses	1	2	3	8
d. Autos	1	2	3	8
e. Motorcycles	1	2	3	8
f. Railroad operations	1	2	3	8
g. Construction equipment	1	2	3	8
h. Fixed industrial facilities	1	2	3	8
i. Emergency vehicles/sirens	1	2	3	8
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n. Animals	1	2	3	8
o. Home power equipment (lawn mowers, etc.)	1	2	3	8
p. Off road vehicles	1	2	3	8
q. Residential heating and cooling equipment (i.e. air conditioners, heat pumps, etc.)	1	2	3	8
r. Commercial heating and cooling equipment (i.e. air conditioners, heat pumps, etc.)	1	2	3	8
s. Other (Specify) _____	1	2	3	8

19. Estimate the total amount spent by your municipality on all noise control activities during the last fiscal year including costs of personnel and equipment.

TOTAL \$ _____

20. Who in your municipality is the most appropriate contact for noise abatement information?

Name _____

Title _____

Department _____

Address _____

PART IV EVALUATION OF ASSISTANCE FROM EPA AND NATIONAL LEAGUE OF CITIES

21. Please indicate the *current* usefulness to your municipality of the following products or services provided by the U.S. Environmental Protection Agency. (Circle the number of the appropriate response for each item.)

	Very Useful	Somewhat Useful	Not Useful	Don't Know
a. Model legislation	1	2	(3)	8
b. Training programs	1	2	(3)	8
c. Technical assistance material (survey workbooks, levels document, etc.)	1	2	(3)	8
d. Noise measurement and monitoring equipment loans	1	(2)	3	8
e. Direct on-site technical assistance	1	2	(3)	8
f. Health and welfare impact reports	1	2	(3)	8
g. Regional technical assistance center	1	2	(3)	8
h. Federal new product regulations	1	2	3	(8)
i. Peer match exchange through Each Community Helps Others (ECHO) Program	1	2	(3)	8
j. "Buy Quiet" program	1	2	(3)	8
k. Other (Specify) _____	1	2	3	(8)

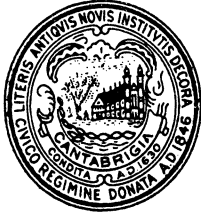
22. Please indicate the extent to which the following types of U.S. Environmental Protection Agency assistance *would be* of significant use to your municipality's noise abatement and control efforts. (Circle the number of the appropriate response for each.)

	Very Useful	Somewhat Useful	Not Useful	Don't Know
a. Model legislation	1	2	3	8
b. Manpower	1	2	3	8
c. Manpower training/workshops	1	2	3	8
d. Noise control program on-site technical assistance	1	2	3	8
e. Enforcement procedures	1	2	3	8
f. Noise technical assistance reports	1	2	3	8
g. Land use planning guides	1	2	3	8
h. Noise measurement equipment	1	2	3	8
i. Public information materials	1	2	3	8
j. Vehicle inspection/ maintenance procedures	1	2	3	8
k. Peer exchange programs	1	2	3	8
l. National/Regional/ State workshops	1	2	3	8
m. Airport planning	1	2	3	8
n. Regional technical assistance centers	1	2	3	8
o. New product regulations	1	2	3	8
p. Local "Quiet" equipment procurement procedures	1	2	3	8
q. Other (Specify) _____	1	2	3	8

23. Please indicate the *current* usefulness to your municipality of the following products or services provided by the National League of Cities. (Circle the number of the appropriate response for each item.)

	Very Useful	Somewhat Useful	Not Useful	Don't Know
a. <i>Nation's Cities Weekly</i> Reports	1	2	3	8
b. Providing EPA documents and materials	1	2	3	8
c. Responses to inquiries	1	2	3	8
d. Comparative reports on other noise control programs	1	2	3	8
e. Articles discussing legislation or policy	1	2	3	8
f. Other (Specify) _____	1	2	3	8

Thank you for your cooperation in completing this survey.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

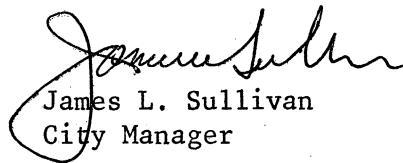
EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

September 29, 1980

To the Honorable, the City Council:

With respect to Awaiting Report Item No. 16 relative to the current status of the implementation of the noise ordinance, enclosed please find copy of a report from David R. Vickery, Assistant City Manager for Community Development.

Very truly yours,



James L. Sullivan
City Manager

JLS/mbf
Enc.

Agenda # 2

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Awaiting REport Item No. 16 relative to the
status of the implementation of the noise
ordinance.

In City Council,

Sept. 29, 1980

Sept. 29, 1980

Placed on File -