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CAMBRIDGE MA.

May 20, 1988

Mr. David Sullivan, City Councillor
City Council Office
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Councillor Sullivan:

Several weeks ago, upon my request (thank you), you forwarded to me a copy of the Cambridge Ordinance No. 887, Regulations for the Control of Noise. Please allow this letter to serve as my formal request for an amendment to this Ordinance, No. 887.

Page 3 of the ordinance defines "daytime" as "...the period between the hours of seven ante meridian (7:00 am) and six post meridian (6:00 pm) daily except Sunday according to the time system locally in effect." As a resident situated in the middle of several large construction projects, currently underway and in the pipeline, I would like to offer the following amendment and justification for same:

Be it hereby amended in Ordinance No. 887, of the General Ordinances of the City of Cambridge, 1977, by inserting in Section 2, in the definition of DAYTIME, after the word "...effect.", "Daytime as it pertains to construction sites within 300 feet of inhabited residential property shall mean the period of 7:00 am to 6:00 pm daily except Saturday and Sunday, when daytime shall mean 8:30 am to 6:30 pm on Saturday.

Ordinance No. 887 of the General Ordinances of the City of Cambridge is further amended by inserting on page 12 Section XI., (3), after the word "...Ordinance.", Construction activities which are located within 300 feet of inhabited residential property may not be granted license or permit exempting same from the definition of DAYTIME as defined in this Ordinance, except under the condition that a) an emergency condition exists that would endanger the welfare of residents in the immediate area, or, b) permission has been obtained from all residents within 300 feet of the construction site, or c) such extenuating circumstances exist and have been determined by the City Council to deem exception."

Section XV.A. is hereby amended by inserting after the word "...year.", "Variances shall not be granted to exempt construction projects from Section XI., (3), unless the conditions of same as well as the conditions of this section are met."

The request for this change is based on my experience. I work 6 days a week - Sunday through Friday - and have only Saturday to catch up on my sleep. I know that I am not alone and that many other residents object to early construction on Saturday mornings. I am not asking for a prohibition, merely a consideration on the part of the developer/contractor for residents' peace on Saturday morning. As a compromise, an extension of the daytime hours to 6:30 pm on Saturday is offered.

According to the 1986 Massachusetts General Laws, Section 21:22, Chapter 40, cities and towns are authorized to control or abate noise from whatever source by adoption of a local ordinance. I believe that Cambridge Ordinance No.887 does not adequately address construction noise on Saturday mornings, when such construction occurs within 300 feet of an inhabited residential property.

I urge the City Council to please consider this request at the earliest convenient City Council meeting, and to inform me of when this shall be; however, if the above offered amendments are unreasonable or impossible, please contact me to discuss same. Thank you for your consideration.

Sincerely,



DARALYN M. KHAN

cc: Mr. William Walsh, City Councillor
Mr. Frank Duhey, City Councillor
Ms. Alice Wolf, City Councillor
Mayor Alfred Vellucci, City Councillor
Ms. Sandra Graham, City Councillor
Mr. Thomas Danehy, City Councillor
Ms. Sheila Russell, City Councillor
Mr. Walter Sullivan, City Councillor

Comm. from Daralyn M. Khan requesting that Ordinance No. 887, Regulations for the Control of Noise be amended in the definition of "Day-time" as it relates to construction sites within 300 feet of inhabited residential property.

In City Council,

June 6, 1988

6-6-88

Referred to hearing
at 6:00 p.m. on 6-6-88.