

PROPOSED ORDINANCE SUPPLEMENTAL

AMENDING CHAPTER 164, NOISE, SECTION 164-5

WHEREAS, Chapter 164 of the Code of Ordinances provides for the control of noise in the City of Stamford; and

WHEREAS, Section 164-3 of the Code of Ordinances includes definitions of daytime hours and nighttime hours; and

WHEREAS, Section 164-5.E(5) contains an exemptions for noise from demolition activities; and

WHEREAS, it has been determined that it is in the best interests of the City of Stamford to prohibit all non-emergency demolition activities on Sunday within 100 feet of a residential zone.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Chapter 164, Sections 164-5 of the Code of Ordinances is hereby amended as follows:

Sec. 164-5. Noise levels.

A.

It shall be unlawful for any person to emit or cause to be emitted any noise beyond the boundaries of his/her premises in excess of the noise levels established in these regulations.

B.

Noise level standards.

(1)

No person in a residential zone shall emit noise beyond the boundaries of his/her premises exceeding the levels stated herein and applicable to adjacent residential, commercial or industrial zones:

Receptor's Zone

Emitter's Zone	Industrial	Commercial	Residential/Day	Residential/Night
Residential	62 dBA	55 dBA	55 dBA	45 dBA

(2)

No person in a commercial zone shall emit noise beyond the boundary of his/her premises exceeding the levels stated herein and applicable to adjacent residential, commercial or industrial zones:

Receptor's Zone

Emitter's Zone	Industrial	Commercial	Residential/Day	Residential/Night
Commercial	62 dBA	62 dBA	55 dBA	45 dBA

(3)

No person in an industrial zone shall emit noise beyond the boundary of his/her premises exceeding the levels stated herein and applicable to adjacent residential, commercial or industrial zones:

Receptor's Zone

Emitter's Zone	Industrial	Commercial	Residential/Day	Residential/Night
Industrial	<u>70</u> dBA	66 dBA	61 dBA	51 dBA

C.

High background noise levels and impulse noise.

(1)

In those individual cases where the background noise levels caused by sources not subject to these regulations exceed the standards contained herein, a source shall be considered to cause excessive noise if the noise emitted by such source exceeds the background noise levels by five (5) decibels, provided that no source subject to the provisions of this chapter shall emit noise in excess of eighty (80) decibels at any time, and provided that this section does not decrease the permissible levels of other sections of this chapter.

(2)

No person shall cause or allow the emission of impulse noise in excess of eighty (80) decibels peak sound-pressure level during the nighttime to any residential noise zone.

(3)

No person shall cause or allow the emission of impulse noise in excess of one hundred (100) decibels peak sound-pressure level at any time in any zone.

D.

Exclusions. These levels shall not apply to noise emitted by or related to:

(1)

Natural phenomena.

(2)

Any bell or chime from any building clock, school or church.

(3)

Any siren, whistle or bell lawfully used by emergency vehicles or any other alarm systems used in an emergency situation; provided, however, that burglar alarms not terminating within fifteen (15) minutes after being activated shall be unlawful.

(4)

Warning devices required by Occupational Safety and Health Administration or other state or federal safety regulations.

(5)

Farming equipment or farming activity.

E.

Exemptions and special conditions. The following shall be exempt from these regulations, subject to special conditions as may be spelled out:

(1)

Noise generated by construction activities during daytime hours, it being the express intention of this provision to prohibit the use of construction equipment and machinery before the hour of 7:00 a.m. on Monday through Friday, 8:00 a.m. Saturday and 10:00 a.m. Sunday.

(2)

Noise created as a result of or relating to an emergency.

(3)

Noise from domestic power equipment, such as but not limited to power saws, sanders, grinders, lawn and garden tools or similar devices operated during daytime hours.

(4)

Noise from snow removal equipment.

(5)

Noise from demolition activities conducted during daytime hours, it being the express intention of this provision to prohibit the use of equipment and machinery used in demolition work before the hour of 7:00 a.m. on Monday through Friday, 8:00 a.m. Saturday and 10:00 a.m. Sunday; provided that when considered emergency work, demolition shall be exempt at all times from the noise levels set in this regulation. Notwithstanding the foregoing, the use of equipment and machinery used in demolition work, other than for emergency work, shall be prohibited on Sunday within 100 feet of a residential zone.

(6)

Noise created by any aircraft flight operations, which are specifically preempted by the Federal Aviation Administration.

(7)

Noise created by any recreational activities which are permitted by law and for which a license or permit has been granted by the city, including but not limited to parades, sporting events, concerts and firework displays.

(8)

Noise created by blasting other than that conducted in connection with construction activities, provided that the blasting is conducted between 8:00 a.m. and 5:00 p.m., local time, at specified hours previously announced to the local public, or provided that a permit for such blasting has been obtained from local authorities.

(9)

Noise created by refuse and solid waste collection, provided that the activity is conducted during daytime hours.

(10)

Sound created by any mobile source of noise. Mobile sources of noise shall include but are not limited to such sources as aircraft, automobiles, trucks and boats. However, notwithstanding this subsection, motor vehicles shall be subject to the standards set forth in § 164-7 hereof.