RESOLUTION

Item # RE:

To the Honorable Mayor, and the Common Council of the City of New Britain:

the undersigned beg leave to recommend the adoption of the following

AN ORDINANCE OF THE CITY OF NEW BRITAIN PROVIDING THAT THE CODE OF ORDINANCES, CITY OF NEW BRITAIN, BE AMENDED BY REPEALING ARTICLE V OF CHAPTER 16 IN ITS ENTIRETY AND SUBSTITUTING THIS ARTICLE V OF CHAPTER 16, CONCERNING THE EMISSION OF NOISE IN LIEU THEREOF.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN THAT THE CODE OF ORDINANCES, CITY OF NEW BRITAIN, BE AMENDED BY REPEALING ARTICLE V OF CHAPTER 16 CONCERNING THE EMISSION OF NOISE AND SUBSTITUTING THIS ARTICLE V OF CHAPTER 16 IN LIEU THEREOF:

ARTICLE V.

Sec. 16-101. Purpose.
It is recognized that people have a right to and should be ensured an environment free from excessive sound and vibration that may jeopardize their health, safety or welfare or degrade the quality of their lives. This ordinance is enacted to protect, preserve and promote the health, safety, welfare and quality of life for the citizens of the city of New Britain through the reduction, control and prevention of noise.

Sec. 16-102. Definitions.
When used in this ordinance, the terms below shall have the following meaning:

- **Background Noise** - Noise of a measurable intensity which exists at a point as a result of a combination of many distant sources individually indistinguishable.
- **Business Zone** - Those areas so designated under business zone of the zoning ordinances of the city of New Britain.
- **Chief of Police** - The chief of police of the city of New Britain or a duly authorized officer subject to his/her order.
RESOLUTION

Item # RE:

To the Honorable Mayor, and the Common Council of the City of New Britain:

the undersigned beg leave to recommend the adoption of the following

construction - The assembly, erection, substantial repair, alteration, demolition or site preparation for or of public or private rights-of-way, buildings or other structures, utilities or property.

Construction Equipment - Any equipment or device operated by fuel or electric power used in construction or demolition.

Daytime Hours - The hours between 7:00 a.m. and 9:00 p.m. Monday through Saturday and the hours between 9:00 a.m. and 9:00 p.m. on Sunday.

Decibel - A unit of measurement of the sound level, the symbol for which is "db".

Demolition - Any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces or similar property.

Emergency Vehicle - Any motor vehicle authorized by any local authority to have sound warning devices, such as sirens and bells, which can lawfully be used when responding to an emergency.

Emergency Work - Work made necessary to restore property to a safe condition following an emergency or work required to protect persons or property from exposure to imminent changes.

Excessive Noise - Any sound, the intensity of which exceeds the standard set forth in section 16-105.

Impulse Noise - Sound of short duration, usually less than one (1) second, with an abrupt onset and rapid delay.

Industrial Zone - Those areas so designated under the industrial zone of the zoning ordinances of the city of New Britain.

Intrusion Alarm - A device with an audible signal and which, when activated, indicates an intrusion by an unauthorized person.

Motor Vehicle - A vehicle as defined in subdivisions (30) and (31) of section 14-1 of the Connecticut General Statutes, revision of 1958, as amended.
RESOLUTION

Item # RE:

To the Honorable Mayor, and the Common Council of the
City of New Britain:

the undersigned beg leave to recommend the adoption of the following

Nighttime Hours - The hours between 9:00 p.m. and
7:00 a.m. Sunday evening through Saturday morning and
between 9:00 p.m. and 9:00 a.m. Saturday evening through
Sunday morning.

Noise Level - The sound-pressure level as measured
with a sound-level meter using the A-weighting network.
The sound level is designated "db(A)" or "db(a)".

Person - Any individual, firm, partnership,
association, syndicate, company, trust, corporation,
municipality, agency or political or administration
subdivision of the state or other legal entity of any
kind.

Premises - Any building, structure, land or portion
thereof, including all appurtenances, owned or controlled
by a person. A noise emitter's premises includes
 contiguous publicly dedicated street and highway
right-of-ways, all road rights-of-way and waters of the
state.

Property Line - That real or imaginary line along the
ground surface and its vertical extension which separates
real property owned or controlled by any person from
 contiguous real property owned and controlled by another
person and which separates real property from the public
right-of-way.

Public Right-of-Way - Any street, avenue, boulevard,
highway, sidewalk, alley, park, waterway, railroad, or
similar place which is owned or controlled by a government
entity.

Residential Zone - Those areas so designated under
residential zone of the zoning ordinances of the city of
New Britain.

Sound - A transmission of energy through solid,
liquid or gaseous media in the form of vibrations which
constitute alteration in pressure or position of particle
in the medium and which, in air, evoke physiological
sensations, including but not limited to an auditory
response when impinging on the ear.
RESOLUTION

To the Honorable Mayor, and the Common Council of the City of New Britain:

the undersigned beg leave to recommend the adoption of the following

Sound-Level Meter - An instrument used to measure sound levels. A "sound-level meter" shall conform, at a minimum, to the American National Standards Institute operation specifications for sound level meters SL4-1971 (Type S2A).

Sound-Pressure Level - The A-weighted sound-pressure level, expressed in decibels (dBA), measured on a sound-level meter.

Sec. 16-103. Noise measurement procedures.
For the purpose of determining noise levels as set forth in this ordinance, the following guidelines shall be applicable:

(a) A person conducting sound measurements shall have been trained in the techniques and principles of sound measuring equipment and instrumentation.

(b) Instruments used to determine sound-level measurement shall be sound-level meters as defined by this ordinance.

(c) The following steps should be taken when preparing to take sound-level measurements:

(1) The instrument manufacturer's specific instructions for the preparation and use of the instrument shall be followed.

(2) Measurements to determine compliance with section 16-105 shall be taken at a point that is located more or less one (1) foot beyond the property line of the noise emitter's premises and within the noise receptor's premises.

Sec. 16-104. Classification of noise zones.
Noise zones within the city of New Britain shall be classified as to zoning applicable for the parcel or tract of land and the surrounding parcels or tracts. Noise zones specified herein shall correspond to the following zoning descriptions in the zoning ordinances and zoning map of the city of New Britain.
RESOLUTION

To the Honorable Mayor, and the Common Council of the
City of New Britain:

the undersigned beg leave to recommend the adoption of the following

**Note: Based on the zoning ordinances and zoning map of the city of New Britain.

---

<table>
<thead>
<tr>
<th>Actual or Intended Use</th>
<th>Current Zoning**</th>
</tr>
</thead>
<tbody>
<tr>
<td>B  Commercial</td>
<td>OP, B-1, B-2, B-3, B-4, TP</td>
</tr>
<tr>
<td>C  Industrial</td>
<td>I-1, I-2, I-3</td>
</tr>
</tbody>
</table>

Sec. 16-105. Noise zone standards.
It shall be unlawful for any person to emit or cause to be emitted any noise beyond the property lines of his/her premises in excess of the following noise levels:

<table>
<thead>
<tr>
<th>Emitter Noise Zone</th>
<th>Receptor Noise C</th>
<th>Receptor Noise B</th>
<th>Zone Class A-Day</th>
<th>Zone Class A-Night</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class C</td>
<td>70 dBA</td>
<td>66 dBA</td>
<td>61 dBA</td>
<td>51 dBA</td>
</tr>
<tr>
<td>Class B</td>
<td>62 dBA</td>
<td>62 dBA</td>
<td>55 dBA</td>
<td>45 dBA</td>
</tr>
<tr>
<td>Class A</td>
<td>62 dBA</td>
<td>55 dBA</td>
<td>55 dBA</td>
<td>45 dBA</td>
</tr>
</tbody>
</table>

Sec. 16-106. Delivery trucks.
In addition to the noise prohibitions in section 16-105, no person shall unload or cause to be unloaded delivery trucks within 200 feet of a residential district between one (1) hour after sundown and 7:00 a.m.

Sec. 16-107. Exceptions.
(a) This ordinance 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 system in an emergency situation.

Form TC-002
RESOLUTION

Item # RE:

To the Honorable Mayor, and the Common Council of the
City of New Britain:

the undersigned beg leave to recommend the adoption of the following

(4) A public emergency sound system.
(5) Warning devices required by the
Occupational Safety and Health Administration or other
state or federal safety regulations.
(6) Farming equipment or farming activity.
(7) An emergency.
(8) Snow removal equipment.

(b) The following shall be exempt from this
ordinance, subject to special conditions as specified:
(1) Noise generated by any construction
equipment which is operated during daytime hours, provided
that the operation of construction equipment during
nighttime hours shall not exceed the maximum noise levels
as specified in section 16-105 of this ordinance.
(2) Noise from domestic power equipment during
daytime hours.
(3) Noise from demolition work conducted during
daytime hours, provided that when considered emergency
work, demolition shall be exempted at all times from the
noise levels set in this ordinance.
(4) Noise created by any aircraft flight
operations which are specifically preempted by the Federal
Aviation Administration.
(5) 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
fireworks displays.
(6) Noise created by blasting other than that
conducted in connection with construction activities shall
be exempted 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 and
provided that a permit for such blasting has been obtained
from local authorities.

Form TC-002
RESOLUTION

Item #  RE:

To the Honorable Mayor, and the Common Council of the
City of New Britain:

the undersigned beg leave to recommend the adoption of the following

(Page 7 of 9)

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

(8) Noise created by fire or intrusion alarm
shall, from time of activation of the audible signal, emit
noise for a period of time not exceeding ten (10) minutes
when such alarm is attached to a vehicle or thirty (30)
minutes when attached to any building or structure.

(9) Noise generated by engine-powered or
motor-driven lawn care or maintenance equipment on Class A
property between the hours of 8:00 a.m. and 9:00 p.m.,
provided that noise discharged from exhausts is adequately
muffled to prevent loud noises therefrom.

(10) Public-address systems used in election
campaign activities during daytime hours only.

Sec. 16-108. Vehicle noise restrictions.
The following activities are prohibited:
(a) Motor vehicle noise. All motor vehicles
operated within the limits of the city of New Britain
shall be subject to the noise standards and decibel levels
set forth in the regulations authorized in section 14-80a
of the Connecticut General Statutes.

(b) Motor vehicle sound-amplifying devices. No
sound-amplifying devices on or within motor vehicles shall
emit noise in excess of the noise levels as specified in
section 16-105.

(c) Unregistered recreational vehicle noise. No
person shall create or cause to be created any
unreasonably loud or disturbing noise due to the operation
of an unregistered recreational vehicle. A noise shall be
deemed to be unreasonably loud and a violation of this
ordinance when the noise so generated exceeds the noise
level standards set forth in section 16-105.
To the Honorable Mayor, and the Common Council of the
City of New Britain:

the undersigned beg leave to recommend the adoption of the following

Sec. 16-109. Penalties for offenses.

Any person in violation of any of the sections of
this ordinance shall be fined in an amount not to exceed
fifty dollars ($50.00). Each day that such violation
continues after the time for correction of the violation
given in an order shall constitute a continuing violation,
and the amount of the fine for each day after the first
shall be ninety-nine dollars ($99.00).

Sec. 16-110. Variances.

(a) Any person living or doing business in the city
of New Britain may apply to the chief of police for a
variance of one (1) or more of the provisions of this
ordinance which are more stringent that the Connecticut
Department of Environmental Protection regulations for the
control of noise, provided that the applicant supplies all
of the following information to the chief of police at
least twenty (20) days prior to the start of the activity
for which the variance is sought:

1. The location and nature of the activity;
2. The time period and hours of operation of
   said activity; and
3. The nature and intensity of the noise that
   will be generated.

(b) No variance from this ordinance shall be granted
    unless it has been demonstrated that:

1. The proposed activity will not violate any
   provisions of the Connecticut Department of Environmental
   Protection regulations;
2. The noise levels generated by the proposed
   activity will not constitute a danger to the public
   health; and
3. Compliance with this ordinance constitutes
   an unreasonable hardship on the applicant.
To the Honorable Mayor, and the Common Council of the
City of New Britain:

the undersigned beg leave to recommend the adoption of the following

(c) The application for a variance shall be reviewed
and approved or rejected at least five (5) days prior to
the start of the proposed activity. Approval or rejection
shall be made in writing and shall state the condition(s)
of approval, if any, or the reason(s) for rejection.

(d) Failure to rule on an application within the
designated time shall constitute approval of the variance.

Sec. 16-111. More stringent provisions to apply.
All provisions of the zoning ordinances of the city
of New Britain which are more stringent than those set
forth herein shall remain in force. If, for any reason,
any word, clause, paragraph or section of this ordinance
shall be held to make the same unconstitutional or be
superseded by any state law or regulation, this ordinance
shall not thereby be invalidated, and the remainder of
this ordinance shall continue in effect.

Alderman Barbara L. Yezierski

Form TC-002