

Chapter 141. Noise

[HISTORY: Adopted by the Council of the City of Meriden 10-18-1999. Amendments noted where applicable.]

GENERAL REFERENCES

Alarms — See Ch. **60**.

Animals — See Ch. **65**.

Peace and good order — See Ch. **153**.

Zoning — See Ch. **213**.

§ 141-1. 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 chapter is enacted to protect, preserve and promote the health, safety, welfare and quality of life for the citizens of the City of Meriden through the reduction, control and prevention of noise.

§ 141-2. Definitions.

When used in this chapter, the terms below shall have the following meanings:

AMBIENT NOISE or BACKGROUND NOISE

Noise of a measurable intensity which exists at a point as a result of a combination of many distant sources individually indistinguishable.

CHIEF OF POLICE

The Chief of Police of the City of Meriden or a duly authorized officer subject to his/her order.

COMMERCIAL ZONE

Those areas designated as commercial districts in Chapter **213**, Zoning, of the City Code.^[1]

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 on construction or demolition.

CONTINUOUS NOISE

Ongoing noise, the intensity of which remains at a measurable level (which may vary) without interruption over an indefinite period or a specified period of time.

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 measure 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.

DOMESTIC POWER EQUIPMENT

Equipment including, but not limited to, power saws, drills, grinders, lawn and garden tools and equipment and other power equipment intended for use in a residential area by a homeowner.

EMERGENCY

Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

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 standards set forth in § 141-5.

IMPULSE NOISE

Sound of short duration, usually less than one second, with an abrupt onset and rapid decay, the level of which is measured with a sound-level meter, which shall conform to ANSI S127-1986 (R1993).

INDUSTRIAL ZONE

Those areas designated as industrial districts in Chapter 213, Zoning, of the City Code.^[2]

INTRUSION ALARM

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

LEGAL HOLIDAY

All legal holidays designated by the City of Meriden, the State of Connecticut and the United States of America.

MOTOR VEHICLE

A vehicle as defined in § 14-1(51) of the Connecticut General Statutes, as amended.

MUFFLER

A device for abating sounds such as escaping gas.

NIGHTTIME HOURS

The hours between 9:00 p.m. and 7:00 a.m. Sunday evening through Saturday morning, between 9:00 p.m. and 9:00 a.m. Saturday evening through Sunday morning, and between 9:00 p.m. and 7:00 a.m. Monday through Friday.

NOISE

Any sound, the intensity of which exceeds the standards as set forth in this chapter.

NOISE LEVEL

The sound-pressure level as measured with a sound-level meter.

NOISE LEVEL, A-WEIGHTED

The sound-pressure level as measured with a sound-level meter using the A-weighting network. The sound level is designated "dBA."

OCTAVE BAND SOUND-PRESSURE LEVEL

The sound-pressure level for the sound contained within the specified preferred octave band stated in dB, as described in ANSI 81.6-1984 (R 1994).

ONE-THIRD OCTAVE BAND SOUND-PRESSURE LEVEL

The sound-pressure level for the sound contained within the specified preferred one-third octave band, stated in dB, as described in ANSI 81.6-1984 (R 1994).

PEAK SOUND-PRESSURE LEVEL (SPL)

The absolute maximum value of the instantaneous sound-pressure level occurring in a specified time period.

PERSON

Any individual, firm, partnership, association, syndicate, company, trust, corporation, municipality, agency 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, and including yards, lots, courts, inner yards and real properties without buildings or improvements, owned or controlled by a person. A noise emitter's premises includes contiguous publicly dedicated street and highway rights-of-way, 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, over which the public in general has a right of passage.

RECREATIONAL VEHICLE

Any nonregistered, internal-combustion-engine-powered vehicle which is being used for recreational purposes.

RESIDENTIAL ZONE

Those areas so designated in the Zoning Regulations of the City of Meriden.^[3]

SOUND

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

SOUND ANALYZER

A device generally used in conjunction with a sound-level meter for measuring the sound-pressure level of a noise as a function of frequency, expressed in hertz (Hz) in octave bands, one-third octave bands or other standard ranges. The sound analyzer shall conform, at a minimum, to Type E, Class II, as specified in ANSI 81.11-1986 (R 1993).

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 SI. 4-1983 (R 1994).

SOUND-PRESSURE LEVEL (SPL)

Equals 20 times the logarithm to the base 10 of the ratio of the sound pressure in question to the standard reference pressure of 20 micro pascals expressed in decibel (dB) units.

SOUND-PRESSURE LEVEL, A-WEIGHTED

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

VIBRATION

An oscillatory motion of sound bodies of deterministic or random nature described by displacement, velocity, or acceleration with respect to a given reference point.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

[3] *Editor's Note: See Ch. 213, Zoning.*

§ 141-3. Noise measurement procedures.

For the purpose of determining noise levels as set forth in this chapter, the following guidelines shall be applicable:

- A. A person conducting sound measurement shall be trained in the current techniques and principles of sound measuring equipment and instrumentation.
- B. Instruments used to determine sound-level measurement shall be sound-level meters and analyzers as defined by this chapter.
- 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) If using a sound-level meter, it shall be calibrated before and after each set of measurements.
 - (3) If using a sound-level meter, it shall be placed at an angle from the sound source as specified by the manufacturer's instructions and at least four feet above the ground. It shall be placed at that location so as not to be interfered with by individuals conducting measurements.
 - (4) Measurements to determine compliance with § 141-5 shall be taken at a point that is located more or less than one foot beyond the property line of the noise emitter's premises and within the noise receptor's premises.
 - (5) While measurements are being recorded, a continual visual and aural surveillance of extraneous sound sources shall be made to ensure that the measurements are due to the sound being investigated. The sound levels of extraneous sound sources shall be recorded.
 - (6) The intentional moving or rendering inaccurate or inoperative of any sound-monitoring device or instrument positioned or used by or for the City of Meriden, provided that such device or the immediate area is clearly labeled to warn of the potential illegality, shall be a violation of this chapter.

§ 141-4. Classifications of noise zones.

Noise zones within the City of Meriden 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 Regulations and Zoning Map of the City of Meriden:^[2]

Zone	Actual or Intended Use
Class A	Residential
Class B	Commercial
Class C	Industrial

NOTE: Based on the Zoning Regulations and Zoning Map of the City of Meriden.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

[2] *Editor's Note: See Ch. 213, Zoning.*

§ 141-5. Noise zone standards.

- A. No person shall, except as provided in this chapter, allow or permit the creation, continuance or maintenance of any noise beyond the property line of his/her premises in excess of the noise levels established in these regulations.
- B. It shall be unlawful for any person to emit or cause to be emitted any noise beyond the property lines or boundaries of his/her premises in excess of the following noise levels:

Emitter Noise Zone	Receptor Zone Class			
	C (dBA)	B (dBA)	A-Day (dBA)	A-Night (dBA)
Class C	70	66	61	51
Class B	62	62	55	45
Class A	62	55	55	45

C. Impulse noise standards.

- (1) Class A receptor, nighttime. It shall be unlawful for any person to emit or cause to be emitted any impulse noise beyond the property lines of his/her premises to a Class A receptor noise zone during nighttime hours in excess of 80 dB peak sound-pressure level.
- (2) Any receptor, at any time. It shall be unlawful for any person to emit or cause to be emitted any impulse noise beyond the property lines of his/her premises to any receptor noise zone at any time in excess of 100 dB peak sound-pressure level.

D. 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 dBA, provided that no source subject to the provisions of this chapter shall emit noise in excess of 80 dBA 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 80 dB 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 100 dB peak sound-pressure level at any time to any zone.

§ 141-6. Prohibited noise activities.

- A. General prohibition. It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
- B. Enumeration of prohibited acts. Each of the following acts, among others, is declared unlawful and is prohibited, but this enumeration shall not be deemed to be exclusive:
 - (1) Animals. The keeping of any animal or bird which by causing frequent or long-continued noise shall disturb the comfort or repose of any person in the vicinity.
 - (2) Blowing horns, etc. The sounding of any horn or signal device on any automobile, motorcycle, bus, streetcar or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.
 - (3) Building operations. The erection (including excavating), demolition, alteration or repair of any building, or the excavation of streets and highways, other than between the hours of 7:00 a.m. and 6:00 p.m. on the weekdays, except in the case of urgent necessity in the interest of public safety, and then only with a permit from the appropriate municipal department, board or commission, which permit may be granted for a period not to exceed three days while the emergency continues.
 - (4) Exhaust discharge. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motorboat engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

- (5) Radios, portable radios, cd players, etc. The playing of any radio, portable radio, CD player, phonograph or any musical instrument in such a manner or with such volume, particularly during the hours between 10:00 p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any person in the vicinity.
- (6) Shouting, singing, etc. Yelling, shouting, hooting, whistling or singing on the public street, particularly between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of person in any office or in any dwelling, hotel or other type of residence, or of any person in the vicinity.
- (7) Steam whistles. The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon request of proper City authorities.

§ 141-7. Vehicle noise restrictions.

The following activities are prohibited:

- A. Motor vehicle noise. All motor vehicles operated within the limits of the City of Meriden shall be subject to the noise standards and decibel levels set forth in the regulations authorized in § 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 § **141-5** of this chapter.
- 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 chapter when the noise so generated exceeds the noise level standards set forth in § **141-5**.

§ 141-8. Exceptions.

- A. This chapter 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.
 - (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 operated at the order of the City of Meriden.
- B. The following shall be exempt from this chapter, 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 § **141-5** of this chapter.
 - (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 chapter.
- (4) Noise created by 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.^[1]
[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- (6) 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 a specified hour previously announced to the local public, and provided that a permit for such blasting has been obtained from local authorities.
- (7) Noise created by leaf, refuse and solid waste collection, provided that the activity is conducted during daytime hours.
- (8) Noise created by a fire or intrusion alarm, from the time of activation of the audible signal for a period of time not exceeding 10 minutes, when such alarm is 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 discharge from exhaust is adequately muffled to prevent loud noises therefrom.
- (10) Public-address systems used in election campaign activities during daytime hours only.
- (11) Noise created by those activities which are subject to the requirements and performance standards as set forth in § 213-54 of Meriden City Code.

§ 141-9. Enforcement; penalties for offenses.

- A. The provisions of this chapter may be enforced by citation, in addition to other remedies. The following persons have authority to issue citations for violations pursuant to these sections: the Police Department.
- B. Any person in violation of any of the sections of this chapter shall be fined in an amount not to exceed \$77. 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 shall be doubled for each day said violation continues, said fine not to exceed \$500 per day.

§ 141-10. Variances.

- A. Any person living or doing business in the City of Meriden may apply to the Chief of Police or his designee for a variance from one or more of the provisions of this chapter which are more stringent than 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 or his designee at least 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.
 - (3) The nature and intensity of the noise that will be generated.
 - (4) Any other information required by the Chief of Police or his authorized agent.
- B. No variance from this chapter 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 chapter constitutes an unreasonable hardship on the applicant.
- C. The application for a variance shall be reviewed and approved or rejected at least five days prior to the start of the proposed activity by the Chief of Police or his authorized agent. 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.

§ 141-11. Conflict with other regulations; severability.

All provisions of the Zoning Regulations of the City of Meriden 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 chapter shall be held to make the same unconstitutional or be superseded by any state law or regulation, this chapter shall not thereby be invalidated, and the remainder of this chapter shall continue in effect. Any provision herein which is in conflict with the Connecticut General Statutes, the Connecticut Department of Environmental Protection regulations or the Public Health Code of the State of Connecticut is hereby repealed, it being understood that the statutes and code shall take precedence over this chapter.