



Watertown City Council

Committee on Rules and Ordinances Meeting
Thursday, March 12, 2026 at 5:00 PM
Louis P. Andrews Third Floor Conference Room -
Third Floor

Agenda

ACCESS INFORMATION:

- A. This meeting will be held on March 12, 2026 at 5:00 P.M. Location: Louis P. Andrews Third Floor Conference Room
- B. The in-person meeting will also be televised through WCATV (Watertown Cable Access Television) on Comcast Channel 22 or RCN Channel 13 and can be streamed online at: <http://vodwcatv.org/CablecastPublicSite/watch-now?site=3>
- C. The Public may join the virtual meeting online: <https://watertown-ma.zoom.us/j/89707047441>
- D. Public may join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: 897 7074 7441
- E. Public may comment through email: jgannon@watertown-ma.gov

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- 1. Call to Order
 - 2. Discussion
 - A. Discussion On A Proposed Updated Noise Ordinance
 - 3. Adjournment

ELECTED OFFICIALS

Nicole Gardner,
Chair

Lisa J. Feltner,
Vice Chair

John G. Gannon,
Secretary

WHEREAS noise pollution is a hazard to public health, welfare, safety, and quality of life; and whereas a substantial body of science and technology exists by which noise pollution may be measured and abated; and,

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WHEREAS people have a right to and should be ensured an environment free from excessive noise pollution that may jeopardize their health, welfare, or safety.

NOW THEREFORE BE IT ORDAINED by the City Council of Watertown that Title IX, Chapter 95 of the Watertown Code of Ordinances, inclusive of all sections, is hereby repealed and replaced in its entirety with a new Chapter 95 as follows:

95.01 Statement of Purpose

- A. Noise pollution is a hazard to public health, welfare, safety, and quality of life. A substantial body of science and technology exists by which noise pollution may be measured and abated, and the people have a right to and should be ensured an environment free from excessive noise pollution that may jeopardize their health, welfare, or safety. This chapter serves to address persistent noise pollution rather than fleeting noise inherent to life in a densely populated community such as Watertown.

95.02 Definitions:

- A. Construction and demolition: Any of the following:
 - 1. excavation, highway construction, land development or land clearing work;
 - 2. the erection, demolition, alteration, repair, or relocation of any building or structure, which uses powered equipment including, but not limited to, backhoes, trucks, tractors, excavators, earth moving equipment, compressors, motorized or power hand tools, manual tools, or equipment of a similar nature as well as two-way radios or other communication equipment;
 - 3. the use of any equipment for recycling, screening, separating, or any other processing of soil, rocks, concrete, asphalt or other raw material
- B. Emergency: Any occurrence or set of circumstances involving actual or imminent physical hazard or property damage which demands immediate action
- C. Emergency work: Any work performed for the purpose of preventing or alleviating the physical hazard or property damage threatened or caused by an emergency
- D. Noise pollution: A noise source which increases noise level above ambient to the level prescribed in 95.03 (A)
- E. A-weighted decibels (dbA): The A-weighted sound-pressure level expressed in decibels

- F. Ambient noise level: The sound level associated with a given environment, being a composite of sounds from all sources excluding the alleged offensive noise, at the location and approximate time at which a comparison with the alleged offensive noise is to be made
- G. Plainly audible: Any sound that can be detected by a person of normal hearing ability using his or her unaided hearing facilities

95.03 Prohibition of Noise Pollution

- A. Any activity, other than those exempted by 95.03(B) below, which creates or produces sound measured at 10 dbA above ambient noise level at any of the following locations shall be deemed a violation of this section:
 - 1. The property line of any residential property or of any condominium or apartment house
 - 2. At least fifty feet away from the source of noise if in a non-residential setting if applicable
- B. Noise emanating from the operation of the following is exempt from the application of this section 95.03:
 - 1. Motor vehicles on a public highway
 - 2. Equipment used for construction and demolition
 - 3. Equipment used in domestic or commercial maintenance
 - 4. Domestic animals on a residential or commercial property
 - 5. Noncommercial public speaking and public assembly as protected by state and federal constitutions
 - 6. An emergency or emergency work
 - 7. City-sponsored events
- C. No person owning, leasing or controlling a source of sound shall cause, suffer, allow or permit unnecessary emissions from said source of sound that causes noise pollution via any of the following manners:
 - 1. Willfully
 - 2. Negligently
 - 3. Or through failure to provide necessary equipment, service, or maintenance or to take necessary precautions

95.04 Construction and Demolition

- A. All devices employed in construction or demolition which are plainly audible at any of the following locations shall be prohibited from use during the hours of 7:00 PM to 7:00 AM on weekdays, from 7:00 PM to 8:00 AM on Saturdays, and at any time on Sundays and legal holidays:
 - 1. The property line of any residential property or of any condominium or apartment house
 - 2. At least fifty feet away from the source of noise if in a non-residential setting, if applicable

- B. Nothing in this section shall be construed to prohibit noise emanating from vehicles used in construction or demolition for the purposes of safety such as backup alarms on a vehicle.

95.08 Domestic and Commercial Maintenance

- A. All devices employed in domestic or commercial lawn, garden, or grounds maintenance which are plainly audible at any of the following locations shall be prohibited between the hours of 7:00 PM and 7:00 AM on weekdays and from 7:00 PM to 8:00 AM on Saturdays, Sundays and legal holidays:
 - 1. The property line of any residential property or of any condominium or apartment house
 - 2. At least fifty feet away from the source of noise if in a non-residential setting, if applicable

95.09 Noise Waiver

- A. The Director of Public Health or his or her designee may grant a waiver for any activity otherwise forbidden by the provisions of this chapter upon a determination that compliance in the conduct of such activity would cause undue hardship on the person or persons conducting such activity or on the community, taking into account the extent of noise pollution caused by not requiring such compliance and whether reasonable efforts have been made to abate the noise. The Director of Public Health shall establish appropriate procedures for the processing of requests for such waivers, including such hearings as he or she deems appropriate. The Director of Public Health may seek the input of the Superintendent of Public Works in noise waiver requests related to construction or demolition. In granting any such waiver, the Director of Public Health may impose such appropriate conditions as he or she deems necessary pursuant to this section. Copies of all such waivers shall be filed with the clerk of the city council and to each ward city councilor whose ward is affected by the waiver promptly after issuance.

95.10 Enforcement

- A. The provisions of this chapter may be enforced by the Director of Public Health or his or her designee. The provisions of this chapter may also be enforced by the Chief of Police or his or her designee. Each violation shall be deemed as a separate offense.

95.99 Penalty

- A. Any person who violates any provision of this chapter shall be issued a verbal warning for the first offense, then fined as follows:
 - 1. \$100 for the second offense
 - 2. \$200 for the third offense
 - 3. \$300 for the fourth offense and each subsequent offense
- B. Nothing in this section shall be deemed to limit the use of other lawful methods of abating violations of this section, including but not limited to application for equitable relief from a court of law.

§ 95.01. Prohibition of noise emissions. [Ord. 6, passed 9-13-1983; amended Ord. 14, passed 3-12-1996]

- (A) No person owning, leasing or controlling a source of sound shall willfully, negligently, or through failure to provide necessary equipment, service, or maintenance or to take necessary precautions cause, suffer, allow or permit unnecessary emissions from said source of sound that may cause noise.
- (B) Division (A) of this section shall pertain to, but shall not be limited to, prolonged unattended sounding of burglar alarms, construction and demolition equipment which characteristically emit sound but which may be fitted and accommodated with equipment such as enclosures to suppress sound or may be operated in a manner so as to suppress sound, suppressible and preventable industrial and commercial sources of sound, and other man-made sounds that cause noise.
- (C) All devices employed in construction or demolition shall be prohibited from use during the hours of:
 - (1) 7:00 p.m. to 7:00 a.m. from Monday through Friday;
 - (2) 7:00 p.m. on Fridays through 8:00 a.m. on Saturdays; and
 - (3) 7:00 p.m. on Saturdays through 8:00 a.m. on Sundays.

§ 95.02. Definitions and measurements of noise. [Ord. 6, passed 9-13-1983]

- (A) The City hereby incorporates into and makes a part of this chapter the provisions of Chapter 310 Code of Massachusetts Regulations, Section 7.00 entitled Air Pollution Control Regulations.
- (B) These regulations shall govern the definitions, measurement and restriction of sources of noise emission.
- (C) For the purposes of this chapter, a "condition of noise pollution" shall be a noise source which increases noise levels 10 dB or more above the background noise level. If the noise level is judged by ear to have a tonal sound, an increase of 5 dB above background noise level is sufficient to cause noise pollution.

§ 95.03. Duties and responsibilities of City departments. [Ord. 6, passed 9-13-1983]

- (A) All City departments and agencies shall, to the fullest extent consistent with other laws, carry out their programs in such a manner as to further the policy of this chapter.
- (B) All City departments and agencies shall comply with Federal and State laws and regulations and the provisions and intent of this ordinance respecting the control and abatement of noise to the same extent that any person is subject to such laws and regulations.

§ 95.04. Exceptions. [Ord. 6, passed 9-13-1983]

This chapter shall apply to the control of all sound originating within the limits of the City of Watertown except the following:

- (A) The emission of sound for the purpose of alerting persons to the existence of an emergency or to the emission of sound in the performance of emergency work or in training exercises related to emergency activities.
- (B) Noncommercial public speaking and public assembly activities as guaranteed by state and federal constitutions.
- (C) Domestic equipment such as lawn mowers and power saws between the hours of 7:00 a.m. and 9:00 p.m.

§ 95.05. Enforcement. [Ord. 6, passed 9-13-1983]

The Board of Health shall be the primary enforcement agency of the terms of this chapter. In addition, any Police Department or Fire Department official or building inspector or their designee, acting within their jurisdictional area, is authorized to enforce this chapter.

§ 95.99. Penalty. [Ord. 6, passed 9-13-1983]

- (A) Any person who violates any provision of this chapter, if convicted, shall be fined no less than \$50 nor more than \$100 for the first offense and not less than \$200 nor more than \$500 for each succeeding offense.
- (B) Each subsequent day or part thereof of violation of this chapter, whether the violation be continuous or intermittent, shall be construed as a separate and succeeding offense.