



Report of the Rules and Ordinances Committee

Meeting Date: May 13, 2026

The Committee convened on Tuesday, at 6:30 pm in the third-floor conference room, with remote participation by Zoom.

Present were Councilors Nicole Gardner, Chair, Lisa Feltner, Vice Chair, and John Gannon, Secretary. Also present in the room were Public Health Director Abby Meyers, Councilor Caroline Bays, Municipal Policy Analyst Doug Newton, Rose Mary Su, and Rita Colafella. Joining by Zoom were Angie Kounelis, George Skuse, Linda Scott, and Newton residents Cedar Pruitt and John Oliver.

Chair Gardner called the meeting to order at 6:00pm. The purpose of the meeting was to continue discussion of a proposed noise ordinance.

Attachments to this report are as follows:

- A: Watertown's current noise ordinance
- B: The proposed new Watertown noise ordinance as of March 12th, 2026 (the Committee's first meeting on the proposal)
- C: The proposed new Watertown noise ordinance as of May 6th, 2026 (prior to this meeting's edits being made)
- D: Proposed language for the Statement of Purpose from Councilor Feltner
- E: The draft procedure for the noise waiver

The Committee began by reviewing Section 95.01, Statement of Purpose, along with draft language and proposed changes from Councilor Feltner (Attachment D). After discussion, the Committee agreed on the following wording:

Statement of Purpose: Noise pollution is a serious hazard to public health, welfare, safety, and quality of life. A substantial body of science and technology exists by which noise may be measured and substantially abated, and the people have a right to and should be ensured an environment free from excessive noise that may jeopardize their health, welfare, or safety, or degrade the quality of life. This chapter serves to address persistent noise pollution.

The Committee also considered the possibility of defining "persistent" noise and agreed to have staff prepare a draft definition for the next meeting, as well as to further consider if such a definition is necessary.

Trash Collection. The Committee then discussed noise caused by trash collection at industrial and commercial properties during early morning hours. Mr. Newton and Ms. Meyers explained that:

- Under Massachusetts General Law Chapter 111 Section 31A, municipalities cannot regulate the hours for commercial or industrial trash pickup.

- When investigating a noise complaint, the Health Department uses the zoning code and Watertown's Zoning Map to determine the allowed pickup hours.
- For complaints in Mixed Use areas involving residential trash pickup, the department works with building managers to try to find solutions. However, most complaints involve commercial or industrial trash collection.

Councilor Feltner asked how trash pickup issues would be handled in the newly created special zoning districts in Watertown Square, where new residential developments are planned. Ms. Meyers explained that these issues would be addressed early in the development process during Developer Conferences.

Councilor Gardner asked whether trash pickup hours could be included as a condition of zoning relief under state law. Councilor Gannon noted that City Assessors base property valuations on actual use rather than zoning classification.

The Committee agreed that more information from the Administration and legal guidance were needed to clarify:

- Whether the newly created special districts are zoned as residential or commercial/industrial.
- Whether limits on trash pickup hours could be conditioned for residential buildings located in non-residential zones, and whether those restrictions would remain in effect if ownership or use of the property changes.

Ms. Pruitt then spoke about the impact of early morning trash collection from businesses on Pleasant Street, saying it seriously affects her family's quality of life. She noted that Milford and Belmont have rules setting trash pickup hours and requiring dumpsters to be emptied only when full. She also referenced language allowing Boards of Health to adopt reasonable health regulations and asked the Committee to consider similar approaches.

Councilor Gannon responded that state laws override local regulations, meaning the City cannot control commercial trash pickup hours.

Councilor Gardner asked whether staff could encourage or require businesses to use noise-reducing technologies, such as rubber landing pads. Ms. Meyers said the department regularly reviews new technologies, but none currently seem practical. She explained that rubber or plastic materials are often damaged by rats, which can create additional public health concerns.

Councilor Gardner asked whether the City could require commercial or industrial dumpsters to reach a certain minimum level of fullness before being emptied, and whether that would be an effective solution. Ms. Meyers said this would not be practical because food waste left too long in dumpsters can create problems such as odors, maggots, and rats.

Ms. Kounelis suggested that, for existing buildings, residents should review the conditions attached to individual properties to see whether any existing requirements might help address the issue. Ms. Meyers responded that she did not believe local conditions could override state law. Councilor Gannon said that voluntary conditions might be possible.

The Committee agreed that further research was needed on whether such conditions could legally be enforced.

Mr. Oliver acknowledged that state law prevents cities from regulating trash pickup hours but noted that Newton addresses the noise level during pickup rather than the hours when pickup occurs. He added that trash collection is naturally loud and that there is currently no technology that significantly reduces the noise. However, he believed this approach was still worth exploring.

Ms. Meyers responded that she did not think regulating the noise level during trash pickup would be practical. She said that when complaints arise, she does contact the companies involved, but she is not comfortable issuing penalties unless there is a clear violation of the law.

Mr. Skuse read from the Massachusetts Association of Health Boards' model noise ordinance. Ms. Meyers acknowledged the language, noting that it dates back to 1999. She explained that it is not practical to reduce the noise from trash pickup due to the size of dumpsters and trucks used, and because materials like plastic and rubber are not resistant to damage from rats.

Councilor Feltner suggested that Ms. Meyers explore possible solutions earlier in the process during Developer Conferences for new buildings, rather than waiting until developers appear before the Zoning Board of Appeals (ZBA).

Ms. Kounelis spoke again, supporting the idea of setting conditions on trash pickup hours for new properties. She also emphasized the importance of the Health Department reviewing specific conditions on existing properties when complaints are received and noted that the code enforcement officer is responsible for enforcing those conditions.

Ms. Meyers said that she and Mr. Mancini work closely together on enforcement.

Ms. Scott added that she had read a case study from Australia suggesting that physical screening is the most effective way to reduce noise.

Waivers. The Committee then reviewed the proposed noise waiver policy (Attachment E) and the types of activities that could qualify for a waiver. The Committee agreed with Mr. Newton and Ms. Meyers that Section II, which listed activities generally eligible for noise waivers, should be removed. The Committee also made minor wording changes.

Councilor Feltner asked how the public would be informed about approved waivers. The Committee discussed several communication methods, including electronic billboards, notices on the City website, social media, the DPW weekly newsletter, paper notices or mailings, and Everbridge alerts. The Committee agreed that 311 and all councilors should always be notified in advance. Ms. Meyers said she would coordinate with the City's communications team, and that the communication methods used would depend on the situation, such as how long the waiver would last.

Right of Appeal. The Committee then discussed the appeal process. Ms. Myers explained that when noise readings are close to the violation limit and not clearly in violation, she continues taking readings to gather data and asks the DEP to take additional readings if needed to make sure the City has enough evidence before issuing a violation. Appeals are handled by a Clerk Magistrate at Waltham District Court.

The Committee also revised the first sentence of Section 95.08, Penalty, to add the phrase "pursuant to Chapter 40, Section 21D of Massachusetts General Law and the City's non-criminal disposition ordinance," which is standard wording used in the City's ordinances.

Finally, the Committee discussed ways to make the ordinance easier for businesses, residents, and others to understand. The Committee asked staff to create a chart showing the allowed hours and days for Construction and Demolition work and Lawn Maintenance, as well as the permitted noise levels (ambient and tonal dBA), to be included as a supplement to the Noise Ordinance.

The meeting was continued with a unanimous vote at 8:13pm.

Report prepared by Nicole Gardner

Chapter 95

NOISE REGULATIONS

§ 95.01.	Prohibition of noise emissions.	§ 95.04.	Exceptions.
§ 95.02.	Definitions and measurements of noise.	§ 95.05.	Enforcement.
§ 95.03.	Duties and responsibilities of City departments.	§ 95.99.	Penalty.

§ 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.

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,

WHEREAS a substantial body of science and technology exists by which noise pollution may be measured and abated; and,

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.

Note: This draft is updated as of May 6, 2026.

ORDINANCE # [REDACTED]

2026 – O – [REDACTED]

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

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 site preparation, assembly, erection, substantial repair, alteration, destruction, or similar action for public or private rights of way, structures, utilities, or similar property, and also the use of any equipment for any processing of any 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 to prevent or alleviate 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 is detectable and distinguishable from ambient or background noise at a specified location, such that the sound's source or character can be reasonably identified under ordinary conditions. A determination of plainly audible sound may be made by direct observation.

- H. Tonal noise: any noise that is judged by a listener to have the characteristics of a pure tone, whine, hum, or buzz

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.
 - 2. At least fifty feet away from the source of noise if on any publicly accessible space within a private property

- B. When a tonal noise, as defined in 95.02 (H) above, is emitted, the creation or production of noise measured at 5 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
 - 2. At least fifty feet away from the source of noise if on any publicly accessible space within a private property

- C. 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. Noncommercial public speaking and public assembly as protected by state and federal constitutions
 - 5. An emergency or emergency work
 - 6. City-sponsored events

- D. No person owning, leasing or controlling a source of noise shall cause, suffer, allow or permit unnecessary emissions from said source of noise that causes noise pollution.

95.04 Construction and Demolition

- A. All devices employed in construction or demolition which are plainly audible shall be permitted for use during the hours of 7:00 AM to 7:00 PM on Monday through Friday, and during the hours of 8:00 AM to 7:00 PM on Saturdays. All such devices shall be prohibited outside of such hours on Monday through Friday and Saturdays, and at any time on Sundays and legal holidays.

- 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.

95.05 Domestic and Commercial Maintenance

- A. All devices employed in domestic or commercial lawn, garden, or grounds maintenance which are plainly audible shall be permitted for use during the hours of 7:00 AM and 7:00 PM on

weekdays, and during the hours of 8:00 AM to 7:00 PM on Saturdays, Sundays and legal holidays. All such devices which are plainly audible are prohibited from use outside of such hours.

95.06 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 nwaiver 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 City Clerk and sent to all City Councilors.

95.07 Enforcement

- A. The provisions of this chapter may be enforced by the Director of Public Health or their designee. The provisions of this chapter may also be enforced by the Chief of Police or their designee, the Fire Chief or their designee, and the Building Inspector or their designee.

95.08 Penalty

- A. Any person who violates any provision of this chapter shall be issued a written and 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. Each subsequent day or part thereof on which a violation occurs, whether continuous or intermittent, shall be considered a separate and succeeding offense.
- C. 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.

Statement of Purpose:

Current Proposal:

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.

Councilor Feltner Proposal:

Noise (and vibration) is a (are) serious hazard(s) to public health, welfare, safety, and quality of life. A substantial body of science and technology exists by which noise (and vibration) may be measured and substantially abated, and the people have a right to and should be ensured an environment free from excessive noise (and vibration) that may jeopardize their health, welfare, or safety, or degrade the quality of life. This chapter serves to address the control of noise (and vibration) originating within the limits of the City of Watertown.

Proposed Noise Waiver Policy and Acceptable Waiver Categories

Purpose

This policy establishes standards and procedures for the review and issuance of temporary noise waivers under Section 95.06 of the City Noise Ordinance, balancing community welfare with reasonable accommodation for activities that may create temporary noise impacts.

I. General Standards for Approval

A waiver may be granted by the Director of Public Health or designee when compliance would create an undue hardship for the applicant, public utility, essential work, or the community.

Applicants must demonstrate that:

- Reasonable efforts have been made to reduce noise;
- The activity cannot reasonably occur during permitted hours;
- The duration is limited to the minimum necessary; and
- Public health and safety are protected.

The Director may impose conditions including restricted hours, notification requirements, noise mitigation measures, equipment limitations, and operational controls.

~~II. Activities Generally Eligible for Noise Waivers~~

~~A. Emergency Utility or Infrastructure Repairs~~

Including:

- ~~Water, sewer, gas, or electrical repairs;~~
- ~~Telecommunications restoration; and~~
- ~~Emergency roadway repairs.~~

~~B. Public Safety or Emergency Operations~~

Including:

- ~~Police, fire, or emergency response activities;~~

- Disaster response; and
- Emergency debris removal.

~~C. Construction or Demolition with Public Necessity~~

Including:

- Roadway closure work;
- Concrete pours;
- Crane operations;
- Public infrastructure projects; and
- Time-sensitive utility coordination.

The Director may seek input from the Superintendent of Public Works for construction-related requests.

~~D. Municipal, Civic, or Community Events~~

Including:

- City-sponsored events;
- Parades;
- Festivals;
- School events; and
- Public ceremonies.

~~E. Activities Necessary to Protect Public Health or Safety~~

Including:

- Hazard mitigation;
- Unsafe structure stabilization;
- Environmental remediation; and
- Snow removal operations.

Approval may consider duration, time of day, prior complaints, proximity to residences, and proposed mitigation measures.

III. Activities Generally Not Eligible for Waivers

Waivers are generally not appropriate for:

- Convenience-based construction scheduling;
 - Repetitive commercial noise;
 - Activities intended solely to reduce project costs;
 - Late-night nonessential private events;
 - Repeated violators; or
 - Activities where reasonable alternatives exist.
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IV. Application Requirements

Applications should include:

1. Applicant contact information;
2. Location and description of activity;
3. Dates and requested hours;
4. Equipment to be used;
5. Explanation of hardship; and
6. Proposed mitigation measures.

Applications should be submitted sufficiently in advance for review (2 weeks).

V. Conditions of Approval

The Director may require:

- Notice to abutters;
- Signage;
- Use of quieter equipment;
- Restricted work hours;
- Noise monitoring; or

- Immediate cessation for violations.

Failure to comply with waiver conditions may result in revocation and enforcement action.

VI. Reservation of Authority

Nothing in this policy requires the Director of Public Health to grant a waiver. ~~Requests may be denied where noise impacts outweigh the demonstrated hardship or where adequate mitigation measures are not provided.~~