



TOWN OF WATERTOWN CONNECTICUT

OFFICE OF THE TOWN MANAGER

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MEMORANDUM

To: Watertown Town Council

From: Mark A. Raimo, Town Manager 

Date: April 6, 2026

Re: Noise Ordinance Codification Issue and Recommended Correction

A review of the Town's Noise Ordinance has identified a likely codification error stemming from the 2022 amendment process. Attached for reference are the original and revised versions of the ordinance.

The original ordinance begins at Section 12-31. The revised ordinance begins at Section 12-34, which generally tracks the original purpose language but is limited to amplified noise. Notably, Sections 12-32 and 12-33 from the original ordinance—addressing construction activities and refuse hauling—were not carried forward into the revised codification.

A review of the Ordinance Subcommittee minutes from February and March 2022 indicates that the intent at that time was to amend the Noise Ordinance, not to eliminate these sections. There is no record of discussion or action supporting their removal. Based on this, the omission appears to have occurred during codification rather than as a matter of policy decision.

The Town Attorney has reviewed this matter and recommends that the ordinance be corrected through recodification to restore its intended structure and scope. Specifically, the recommendation is to redesignate the current Section 12-34 as Section 12-31, reinstate Sections 12-32 and 12-33, and renumber the remaining sections accordingly.

Given the nature of this issue, the Town Attorney advises that this correction may be addressed as a scrivener's error, allowing for resolution through a vote of the Ordinance Subcommittee followed by approval of the Town Council.

ARTICLE I. IN GENERAL

Secs. 12-1—12-30. Reserved.

ARTICLE II. NOISE***Sec. 12-31. Purpose of article.**

It is recognized that people have a right to and should be ensured an environment free from excessive sound, vibration and other activities that may jeopardize their health, safety or welfare or degrade the quality of life. This article is enacted to protect, preserve and promote the health, safety, welfare and quality of life for the residents of the town.
(Ord. No. 09-20-93-186, § 1, 9-20-1993)

Sec. 12-32. Construction activities.

(a) No person shall engage in the erection, including excavation, demolition, alteration or repair of any building, or the excavation of streets and highways, nor in the operation of trucks, tractors, bulldozers, payloaders, compressors, or other heavy equipment other than between the hours of 6:00 a.m. and 8:00 p.m., Monday through Saturday, and other than between the hours of 9:00 a.m. and 6:00 p.m. on Sundays and legal holidays, except in case of urgent necessity in the interest of public safety, and then only with a permit from the director of public works, which permit may be granted for a period of not to exceed three days while the emergency continues, and which permit may be renewed for periods of three days or less while the emergency continues.

(b) The director of public works, in deciding whether to issue or renew any such permit shall consider the following criteria:

- (1) The reasons for the requested permit as they relate to the public health and safety;
- (2) The requested hours for construction activities;
- (3) The type of construction activities to take place and the type of construction equipment to be utilized;
- (4) The noise reasonably likely to be generated from the construction activities and equipment;
- (5) The area where the construction activities are to be performed, with consideration to residential versus commercial uses, density of population, and the number of people to be affected by the activities and noise;
- (6) The number of days for which the permit or renewal is requested.

(Ord. No. 09-20-93-186, § 2, 9-20-1993)

Cross reference—Buildings and building regulations, ch. 6.

***State law reference**—Municipal noise regulation programs, G.S. § 22a-73.

Sec. 12-33. Refuse hauling.

No person shall collect, remove or transport refuse or recyclables in any residential district except between the hours of 6:00 a.m. and 8:00 p.m. Monday through Saturday, or between the hours of 9:00 a.m. and 6:00 p.m. on Sunday or any legal holiday. The term "refuse" is defined as unwanted and discarded solid materials, excluding semisolid, liquid materials collected and treated in a municipal sewer system. The term "recyclables" is defined as mandated recyclables as set forth in section 24-82.

(Ord. No. 09-20-93-186, § 3, 9-20-1993)

Sec. 12-34. Mobile loudspeakers.

No person shall use, play or operate, for any purpose whatever, any loudspeaker or sound amplifying device including, but not limited to radios, tape decks, musical instruments, compact disc players, or public address systems, in or attached to or on any vehicle moving or standing on any highway or public place in the town, or in any place where the sound therefrom is cast directly upon any of the highways or public places in the town, or in any place where the sound therefrom is cast directly upon any of the highways or public places, without first obtaining a permit from the chief of police or his designee; provided, however, that:

- (1) Permits shall not be granted for advertising or commercial use;
- (2) Such device shall only be operated from 9:00 a.m. to 6:00 p.m. on weekdays and from 10:00 a.m. to 5:00 p.m. on Saturdays, Sundays and legal holidays;
- (3) Such device shall not be operated in the vicinity of hospitals, convalescent or nursing homes or schools while in session, or churches while services are being conducted.

Nothing in this article shall prohibit the use of such devices on vehicles of the town while engaged in necessary public business, or on emergency vehicles.

(Ord. No. 09-20-93-186, § 4, 9-20-1993)

Sec. 12-35. Fixed loudspeakers.

No person shall use, play or operate any loudspeaker or sound amplifying device including, ~~but not limited to radios, tape decks, musical instruments, compact disc players, or public address systems,~~ in or attached from any stand, platform or any other structure or part of any structure which abuts or is adjacent to a public place or street, or to use, play or operate a loud speaker or sound amplifying device which is attached to the outside of any building or premises abutting or adjacent to a public place or street, without first obtaining a permit from the chief of police or his designee and paying an annual permit fee of \$50.00, except for public functions or emergency use. The permit obtained shall list specific days and hours of operation as determined by the chief of police or his designee considering the needs of the applicant and the comfort of the public.

(Ord. No. 09-20-93-186, § 5, 9-20-1993)

Sec. 12-36. Residential activities.

No person shall engage in the operation of lawn mowers, chain saws, lawn tractors or similar devices except between the hours of 6:00 a.m. and 9:00 p.m. Monday through Saturday and between the hours of 9:00 a.m. and 9:00 p.m. on Sunday or any legal holiday. No person shall use, play or operate any radio, phonograph, tape player, musical instruments, compact disc player, loudspeaker or other sound amplifying device at a volume which shall disturb the occupants of adjacent residences or units at any time.

(Ord. No. 09-20-93-186, § 6, 9-20-1993)

Sec. 12-37. Enforcement.

The chief of police or his designee shall enforce the provisions of this article. The police department or its members may inspect private premises and shall make all reasonable efforts to prevent violations of this article.

(Ord. No. 09-20-93-186, § 7, 9-20-1993)

Sec. 12-38. Civil remedies.

This article may be enforced by injunction, action for abatement, or other appropriate civil remedy, including the issuance of a citation by the police department in accordance with section 1-12.

(Ord. No. 09-20-93-186, § 8, 9-20-1993; Ord. No. 02-06-17-298, 2-6-2017)

Sec. 12-39. Criminal penalties.

Every person who violates any provision of this article shall be fined not more than the maximum dollar amount permitted by the provisions of the General Statutes. Each act of violation and each day a violation occurs or continues constitutes a separate offense.

(Ord. No. 09-20-93-186, § 9, 9-20-1993)

Sec. 12-40. Exemptions.

The following are exempt from the provisions of this article:

- (1) Sanding and snow removal operations by state, municipal or private contractors;
- (2) Noises made by alarm systems;
- (3) Grounds maintenance activities at Crestbrook Park and Watertown Golf Club golf courses.

(Ord. No. 09-20-93-186, § 10, 9-20-1993)

ARTICLE I. IN GENERAL

Secs. 12-1—12-33. Reserved.

ARTICLE II. NOISE***Sec. 12-34. Purpose.**

It is recognized that people have a right to and should be ensured an environment free from excessive sound, vibration and other activities that may jeopardize their health, safety or welfare or degrade the quality of life. This article is enacted to protect, preserve and promote the health, safety, welfare and quality of life for the residents of the town. The specific purpose of this section is to establish a defined criteria to regulate the use and volume of amplified noise in the community.

(Ord. No. 12-05-22-309, 12-5-2022)

Sec. 12-35. Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Commercial zone. General commercial zones, light commercial zones, neighborhood commercial zones, all as defined in the zoning regulations of the town, and all uses associated therewith, either permitted as of right or as specially excepted uses.

Daytime hours. Hours between 7:00 a.m. to 9:30 p.m., Monday through Saturday, and the hours of 9:00 a.m. to 9:30 p.m. on Sundays.

Decibel. A logarithmic unit of measurement used in measuring the magnitude of sound. The symbol is dB.

Impulse noise. Sound of short duration, usually less than one second, with an abrupt onset and rapid decay.

Industrial zone. Industrial district, as defined by the zoning regulations of the town.

Nighttime hours. All other hours not listed above are nighttime hours.

Noise. Any excessive sound or disturbance, the intensity of which exceeds the standards set forth in section 12-41.

***Editor's note**—Ord. No. 12-05-22-309, adopted Dec. 5, 2022, amended art. II in its entirety, in effect repealing and reenacting said article to read as set out herein. The former art. II, §§ 12-31—12-40, pertained to similar subject matter and derived from Ord. No. 09-20-93-186, §§ 1—10, adopted Sept. 20, 1993 and Ord. No. 02-06-17-298, adopted Feb. 6, 2017.

State law reference—Municipal noise regulation programs, G.S. § 22a-73.

Noise level. The sound pressure level in decibels as measured with a sound level meter using the A-weighting network. The level so read is designated dB(a) or dBA. A-weighted decibels, abbreviated dBA, or dBa, or dB(a), are an expression of the relative loudness of sounds in air as perceived by the human ear. In the A-weighted system, the decibel values of sounds at low frequencies are reduced, compared with unweighted decibels, in which no correction is made for audio frequency.

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

Premises. Any building, structure, land or portion thereof, including all appurtenances, and shall include yards, lots, courts, inner yards and real properties without buildings or improvements owned or controlled by a person.

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 or controlled by another person, and separates real property from the public right of way.

Residential zone. Single family residence zones and multifamily residence zones, as defined by the zoning regulations of the town, and all uses associated therewith, either permitted as of right or as specially excepted uses.

Sound. A transmission of energy through solid, liquid or gaseous media in the form of vibrations which constitute alterations in pressure or position of the 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 level meter. An instrument to take sound level measurements and which should conform, as a minimum, to the operational specifications of the American National Standards Institute for sound level meters.

(Ord. No. 12-05-22-309, 12-5-2022)

Sec. 12-36. General prohibition and permitting.

No person shall use, play or operate any loudspeaker or sound amplifying device in excess of the volume limits defined in section 12-41; including, but not limited to radios, speakers, or public address systems, self-standing or attached from any stand, platform or any other structure or part of any structure which abuts or is adjacent to a public place or street, or to use, play or operate a loud speaker or sound amplifying device which is self-standing or attached to the outside of any building or premises abutting or adjacent to a public place or street, without first obtaining a permit from the chief of police or his designee in conjunction with the zoning enforcement officer and paying an annual permit fee of \$50.00, except for public functions or emergency use. The permit obtained shall list specific days and hours of operation as determined by the chief of police or his designee and the zoning enforcement officer considering the needs of the applicant and the comfort of the public.

(Ord. No. 12-05-22-309, 12-5-2022)

Sec. 12-37. Exemptions.

The following shall be exempt from these regulations.

- (1) Construction equipment which is operated during daytime hours and has all proper permits/licenses/authorization from the appropriate office at the town or state;
- (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 in daytime hours;
- (4) Noise from snow removal equipment, provided equipment is maintained in good repair and exhaust is adequately muffled;
- (5) Noise created by any religious, governmental, educational or recreational activities permitted by law or for which a lease, license, or permit has been granted by the borough, including but not limited to outdoor evangelistic meetings, parades, sporting events, concerts, and fireworks displays;
- (6) Noise generated by transmission facilities, distribution facilities and substations of public utilities providing electric power, telephone, cable television or other similar services and located on property which is not owned by the public utility and which may or may not be within utility easements;
- (7) Natural noise, without amplification, made by humans is not considered a violation, unless it is made to intentionally interfere with another person's enjoyment of property.

(Ord. No. 12-05-22-309, 12-5-2022)

Cross reference—Buildings and building regulations, ch. 6.

Sec. 12-38. Motor vehicle noise.

(1) All motor and recreational vehicles operated within the limits of the town shall be subject to noise standards and decibel levels as found in G.S. Title 14, § 14-80a.

(2) No motor or recreational vehicle shall emit noise in excess of the noise levels as specified in section 13-41 of this article.

(Ord. No. 12-05-22-309, 12-5-2022)

Sec. 12-39. Enforcement.

(1) The town police department shall be responsible for investigating complaints of noise violations.

(2) Any person aggrieved by an act constituting a violation of this chapter may complain to the police department who shall enforce this chapter.

(3) The police are also authorized to enforce this chapter without any such complaint.

(Ord. No. 12-05-22-309, 12-5-2022)

Sec. 12-40. Inspections and sound measuring procedures.

For the purpose of determining compliance with the provisions of this chapter, the following guidelines shall be applicable:

- (1) All personnel conducting sound measurements shall be trained in the current techniques and principles of sound measuring equipment and instrumentation.
- (2) Instruments used to determine sound level measurements shall conform to the sound level meters as defined by this article.
- (3) The general steps listed below shall be followed when preparing to take sound level measurements:
 - a. The instrument manufacturer's instructions for the preparation and use of the instrument shall be followed.
 - b. The sound level meter shall be calibrated before and after each set of measurements.
 - c. The sound level meter shall be placed at an angle to the sound source as specified by the manufacturer's instructions and at least four feet above the ground.
 - d. Measurements shall be taken and documented at a point that is located approximately one foot beyond the boundary of the emitter's premises. The emitter's premises include his/her individual unit of land or group of contiguous parcels under the same ownership as indicated by public land records.

(Ord. No. 12-05-22-309, 12-5-2022)

Sec. 12-41. Noise levels.

(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:

Emitter's zone: Residential

Receptor's zone: Industrial - 62 dBA

Receptor's zone: Commercial - 55 dBA

Receptor's zone: Residential/day - 55 dBA

Receptor's zone: Residential/night - 45 dBA

(2) No person in a commercial 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:

Emitter's zone: Commercial

Receptor's zone: Industrial - 62 dBA

Receptor's zone: Commercial - 62 dBA

Receptor's zone: Residential/day - 55 dBA

Receptor's zone: Residential/night - 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:

Emitter's zone: Industrial

Receptor's zone: Industrial - 70 dBA

Receptor's zone: Commercial - 66 dBA

Receptor's zone: Residential/day - 61 dBA

Receptor's zone: Residential/night - 51 dBA

(Ord. No. 12-05-22-309, 12-5-2022)

Sec. 12-42. Background and impulse noise.

(1) In those individual cases where the background noise levels caused by sources not subject to this chapter 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 db(A), provided that no source subject to the provisions of this chapter shall emit noise in excess of 80 db(A) 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 nighttime hours to any residential 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.

(Ord. No. 12-05-22-309, 12-5-2022)

Sec. 12-43. Enforcement and penalties.

(1) The town police department shall be responsible for issuing citations for violations of the provisions of this chapter in accordance with section 1-12 et seq. of this Code.

(2) Any person in violation of the provisions of this chapter shall be fined \$100.00 for the initial violation.

(3) For any subsequent violation at the same premises, a \$250.00 fine will be imposed.

(4) For any violation of this article, the zoning department also retains the right to revoke the annual permit referenced above in section 12-36 above.

(Ord. No. 12-05-22-309, 12-5-2022)

Sec. 12-44. Appeal.

(1) Whenever a fine is imposed under this article, the person fined may, within ten days from the date of the citation, appeal by filing a written notice of appeal to the town's hearing officer. The filing of an appeal shall stay any fine imposed until such time as a decision is rendered on the appeal.

(2) If no appeal is filed within ten days of the notice of violation, an assessment and judgment shall be entered against the offender without further notice.

(3) The provisions of this article may be enforced by citation and hearing as permitted by G.S. § 7-152(c).

(Ord. No. 12-05-22-309, 12-5-2022)