

Ash Creek



**SIGNALIZED INTERSECTION #050-231
RTE. 130 (POST RD.) AT RIVERSIDE DR./GRASMERE AVE.
FAIRFIELD, CONNECTICUT**

SCHEMATIC, NOT TO SCALE

FIGURE FI-3

APPENDIX V

CITY/TOWN SELECTED ORDINANCES

Town of Westport

Town of Westport, CT

Chapter 85: NOISE

[HISTORY: Adopted by the Representative Town Meeting of the Town of Westport: Art. I, 11-28-1956, effective 1-5-1957. Amendments noted where applicable.]

GENERAL REFERENCES

Police Department — See Chapter 19 of the Charter.
Zoning — See Ch. 150.

ARTICLE I Construction and Repair Work [Adopted 11-28-1956, effective 1-5-1957; amended in its entirety 10-7-2003, effective 10-17-2003]

§ 85-1. Excessive noise prohibited during certain hours.

Except in cases of emergency, construction or repair work that is accompanied by noise shall be prohibited within the Town of Westport between the hours of 8:00 p.m. and 7:00 a.m. on weekdays and 8:00 a.m. on Saturday, Sunday and legal holidays.

§ 85-2. Authority to perform prohibited work during emergencies.

Any person, firm or corporation may apply to the Chief of Police or, in his or her absence, to the Acting Chief of Police for permission to perform such prohibited work in the event of emergency. The Chief of Police or such Acting Chief of Police shall have the power and authority to determine whether an emergency exists and to grant such permission.

§ 85-3. Violations and penalties.

Any person, firm or corporation violating any provision of this article shall be fined not more than \$99 for each offense.

Town of Fairfield

LARRY
GREGG

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Chapter 78

NOISE

- § 78-1. Legislative intent.
- § 78-2. Definitions.
- § 78-3. Excessive noise prohibited.
- § 78-4. Noise level measurement procedures.
- § 78-5. Noise level standards.
- § 78-6. Administration and enforcement.
- § 78-7. Violations and penalties.
- § 78-8. Exceptions.
- § 78-9. Exemptions.
- § 78-10. Existing noise sources.

[HISTORY: Adopted by the Representative Town Meeting of the Town of Fairfield 6-25-85. Amendments noted where applicable.]

§ 78-1. Legislative intent.

Government is instituted to protect life, liberty and property. Loud, excessive and unreasonable noise during the nighttime hours is an interference with a person's right to the use and enjoyment of his property, especially in residential areas where human beings sleep or areas where serenity and tranquility are essential to the intended use of the land. The purpose of this chapter is to provide an objective standard and procedure for enforcing property rights.

§ 78-2. Definitions.

As used in this chapter, the following items shall have the meanings indicated:

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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.

BUSINESS DISTRICT — Any business district, including Business District No. 1, Business District No. 2, Business District No. 3, Designated Business District No. 1, Designated Business District No. 2, Designated Business District No. 3 and Designated Business District No. 4, as defined in the Zoning Regulations of the Town of Fairfield.

DECIBEL — A logarithmic unit of measure in measuring magnitudes of sound. The symbol is "dB."

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

EMITTER — A person who creates, causes to be created or allows the noise.

IMPULSE NOISE — Sound of short duration [generally less than one (1) second] with an abrupt onset and rapid decay.

INDUSTRIAL DISTRICT — Any industrial district, including Industrial District No. 1, Industrial District No. 2, Designated Industrial District No. 1, Designated Industrial District No. 2 and Designated Research District, as defined in the Zoning Regulations of the Town of Fairfield.

MOTOR VEHICLE — Shall be defined as per Section 14-1(26) of the Connecticut General Statutes (Revision of 1958, as amended).

→ NIGHTTIME HOURS — The hours between 10:00 p.m. and 7:00 a.m., Sunday through Thursday, and 11:00 p.m. to 8:00 a.m., Friday and Saturday. During any state or national holiday, the weekend schedule will be in effect from the previous evening through the end of the holiday.

NOISE — Any sound, the intensity of which exceeds the standards set forth in § 78-5 of this chapter.

NOISE LEVEL — The sound pressure level, as measured with a sound level meter.

PERSON — Any individual, including the singular and plural, firm, partnership, association, syndicate, company, trust, corporation, mu-

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unicipality, agency or political 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. The emitter's "premises" includes contiguous publicly dedicated street and highway rights-of-way and waters of the state.

PROPERTY LINE — That real or imaginary line along the ground surface and its vertical extension which:

- A. Separates real property owned or controlled by another person; and
- B. Separates real property from the public right-of-way.

RECEPTOR — The person who receives the noise impact.

RESIDENTIAL DISTRICT — Any residential district, including Residential Districts AAA, AA, R-3, R-2, A, B, C, Designed Residence District No. 1 and Designed Residence District No. 2, as defined in the Zoning Regulations of the Town of Fairfield, and all uses permitted therewith either as a right or as a special use.

SOUND — The 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 the air, evoke physiological sensations, including but not limited to an auditory response when impinging on the ear.

SOUND LEVEL METER — An instrument used 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 (Type s2A).

§ 78-3. Excessive noise prohibited.

It shall be unlawful for any person to emit or cause to be emitted any noise from such person's property beyond the boundaries of his property lines in excess of the noise levels set forth in § 78-5 during the nighttime hours, except in those incidences provided for in §§ 78-8 and 78-9. "Nighttime

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hours" shall mean the hours between 10:00 p.m. and 7:00 p.m. on any day through Thursday, and 11:00 p.m. and 8:00 a.m., Friday and Saturday.

§ 78-4. Noise level measurement procedures.

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

- A. Instruments used to determine noise levels shall conform, as a minimum, to the operational specifications of the American National Standards Institute for sound level meters (Type s2A), maintained in calibration and good working order, and instrument manufacturer's instructions for use of the instruments shall be followed.
- B. All personnel conducting sound measurements shall be trained in the current techniques and principles of sound-measuring equipment and instrumentation.
- C. Measurements shall be taken at a point that is located at least one (1) foot beyond the boundary of the emitter's property line within the premises of the complaining receptor. The emitter's premises includes his/her individual unit of land or group of contiguous parcels under the same ownership as indicated by public land records.

§ 78-5. Noise level standards.

- A. No person shall emit noise exceeding the levels stated herein during nighttime hours, except in those incidences provided for in §§ 78-8 and 78-9 of this chapter:

Zone in Which Emitter is Located	Zone in Which Receptor is Located		
	Industrial	Business	Residential
Industrial	70 dBA	66 dBA	51 dBA
Business	62 dBA	62 dBA	45 dBA
Residential	62 dBA	55 dBA	45 dBA

- B. Background noise and impulse noise. In those individual cases where the ambient or background noise levels caused by sources not subject to this chapter exceed the standards contained herein, a source (impulse or sustained) shall be considered to cause excessive noise if:

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the noise emitted by such source exceeds the background noise levels by five (5) dBA, provided that no source subject to this chapter shall emit in excess of eighty (80) dBA at any time, with the exceptions of those sources referenced in Subsection C, and provided that this subsection shall not be interpreted as decreasing the noise level standards of § 78-5 of this chapter.

- C. All motor vehicles operated within the limits of the Town of Fairfield shall be subject to the noise standards and decibel levels as set forth in the regulations of the State of Connecticut Department of Motor Vehicles, Sections 14-80a-1a through 14-80a-10a, Maximum Permissible Noise Levels for Vehicles.

§ 78-6. Administration and enforcement.

The Chief of Police shall be responsible for enforcing the provisions of this chapter upon the complaint of any person and shall, upon such complaint, carry out the intent of this chapter as specified in § 78-3. Upon receiving the first complaint, the police shall make the required sound level reading. If the sound level exceeds the standards enumerated in § 78-5, a verbal warning shall be given to the emitter. If such noise does not cease, and upon receiving a second complaint, the police shall follow the procedures as set forth in § 78-7. Notwithstanding that enforcement of this chapter shall be initiated by such complaint, no signed complaint shall be required by the Police Department to enforce or administer any of the provisions of this chapter.

§ 78-7. Violations and penalties.

Any person found in violation of the provisions of this chapter shall be given an infraction notice which incorporates a fine of fifty dollars (\$50.) for the first offense and ninety dollars (\$90.) for each additional offense within a twenty-four-hour period. Failure to pay the fine in the time prescribed in the infraction notice will result in the issuance of a summons to appear in Superior Court.

§ 78-8. Exceptions.

The noise level standards defined in § 78-5 shall not apply to any noise emitted by or related to:

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- A. Natural phenomena.
- B. Any bell or chime from any building clock, school or church.
- C. Any siren, whistle or bell lawfully used by emergency vehicles or any other alarm systems used in emergency situations; provided, however, that burglar or fire alarms not terminating within thirty (30) minutes after being activated shall be unlawful.
- D. Warning devices required by the Occupational Safety and Health Administration or other state or federal safety regulations.

§ 78-9. Exemptions.

The following shall be exempt from these regulations, subject to special conditions as spelled out:

- A. Noise created as a result of or relating to an emergency.
- B. Noise created by snow-removal equipment.
- C. Noise created by certificated aircraft operating under the control of the Federal Aviation Administration.
- D. Noise created as a result of or relating to maintenance and repairs conducted by public utilities.
- E. Noise generated from swimming pool pumps, air-conditioning systems and heating systems which are in good working order and which meet the specifications accepted by federal, state and town agencies designated to govern their installation and standards of performance.
- F. Noise created by public celebrations and on-site recreational or sporting activities which are sanctioned by the State of Connecticut or the Town of Fairfield.
- G. Any person who owns or operates any stationary noise source granted a variance pursuant to Section 22a-69-7.1 of the Regulations of Connecticut State Agencies shall be exempt from provisions of this chapter by said variance. Any person seeking a variance pursuant to Section 22a-69-7.1 of the Regulations of Connecticut State Agencies shall not be subject to the provisions of this chapter while the variance application is pending.

City of Bridgeport

CITY OF BRIDGEPORT MUNICIPAL CODE

Chapter 8.80 NOISE CONTROL REGULATIONS

Section 8.80.010 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 or safety or welfare or degrade the quality of life. This chapter is enacted to protect, preserve and promote the health, safety, welfare and quality of life for the citizens of Bridgeport through the reduction, control and prevention of noise. (Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-35)

Section 8.80.020 Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

"Ambient noise or background" means noise of a measurable intensity which exists at a point as a result of a combination of many distant sources individually indistinguishable.

"City council" means the city council of the city.

"Commercial zone" means any business zone including business zones Nos. 1, 2, 3 and 4 as defined in the zoning regulations of the city.

"Construction" means any site preparation, assembly, erection, substantial repair, alteration or similar action, but excluding demolition, for or of public or private rights-of-way, structures, utilities or similar property.

"Construction equipment" means any equipment or device operated by fuel or electric power used in construction or demolition work.

"Day-time hours" means the hours between seven a.m. and six p.m. Monday through Friday, and the hours between nine a.m. through six p.m. on Saturday and Sunday.

"Decibel" means a logarithmic unit of measure used in measuring magnitudes of sound. The symbol is DB.

"Demolition" means any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surface or similar property.

"Domestic power equipment" means, but is not limited to, power saws, drills, grinders, lawn and garden tools and other domestic power equipment intended for use in residential areas by a homeowner.

"Emergency" means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

"Emergency vehicle" means any motor vehicle authorized by the city to have sound warning devices such as sirens and bells which can lawfully be used when responding to an emergency.

"Emergency work" means 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 danger.

"Impulse noise" means sound of short duration (generally less than one second) with an abrupt onset and rapid decay.

"Industrial zone" means any industrial zone including light industrial and heavy industrial as defined in the zoning regulations of the city.

"Legal holiday" means those days designated as legal holidays by Connecticut General Statutes Section 1-4 or its successor (amended July 21, 1999).

"Motor vehicle" shall be defined as per Section 14-1(26) of the Connecticut General Statutes (revision of 1958 as amended).

"Muffler" means a device for abating sounds such as escaping gases.

"Night-time hours" means the hours between six p.m. and seven a.m. Monday through Friday and six p.m. to nine a.m. Saturday and Sunday.

"Noise" means any sound, the intensity of which exceeds the standards set forth in Section 8.80.040 of this chapter.

"Noise level" means the sound pressure level as measured with a sound level meter using the A-weighting network. The level so read is designated DB(A) or dBA.

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

"Premises" means 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. The 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" means that real or imaginary line along the ground surface and its vertical extension which: (1) separates real property owned or controlled by another person, and (2) separates real property from the public right-of-way.

"Public right-of-way" means any street, avenue, boulevard, highway, sidewalk, alley, park, waterway, railroad or similar place which is owned or controlled by a governmental entity.

"Recreational vehicle" means any nonregistered internal combustion engine powered vehicle which is being used for recreational purposes.

"Residential zone" means any residence zone including residence zones AA, A, B, BB, C, garden apartment zone or residence apartment zone, and any commercial zone when used for residential purposes, as defined in the zoning regulations of the city and all uses permitted therewith either as a right or as a special use.

"Sound" means 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 the air evoke physiological sensations, including, but not limited to, an auditory response when impinging on the ear.

"Sound level meter" means an instrument used 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 S1.4--1971 (Type S2A).

"Sound pressure level (SPL)" means twenty (20) times the logarithm to the base ten of the ratio of the pressure of a sound to the reference pressure of twenty micronewtons per square meter (20×10^{-6} Newton/meter²), and is expressed in decibels (dB).

"Vibration" means an oscillatory motion of sound bodies of deterministic or random nature described by displacement, velocity or acceleration with respect to a given reference point. (Ord. dated 10/2/00: Ord. dated 5/1/00: Ord. dated 6/21/99; Ord. dated 12/21/92 § 67; prior code § 21-36)

Section 8.80.030 Noise level measurement procedures.

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

- A. All personnel conducting sound measurements shall be trained in the current techniques and principles of sound measuring equipment and instrumentation.
- B. Instruments used to determine sound level measurements shall conform to the sound level meters as defined by this chapter.
- C. The general steps listed below shall be followed 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. The sound level meter shall be calibrated before and after each set of measurements.
 3. 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. It shall be so placed as not to be interfered with by individuals conducting the measurements.
 4. Measurements shall be taken at a point that is located about one foot beyond the boundary of the emitter's premises within the noise receptor's premises. The emitter's premises includes his/her individual unit of land or group of contiguous parcels under the same ownership as indicated by public land records. (Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-37)

Section 8.80.040 Noise levels.

- A. It is unlawful for any person to emit or cause to be emitted any noise beyond the boundaries of his/her premises in excess of the noise levels established in these regulations.
- B. Noise level standards :

Receptor' s Zone				
Emitter' s Zone	Industrial	Commercial	Residential/Day	Residential/Night
Residential	62 dBA	55 dBA	55 dBA	45 dBA
Commercial	62 dBA	62 dBA	55 dBA	45 dBA
Industrial	70 dBA	66 dBA	61 dBA	51 dBA

- C. 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 in this chapter, 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 eighty (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 eighty (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 one hundred (100) dB peak sound pressure level at any time to any zone.
- D. Exclusions. These levels shall not apply to noise emitted by or related to:
 - 1. Natural phenomena;
 - 2. Any bell or chime from any building clock, schools or church;
 - 3. Any siren, whistle or bell lawfully used by emergency vehicles or any other alarm systems used in an emergency situation; provided, however, that burglar alarms not terminating within thirty (30) minutes after being activated shall be unlawful;
 - 4. Warning devices required by OSHA or other state or federal safety regulations;
 - 5. Farming equipment or farming activity operated within an area used for strictly farming.
- E. Exemptions. The following shall be exempt from these regulations subject to special conditions as spelled out:
 - 1. Noise created as a result of, or relating to an emergency;
 - 2. Noise from domestic power equipment such as, but not limited to, power saws, sanders, grinders, lawn and garden tools or similar devices operated during daytime hours;
 - 3. Noise from snow removal equipment operated by the city;
 - 4. Noise created by an 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 town, including, but not limited to, parades, sporting events, concerts and firework displays;
 - 6. Noise created by refuse and solid waste collection provided that the activity is conducted during daytime hours;
 - 7. Noise generated by any construction equipment which is operated during daytime hours, provided that operation of construction equipment during night-time hours shall not exceed the maximum

noise levels as specified in Section 8.80.040. (Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-38)

Section 8.80.050 Prohibited noise activities.

- A. General prohibition. It is 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. Officers of the police department shall issue a notice of violation for the following violations of this section of the noise ordinance without use of a sound level meter.
- C. 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. 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;
 - 2. Radios, phonographs, etc. The playing of any radio, phonograph or any musical instrument in such a manner or with such volume 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;
 - 3. Shouting, singing, etc. Yelling, shouting, hooting, whistling or singing on the public street at any time or place so as to annoy or in any dwelling, hotel or other type of residence, or of any person in the vicinity;
 - 4. Animals. The keeping of any animal or bird which by causing frequent or long-continued noise shall disturb the comfort repose of any person in the vicinity;
 - 5. 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;
 - 6. 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;
 - 7. Building operations. The erection (including excavating), demolition, alteration or repair of any residential building or the excavation of streets and highways, between the evening hours of six p.m. and seven a.m. Monday through Friday and the evening hours of six p.m. and nine a.m. on Saturday and Sunday and non-legal holiday weekdays, except in case of urgent necessity in the interest of public safety, and then only with a permit from the board of building commissioners or any other board or commission in charge, which permit may be granted for a period not to exceed three days while the emergency continues. At all other times the owner, tenant, or their agent, shall have the right to erect and repair their property (amended June 21, 1999);
 - 8. Loading and unloading operations. The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers;
 - 9. Truck idling. No person shall operate an engine or any standing motor vehicle with a weight in excess of ten thousand (10,000) pounds manufacturer' s gross vehicle weight (GVW) for a period in excess of ten minutes when such vehicle is parked on a residential premises or on a city road next to a residential premises.
 - 10. The creation of any excessive noise on any street that is adjacent to any school, institution of learning, church or court while the same is in session, or is adjacent to any hospital, or medical

facility for treatment which interferes with the working or sessions thereof or the persons therein.
(Ord. dated 10/2/00: Ord. dated 5/1/00: Ord. dated 6/21/99: prior code § 21-38)

Section 8.80.060 Motor vehicle noise.

- A. All motor vehicles operated within the limits of the city shall be subject to the noise standards and decibel levels set forth in the regulations authorized in Section 14-80a of the General Statutes.
 - B. No sound amplifying devices on or within motor vehicles shall emit noise in excess of noise levels as specified in Section 8.80.040.
 - C. This section dealing with motor vehicle noise shall be enforced by the chief of police and/or his designated subordinates. (Ord. dated 10/2/00: Ord. dated 5/1/00: Ord. dated 12/21/92 § 75(a); prior code § 21-40)
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Section 8.80.070 Recreational vehicle noise.

No person shall create or cause to be created any unreasonably loud or disturbing noise due to the operation of a 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 standard set forth in Section 8.80.040. (Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-41)

Section 8.80.080 Inspections.

- A. For the purpose of determining compliance with the provisions of this chapter, the director of health or his designated representative, as well as officers of the police department, are authorized to make inspections of all noise sources and to take measurements and make tests whenever necessary to determine the quantity and character of noise. In the event that any person refuses or restricts entry and free access to any part of a premises or refuses inspection, testing or noise measurement of any activity, device, facility or process where inspection is sought, the director of health or his designated representative may seek from the appropriate court a warrant without interference, restriction or obstruction at a reasonable time, for the purpose of inspecting, testing or measuring noise.
 - B. It is unlawful for any person to refuse to allow or permit the director of health or his designated representative free access to any premises when the director of health or his designated representative is acting in compliance with a warrant for the inspection and order issued by the appropriate court.
 - C. It is unlawful for any person to violate the provisions of any warrant or court order requiring inspection, testing or measurement of noise sources.
 - D. No person shall hinder, obstruct, delay, resist, prevent in any way, interfere or attempt to interfere with any authorized person while in the performance of his/her duties under this chapter. (Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-42)
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Section 8.80.090 Variance and contracts.

- A. Variances.

1. Any person living or doing business in Bridgeport may apply to the department of health 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 the following information to the director of health;
 - a. The location and nature of the activity;
 - b. The time period and hours of operation of said activity;
 - c. The nature and intensity of the noise that will be generated; and
 - d. Any other information required by the director of health.
 2. No variance from these regulations shall be issued unless it has been demonstrated that:
 - a. The proposed activity will not violate any provisions of the Connecticut Department of Environmental Protection regulations;
 - b. The noise levels generated by the proposed activity will not constitute a danger to the public health; and
 - c. Compliance with the regulations constitutes an unreasonable hardship on the applicant.
 3. The application for variance shall be reviewed and either approved or rejected within fifteen (15) days of receipt by the director of health. The approval or rejection shall be in writing and shall state the condition(s) of approval of the variance.
 4. Failure to rule on the application in the designated time shall constitute approval of the variance.
- B. Recourse. Any person aggrieved by the decision of the director of health with respect to any variances may appeal in accordance with the Charter to the environmental review board within a period of fourteen (14) days of receipt of the health director's decision.
- C. Contracts. Any written agreement, purchase order or contract whereby the city is committed to an expenditure of funds in return for work, labor, services, supplies, equipment, materials or any combination thereof, shall not be entered into unless such agreement purchase order or instrument contains provisions that any equipment or activities which are subject to the provisions of this chapter will be operated, constructed, conducted or manufactured without violating the provision of this chapter. (Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-44)
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Section 8.80.100 Violation--Penalties.

Any person in violation of any of the provisions of this chapter shall be fined in an amount of one hundred dollars (\$100.00) made payable to the city of Bridgeport. Each day such violation continues after the time for correction of the violation has been given in an order shall constitute a continuing violation. The imposition of any punishment under this chapter shall not prevent the enforced abatement of any unlawful conditions by the city. (Ord. dated 10/2/00: Ord. dated 5/1/00: prior code § 21-43; amended June 21, 1999)

Section 8.80.110 Noise violation appeals.

- A. Administrative appeal.
1. Any person, operator or owner of a vehicle which has been cited under Chapter 8.80 of this article may submit a written request for an administrative appeal to the chief of police or his designee of the issuance of such citation within a designated appeal period of not more than fourteen (14) days from the date of the citation.
 2. The chief of police or his designee shall establish and publish notices indicating the procedures to request administrative appeal under subsection (A)(1) above and shall cause notice of appeal rights to be printed on each violation notice issued.
 3. Payment of the penalty/fines shall be stayed pending the administrative appeal. Payment of the penalty/fine shall be made within fourteen (14) days of mailing of finding of the administrative

appeal unless a finding was made in favor of the appellant or the appellant has elected to proceed under subsection (B) below.

4. Any person who has requested administrative appeal shall be notified in writing within forty-five (45) days of the issuance of the citation, of the findings relative to the appeal. If dissatisfied with such finding, a formal hearing may be requested by submitting a written request to the chief of police or his designee within fourteen (14) days of such finding of the administrative appeal in accordance with subsection (B) of this section.

B. Formal hearing procedure: noise ordinance violations hearing officer.

1. Pursuant to Connecticut General Statute Sec. 7-148, as amended, the mayor shall appoint, with the approval of the city council, one or more noise ordinance violations hearing officer(s) (the "officer"). Officer(s) shall not be employed by the police department. Officer(s) shall serve for a term of two years or part thereof, which term shall commence from date of approval by the city council and shall end on December 31 of every even year. Officer(s) may be compensated by the city with the funds appropriated for this purpose as recommended by the mayor and approved by the city council.
2. Officer(s) shall be empowered to hear appeals from the issuance of noise violation citations or as otherwise herein provided.
3. Any person, owner or operator of a vehicle cited pursuant to Chapter 8.80 may request a formal hearing before officer(s) within fourteen (14) days of any of the following events:
 - a. Issuance of noise violation citation.
 - b. Issuance of adverse findings in the administrative appeal.
 - c. First issuance of notice of delinquency of noise violation citation.
4. Hearing procedure shall comply with Connecticut General Statute, Sec. 7-148.
 - a. In scheduling formal appeal hearings, the appellant shall be notified by mail of the place and time of hearing. Such notice shall be provided at least fifteen (15) days but not more than thirty (30) days prior to the scheduled hearing date.
 - b. The procedure for the hearing shall be informal as to the rules of evidence, but testimony shall be taken under oath or affirmation.
 - c. In considering an appeal, the hearing office may consider all relevant facts and circumstances and may require personal appearance of the appellant and issuing officer.
 - d. Should the officer find in favor of the appellant, he shall so certify to the police department and the record of the citation shall be removed from the files of the city.
 - e. Should the officer find the issuance of the citation proper, he shall so certify to the police department and no further appeal under this section shall be considered, either administrative or formal.
 - f. If such penalty is not paid on the date of its entry, the city may proceed to enforce the penalty pursuant to C.G.S. Secs. 7-148 (10)(A) as amended. (Ord. dated 10/2/00)

APPENDIX VI

WATERCOURSE CROSSINGS
AERIAL PHOTOGRAPHS



**WATERCOURSE CROSSING
MILL RIVER (SOUTHPORT HARBOR)
FAIRFIELD, CONNECTICUT**

SCHEMATIC, NOT TO SCALE

FIGURE WC-2



**WATERCOURSE CROSSING
ASH CREEK
FAIRFIELD/BRIDGEPORT, CONNECTICUT**

SCHEMATIC, NOT TO SCALE

FIGURE WC-3

APPENDIX VII

RELEVANT ConnDOT TYPICAL MAINTENANCE TRAFFIC CONTROL PLANS

NOTES FOR TRAFFIC CONTROL PLANS

1. IF A TRAFFIC STOPPAGE OCCURS IN ADVANCE OF SIGN (A), THEN THE INSTALLATION OF AN ADDITIONAL SIGN (A) IN ADVANCE OF THE STOPPAGE SHOULD BE CONSIDERED.
2. SIGNS (AA), (A) AND (D) SHOULD BE OMITTED WHEN THESE SIGNS HAVE ALREADY BEEN INSTALLED TO DESIGNATE A LARGER WORK ZONE THAN THE WORK ZONE THAT IS ENCOMPASSED ON THIS PLAN.
3. SEE TABLE #1 FOR ADJUSTMENT OF TAPERS IF NECESSARY.
4. A CHANGEABLE MESSAGE SIGN MAY BE UTILIZED ONE HALF TO ONE MILE IN ADVANCE OF THE LANE CLOSURE TAPER.
5. IF THIS PLAN REMAINS IN CONTINUOUS OPERATION FOR MORE THAN 72 HOURS, THEN TRAFFIC DRUMS SHALL BE USED IN PLACE OF TRAFFIC CONES.
6. IF THIS PLAN REMAINS IN CONTINUOUS OPERATION FOR MORE THAN 36 HOURS, THEN ANY LEGAL SPEED LIMIT SIGNS WITHIN THE LIMITS OF A ROADWAY / LANE CLOSURE AREA WILL BE COVERED WITH AN OPAQUE MATERIAL WHILE THE CLOSURE IS IN EFFECT AND UNCOVERED WHEN THE ROADWAY / LANE CLOSURE IS REOPENED TO ALL LANES OF TRAFFIC.
7. IF THIS PLAN REMAINS IN CONTINUOUS OPERATION FOR MORE THAN 36 HOURS, THEN THE EXISTING CONFLICTING PAVEMENT MARKINGS SHALL BE ERADICATED OR COVERED AND TEMPORARY PAVEMENT MARKINGS THAT DEPICT THE PROPER TRAVEL PATHS SHALL BE INSTALLED.
8. DISTANCES BETWEEN SIGNS IN THE ADVANCE WARNING AREA MAY BE REDUCED TO 200' ON LOW SPEED URBAN ROADS (SPEED LIMIT < 40 MPH).
9. FOR SHORT DURATION OPERATIONS, 4 TRUCK MOUNTED ATTENUATOR UNITS MAY BE USED TO CREATE THE TAPER IN LIEU OF TRAFFIC CONES/DRUMS.
10. FOR THE INSTALLATION OF PAVEMENT MARKINGS, VEHICLE 1 SHALL HAVE A SIGN WITH THE LEGEND "LINE PAINTING".

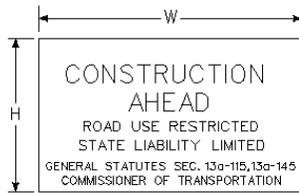


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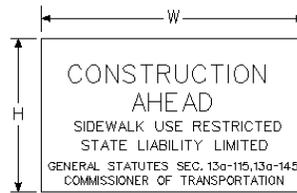
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BUREAU OF ENGINEERING &
HIGHWAY OPERATIONS
DIVISION OF TRAFFIC ENGINEERING

MAINTENANCE
TRAFFIC CONTROL PLAN
NOTES

SERIES 16 SIGNS



		W	H
16-E	80-1605	84" x 60"	
16-H	80-1608	60" x 42"	
16-M	80-1613	30" x 24"	



		W	H
16-S	80-1619	48" x 30"	

THE 16-S SIGN SHALL BE USED ON ALL PROJECTS THAT REQUIRE SIDEWALK RECONSTRUCTION OR RESTRICT PEDESTRIAN TRAVEL ON AN EXISTING SIDEWALK.

SERIES 16 SIGNS SHALL BE INSTALLED IN ADVANCE OF THE TRAFFIC CONTROL PATTERNS TO ALLOW MOTORISTS THE OPPORTUNITY TO AVOID A WORK ZONE. SERIES 16 SIGNS SHALL BE INSTALLED ON ANY MAJOR INTERSECTING ROADWAYS THAT APPROACH THE WORK ZONE. ON LIMITED- ACCESS HIGHWAYS, THESE SIGNS SHALL BE LOCATED IN ADVANCE OF THE NEAREST UPSTREAM EXIT RAMP AND ON ANY ENTRANCE RAMP PRIOR TO OR WITHIN THE WORK ZONE LIMITS.

THE LOCATION OF SERIES 16 SIGNS SHOULD BE INSTALLED AS DIRECTED BY THE ENGINEER OR SUPERVISOR, OR MAY BE FOUND ELSEWHERE IN THE PLANS.

IF SIGNS ARE TO BE POST MOUNTED THEN:

SIGN 16-E OR 16-H SHALL BE USED ON ALL EXPRESSWAYS.

SIGN 16-H OR 16-M SHALL BE USED ON ALL RAMP, OTHER STATE ROADWAYS, AND MAJOR TOWN/CITY ROADWAYS.

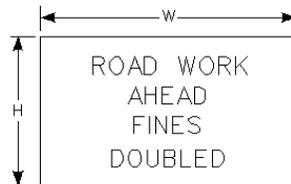
SIGN 16-M SHALL BE USED ON OTHER TOWN ROADWAYS.

IF SIGNS ARE TO BE MOUNTED ON PORTABLE SUPPORTS, THEN SIGN 16-M SHALL BE USED.

REGULATORY SIGN "ROAD WORK AHEAD, FINES DOUBLED"

THE REGULATORY SIGN "ROAD WORK AHEAD, FINES DOUBLED" SHALL BE INSTALLED FOR ALL WORK ZONES THAT OCCUR ON ANY STATE HIGHWAY IN CONNECTICUT WHEN THERE ARE WORKERS ON THE HIGHWAY OR WHEN THERE IS OTHER THAN EXISTING TRAFFIC OPERATIONS. THE "ROAD WORK AHEAD, FINES DOUBLED" REGULATORY SIGNS SHALL NOT BE INSTALLED ON TOWN ROADS.

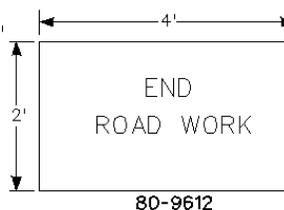
THE "ROAD WORK AHEAD FINES DOUBLED" REGULATORY SIGN SHALL BE PLACED AFTER THE SERIES 16 SIGN AND IN ADVANCE OF THE "ROAD WORK AHEAD" SIGN.



	W	H
31-1906	48" x 42"	

"END ROAD WORK" SIGN

THE LAST SIGN IN THE PATTERN MUST BE THE "END ROAD WORK" SIGN.



80-9612

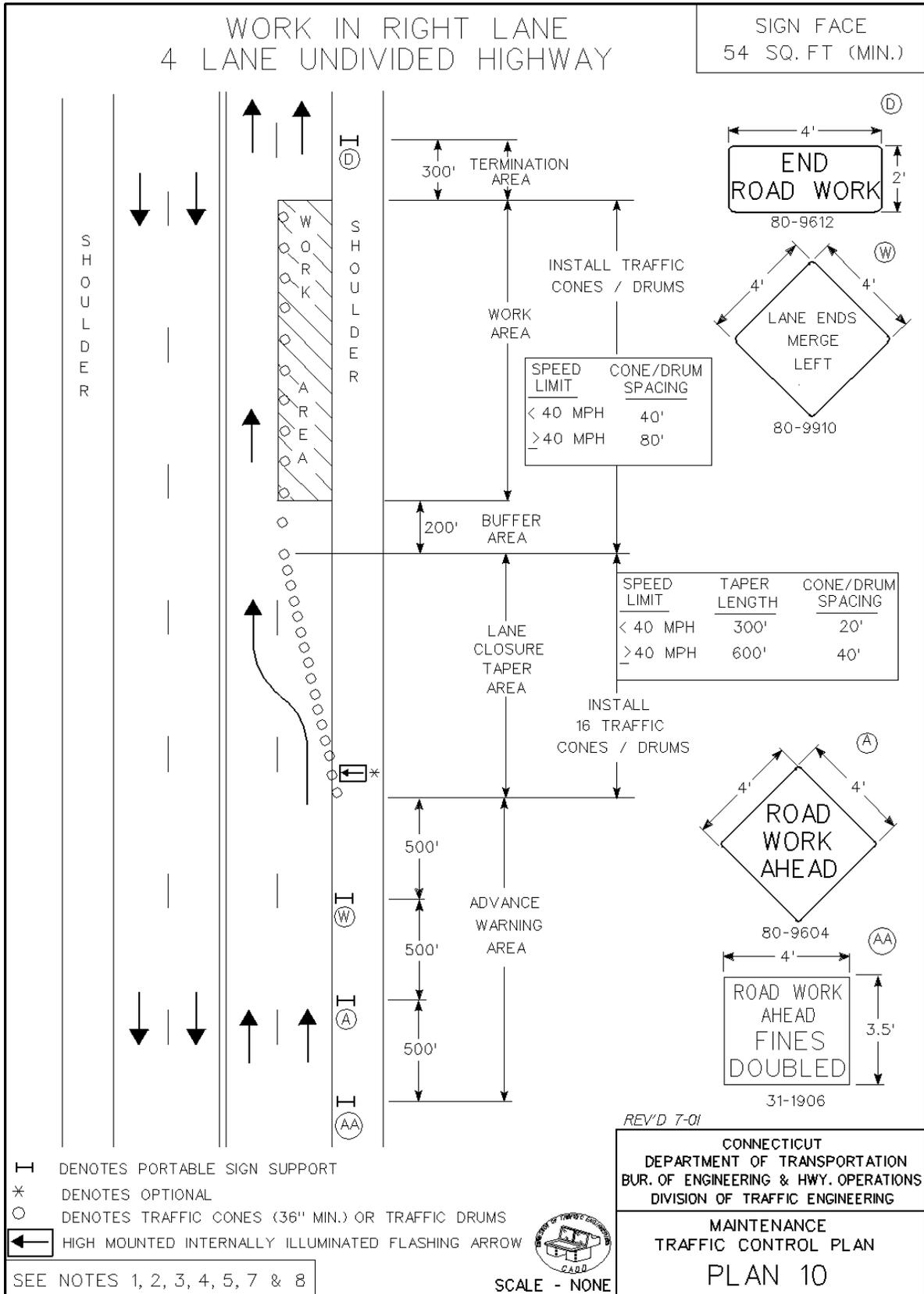
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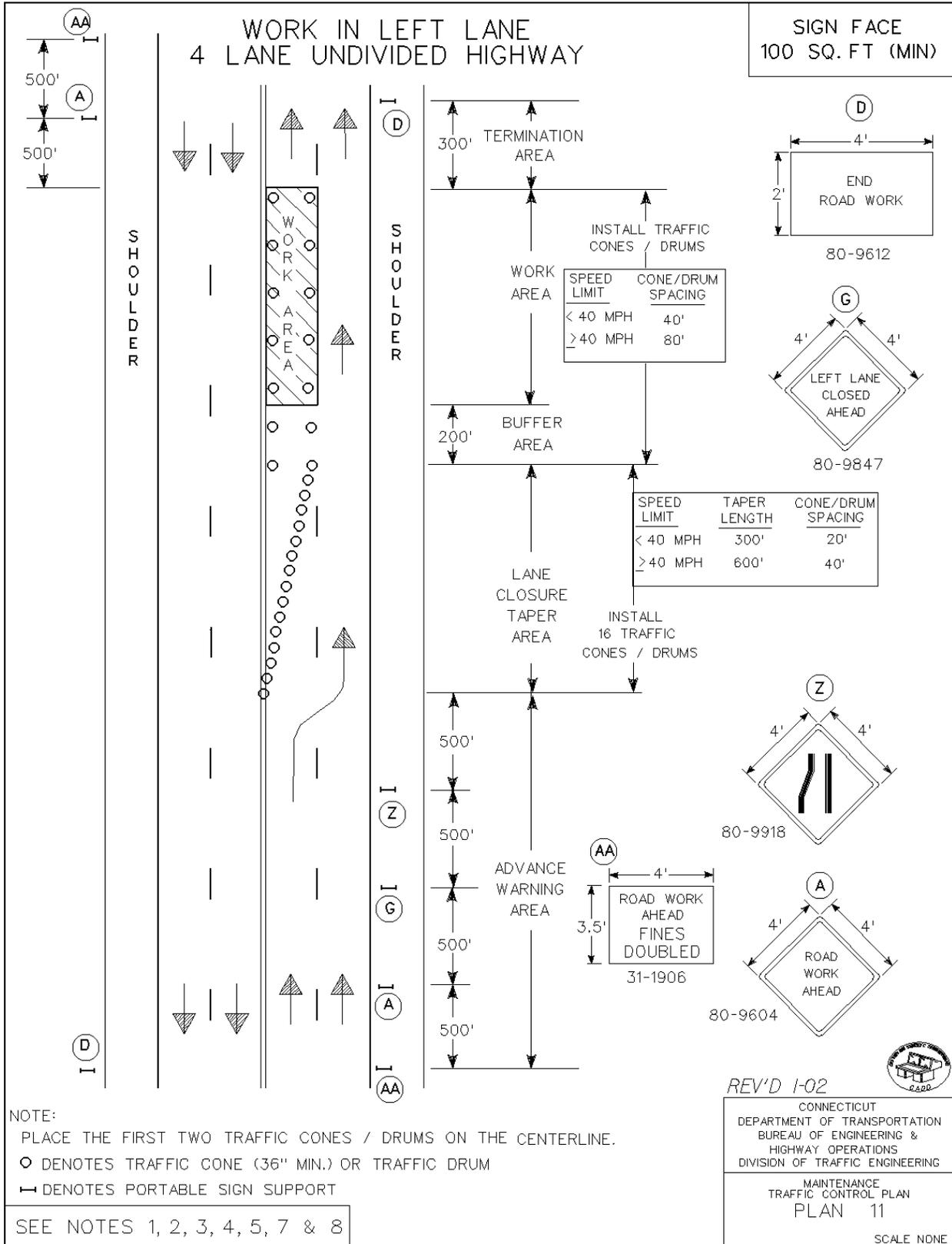


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MAINTENANCE
TRAFFIC CONTROL PLAN

REQUIRED SIGNS





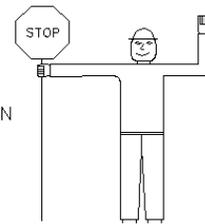
WORK IN TRAVEL LANE AND SHOULDER TWO LANE HIGHWAY ALTERNATING ONE-WAY TRAFFIC OPERATIONS

HAND SIGNAL METHODS TO BE USED BY TRAFFIC CONTROL PERSONS

THE FOLLOWING METHODS FROM SECTION 6E.04 TRAFFIC CONTROL PERSON PROCEDURES IN THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" SHALL BE USED BY TRAFFIC CONTROL PERSONS WHEN DIRECTING TRAFFIC THROUGH A WORK AREA. THE STOP/SLOW SIGN PADDLE (SIGN NO. 80-9950) SHOWN ON THE TYPICAL DETAIL SHEET ENTITLED "SIGNS FOR CONSTRUCTION AND PERMIT OPERATIONS" SHALL BE USED.

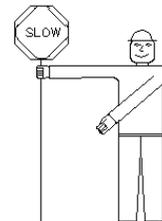
A. TO STOP TRAFFIC

TO STOP ROAD USERS, THE TRAFFIC CONTROL PERSON SHALL FACE ROAD USERS AND AIM THE STOP PADDLE FACE TOWARD ROAD USERS IN A STATIONARY POSITION WITH THE ARM EXTENDED HORIZONTALLY AWAY FROM THE BODY. THE FREE ARM SHALL BE HELD WITH THE PALM OF THE HAND ABOVE SHOULDER LEVEL TOWARD APPROACHING TRAFFIC.



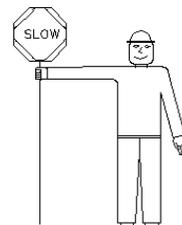
B. TO DIRECT TRAFFIC TO PROCEED

TO DIRECT STOPPED ROAD USERS TO PROCEED, THE TRAFFIC CONTROL PERSON SHALL FACE ROAD USERS WITH THE SLOW PADDLE FACE AIMED TOWARD ROAD USERS IN A STATIONARY POSITION WITH THE ARM EXTENDED HORIZONTALLY AWAY FROM THE BODY. THE TRAFFIC CONTROL PERSON SHALL MOTION WITH THE FREE HAND FOR ROAD USERS TO PROCEED.



C. TO ALERT OR SLOW TRAFFIC

TO ALERT OR SLOW TRAFFIC, THE TRAFFIC CONTROL PERSON SHALL FACE ROAD USERS WITH THE SLOW PADDLE FACE AIMED TOWARD ROAD USERS IN A STATIONARY POSITION WITH THE ARM EXTENDED HORIZONTALLY AWAY FROM THE BODY. TO FURTHER ALERT OR SLOW TRAFFIC, THE TRAFFIC CONTROL PERSON HOLDING THE SLOW PADDLE FACE TOWARD ROAD USERS MAY MOTION UP AND DOWN WITH THE FREE HAND, PALM DOWN.



SEE NOTES 1, 2, 5, 7 & 8

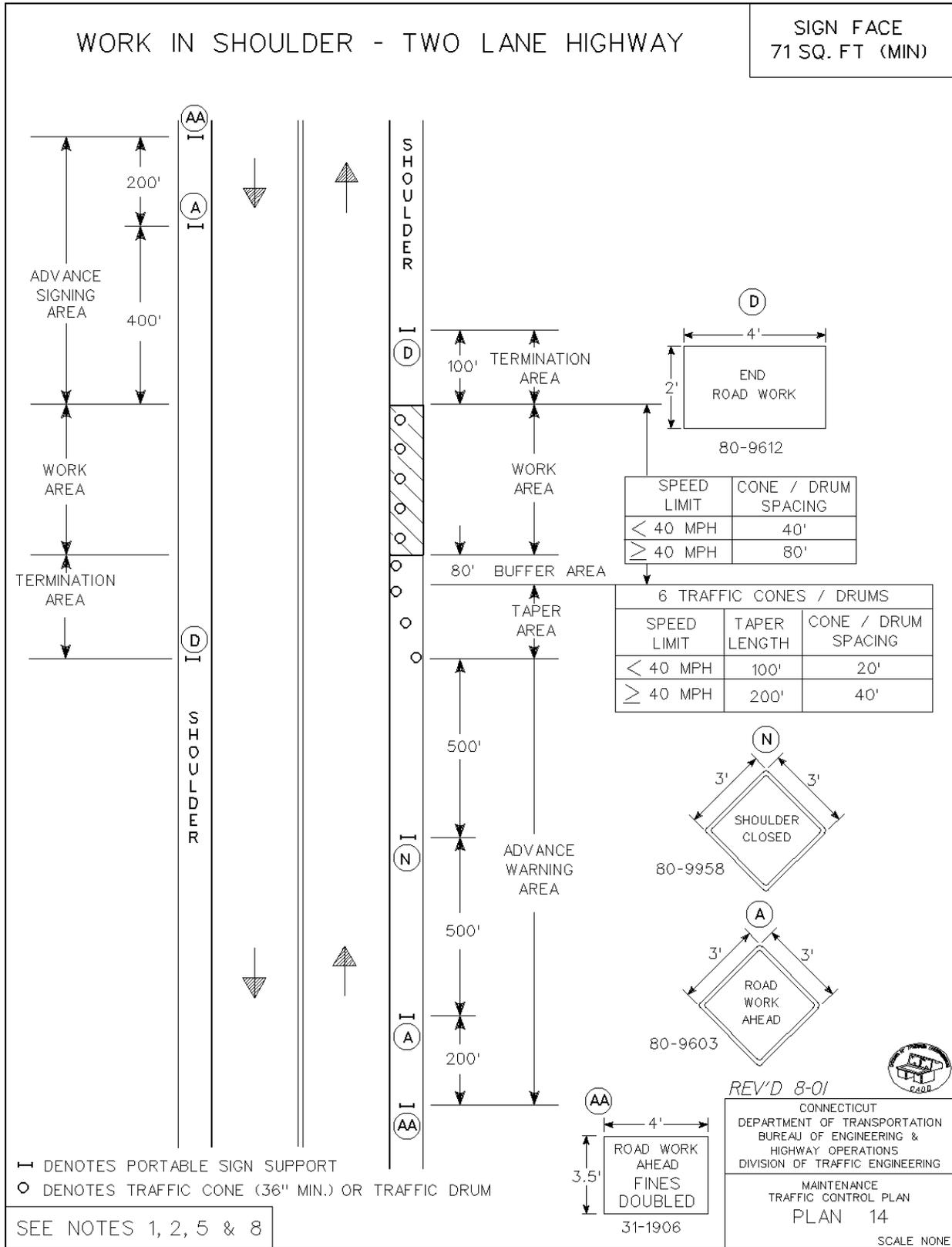


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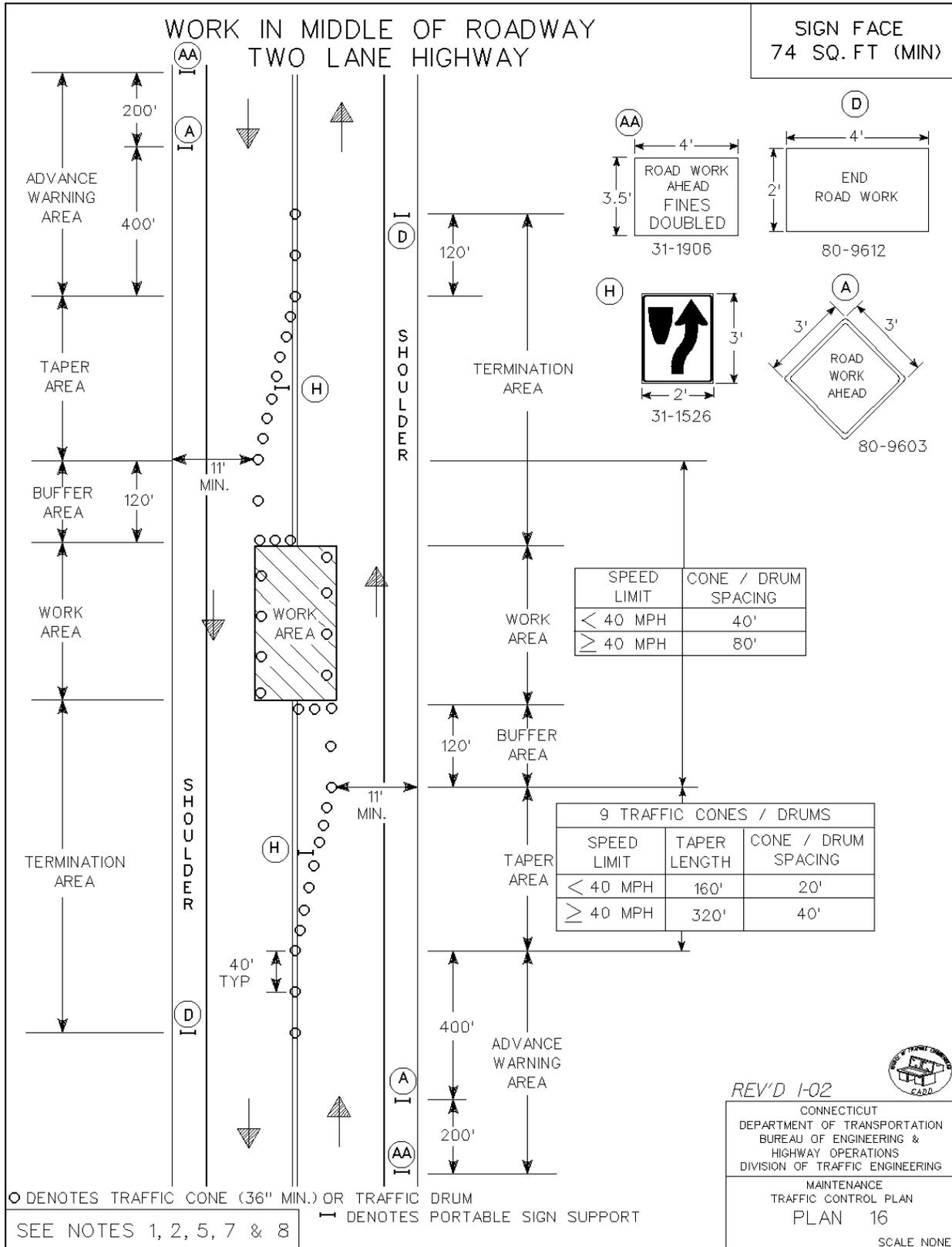
MAINTENANCE
TRAFFIC CONTROL PLAN
PLAN 13
SHEET 2 OF 2 SCALE NONE

APPROVED Charles S. Harlow DATE 7/19/02
PRINCIPAL ENGINEER



┌ DENOTES PORTABLE SIGN SUPPORT
○ DENOTES TRAFFIC CONE (36" MIN.) OR TRAFFIC DRUM

SEE NOTES 1, 2, 5 & 8

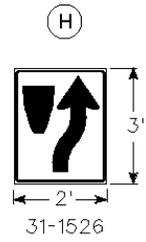
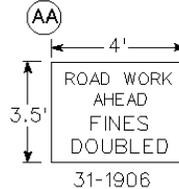
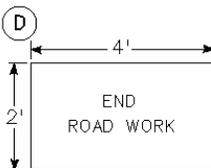
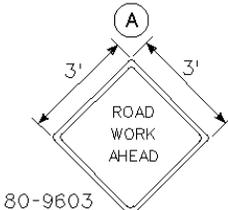
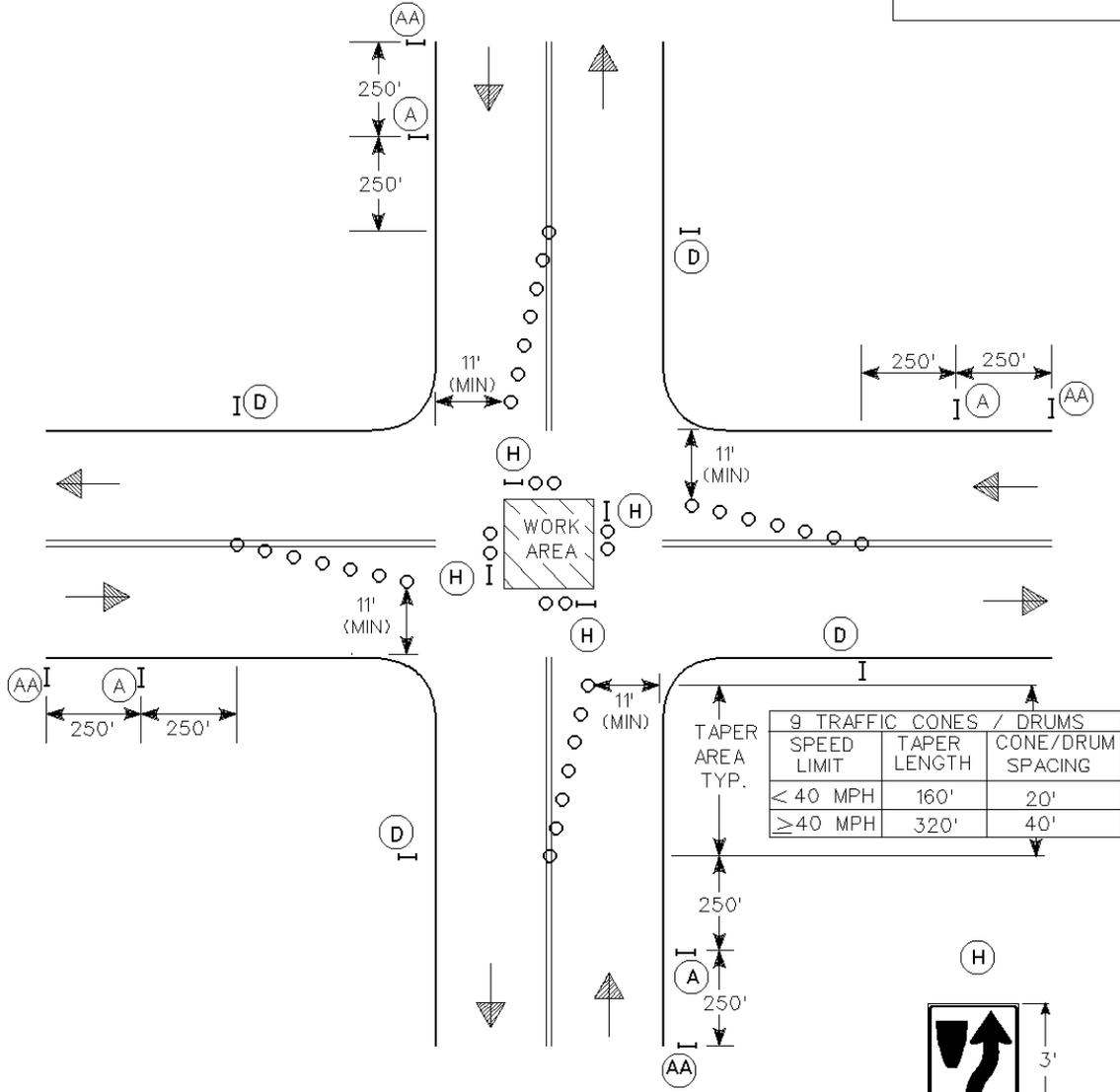


REV'D 1-02

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 DIVISION OF TRAFFIC ENGINEERING
 MAINTENANCE
 TRAFFIC CONTROL PLAN
PLAN 16
 SCALE NDNE

WORK IN MIDDLE OF ROADWAY AT INTERSECTION

SIGN FACE
148 SQ. FT (MIN)

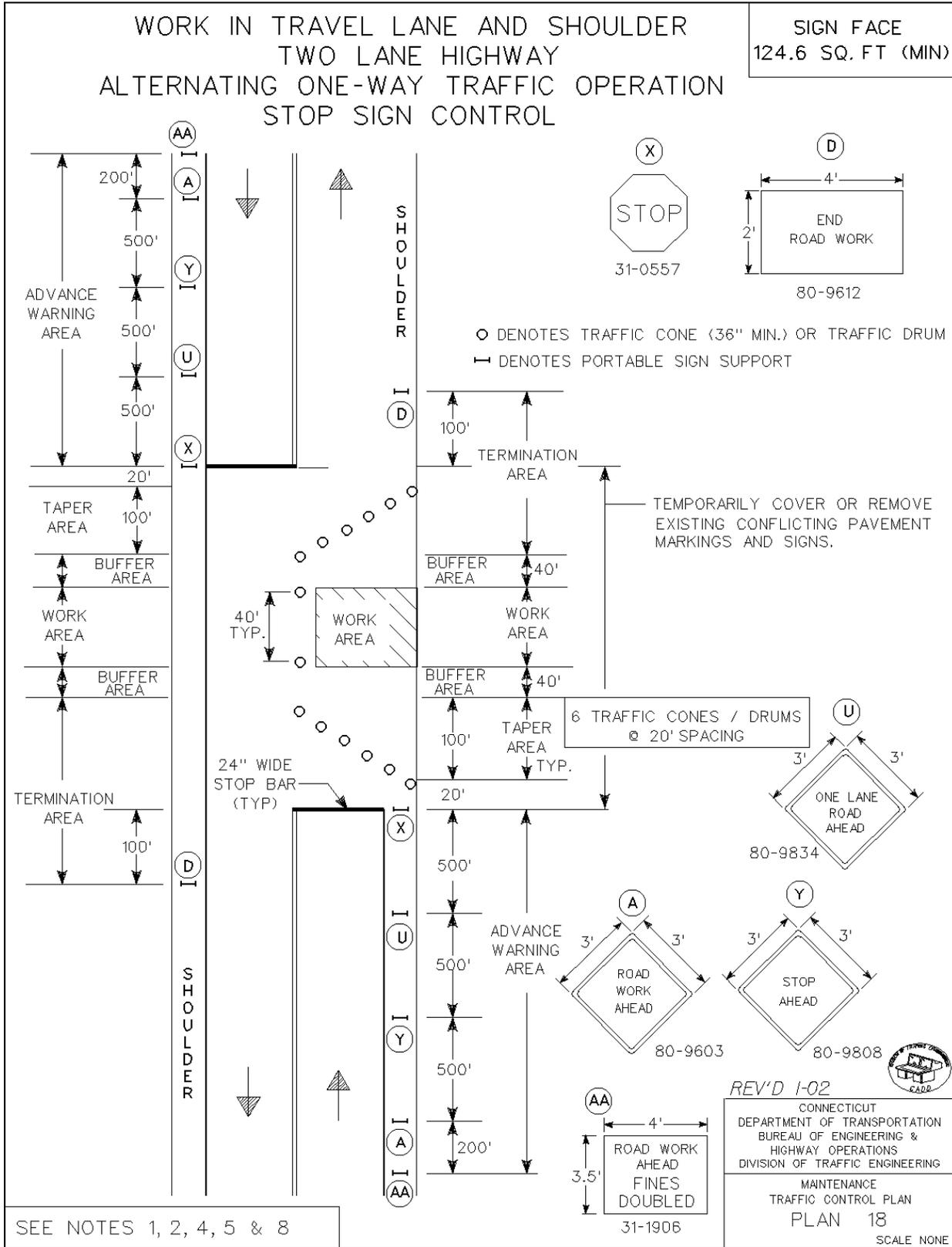


○ DENOTES TRAFFIC CONE (36" MIN.) OR TRAFFIC DRUM
 ↳ DENOTES PORTABLE SIGN SUPPORT

SEE NOTES 1, 2, 5 & 7

REV'D 11-01
 CONNECTICUT
 DEPARTMENT OF TRANSPORTATION
 BUREAU OF ENGINEERING &
 HIGHWAY OPERATIONS
 DIVISION OF TRAFFIC ENGINEERING
 MAINTENANCE
 TRAFFIC CONTROL PLAN
 PLAN 17
 SCALE NONE

APPROVED John F. Carey DATE 11-15-01
 PRINCIPAL ENGINEER



SEE NOTES 1, 2, 4, 5 & 8

APPENDIX VIII

ConnDOT CORRESPONDENCE



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Phone:

December 30, 2005

Ms. Anne Bartosewicz
Middletown - Norwalk Project Director
Northeast Utilities Service Company
107 Selden Street
Berlin, Connecticut 06037

Dear Ms. Bartosewicz:

Subject: Middletown - Norwalk
345kV Transmission Project

On December 7, 2005, you sent two letters to me concerning several issues related to the subject project. The following is a response to each of your inquiries:

Eight (8) continuous daytime work hours at select locations on Routes 1 and 130:

Lane closures on these routes during the morning peak hours (6-9 am) and the evening peak hours (3-6 pm) cannot be approved. As you know, this area is subjected to heavy commuter traffic flows. Additionally, Route 1 is a designated diversion route for Interstate 95. The Department empathizes with your dilemma, but these are the same restrictions we would impose on our own contractors working on these routes.

Please note that if your engineers are able to configure a construction sequence that does not involve lane closures during the morning or evening peak hours, you may very well be able to accomplish your goal.

Eleven (11) continuous nighttime work hours:

(Same comments as above.)

Use of steel plates up to 300' in length:

The existing Department of Transportation (Department) guideline for the use of steel plates indicates a maximum length of 160'. On the Bethel-Norwalk 345kV project, the maximum length was increased to 300'. The 300' limit is approved for the Middletown - Norwalk 345kV project.

Use of steel plates from March 15 through December 23:

The existing Department guideline for the use of steel plates indicates that steel plates are not to be used from November 1 through April 30. The Department permitted Northeast Utilities (NU) to use steel plates from March 15 to the day before Thanksgiving on the Bethel-Norwalk 345kV project. Your current request is a further expansion of the Bethel-Norwalk waiver and cannot be approved. However, the waiver that was granted for the Bethel-Norwalk project is approved for the Middletown-Norwalk project. Therefore, NU will be permitted to utilize steel plates from March 15 through the day before Thanksgiving on the Middletown - Norwalk 345kV project. All other provisions of the Department's "Guidelines for Use of Steel Plates in State Highway Right of Way" remain in effect unless waived in writing by the Department.

Use of steel plates during holidays and weekends:

The Department is willing to permit the use of steel plates on weekends and holidays, subject to the following limitations:

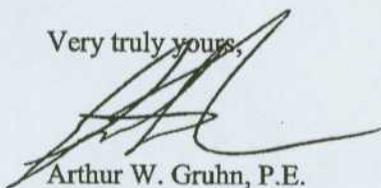
- Maximum length of 40'
- Maximum length of 100' if two safety inspections are conducted on a daily basis

Use of steel plates at intersections:

Since intersections are subjected to heavy amounts of braking and turning maneuvers, the Department cannot approve the use of steel plates at these locations.

If you have any questions, please feel free to call me.

Very truly yours,



Arthur W. Gruhn, P.E.
Chief Engineer
Bureau of Engineering
and Highway Operations