

TOWN OF CONCORD MASSACHUSETTS

CONSTRUCTION NOISE BYLAW

Section 1. Construction Noise

It shall be unlawful for any person or persons to create, assist in creating, continue or allow to continue any loud noise related to non-public construction activities as outlined below prior to 7:00 am and after 8:00 pm on weekdays and Saturdays which either annoys, disturbs, injures or endangers the reasonable quiet, comfort, repose or the health and safety of others within the Town. Additionally, it shall be unlawful for any person or persons to create, assist in creating, continue or allow to continue any excessive, unnecessary or unusually loud noise related to non-public construction activities as outlined below prior to 8:00 am and after 6:00 pm on Sundays and the following holidays: New Year's, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas.

Construction shall mean those activities requiring a building permit, and shall also include any site preparation, earth removal, grading, assembly, erection, substantial repair, alteration or similar action, including demolition, for or of private streets, structures, utilities or similar non-public property. Construction noise shall be that noise generated by manual or mechanical activities associated with construction.

Section 2. Exemptions

Noise associated with Emergency Work or Emergency Vehicles is exempt from the provisions of this Bylaw. Emergency Work shall mean any work performed in an effort to protect, provide or restore public safety, or work by private or public utilities when restoring utility service. Emergency Vehicles shall mean any vehicle operated in an effort to protect, provide or restore public safety including, but not limited to, ambulances, police vehicles and fire vehicles.

Noise associated with construction activities undertaken with authorization of the Police Chief in order to complete a project, which is in the public interest, in a timely and expeditious manner shall be exempt from the provisions of this Bylaw.

Article 61, Town Meeting, April 2010

NOTE:

Section 3 of this bylaw, approved at the April 2010 Annual Town Meeting, was subsequently disapproved by the Attorney General and has therefore been deleted.