

City of Salem

FIRST PASSAGE

In the year Two Thousand and Seventeen

An Ordinance to amend an ordinance relative to Noise Control

Be it ordained by the City Council of the City of Salem, as follows:

Section 1. Chapter 22 Noise Control is hereby amended as follows:

- a) Insert the phrase "Except as provided in Sec. 22-6," at the beginning of Sec. 22-1(a), Sec. 22-1(b), Sec. 22-2(1), Sec. 22-2 (2)(a), Sec. 22-2 (2)(b), and 22-31(a), and at the beginning of the last paragraph of Sec. 22-2.
- b) Delete the fine of \$25.00 and replace it with \$50.00 as it appears in Sec. 22-3(a).
- c) Delete the phrase "not less than" as it appears in Sec. 22-3(b).
- d) Insert the phrase "for the second and subsequent offenses." at the end of Sec. 22-3(b).
- e) Insert a new section, Sec. 22-6 set forth below:

"Sec. 22-6. Special Regulations Relative to the Essex Street Pedestrian Mall and Adjacent Streets and Sidewalks.

(1) *Essex Street Pedestrian Mall and Adjacent Streets and Sidewalks* shall include:

- (a) 125 to 259 Essex Street;
- (b) 93 to 155 Washington Street;
- (c) Cervoni Walkway (Salem Green);
- (d) Derby Square from Essex to 15 Derby Square; and
- (e) Central Street from Essex Street to Charter Street.

(2) No person shall use, for commercial or non-commercial purposes, a musical instrument or similar device, loudspeaker, amplifier, public address system or similar device, or radio, disc player or similar device which produces, reproduces or amplifies sound in excess of the decibels levels set forth below upon the Essex Street Pedestrian Mall and Adjacent Streets and Sidewalks as measured fifteen feet from the noise source:

- a) Exceeding 65 decibels between the hours of 8 p.m. and 4 p.m. the following day from Sunday at 8 p.m. through Friday at 4 p.m., between the hours of 8 p.m. Friday to 11:00 a.m. Saturday and between the hours of 8 p.m. Saturday to 11 a.m. Sunday upon the streets, sidewalks and public ways within the entirety of the Essex Street Mall and Adjacent Streets and Sidewalks;
- b) Exceeding 68 decibels between the hours of 4 p.m. and 8 p.m. Monday through Friday and 11 a.m. to 8 p.m. Saturday, Sunday and Massachusetts State Holidays

- upon the streets and sidewalks between and including 181 and 198 Essex Street and between and including 11 Central Street and Essex Street;
- c) Exceeding 73 decibels between the hours of 4 p.m. and 8 p.m. Monday through Friday and 11 a.m. to 8 p.m. Saturday, Sunday and Massachusetts State Holidays between and including 208 and 259 Essex Street, 173 and 179 Essex Street, 125 and 133 Essex Street, 13 Central Street and Charter Street, 93 and 155 Washington Street, Cervoni Walkway, and Derby Square from Essex Street to 13 Derby Square.
 - d) Exceeding 78 decibels between the hours of 4 p.m. and 8 p.m. Monday through Friday and 11 a.m. to 8 p.m. Saturday, Sunday and Massachusetts State Holidays between and including 137 and 161 Essex Street and 15 Derby Square and Front Street.
- (3) A map depicting the decibel limits set forth above shall be on file in the office of the City Clerk and available to the public at no fee.
- (4) The Police Chief may issue a waiver from the decibel levels set forth in this section for organized city events."

Section 2. This ordinance shall take effect as provided by City Charter.

In City Council September 14, 2017

Referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole and Adopted for first passage

ATTEST:

CHERYL A. LAPOINTE
CITY CLERK

ADVERTISED SALEM NEWS ON
9/20/2017