

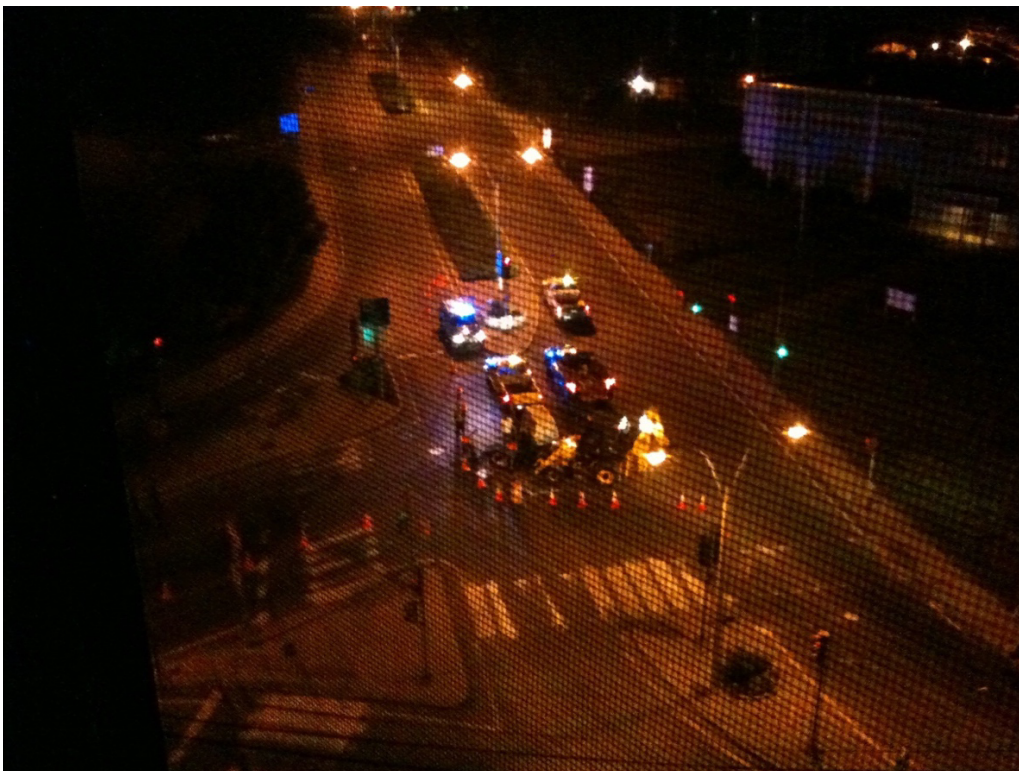
## ARTICLE 15: BYLAW AMENDMENT/NOISE ABATEMENT

Submitted by Paul Schlichtman

To see if the town will vote to amend the Town Bylaws by replacing Title V Article 12 Noise Abatement with Title VIII Article 11 Noise Abatement, and to further regulate non-emergency work by the Arlington Department of Public Works, public utilities, and/or their contractors, or take any action related thereto.

**Rationale:** On July 14, 2021, Deputy Town Manager James Feeney wrote that “‘Article 12: Noise Abatement’ falls within ‘Title V - Regulations Upon the Use of Private Property’” which had historically ruled out its application to work taking place on public property, it was still amended at the 2018 STM to specifically note that it did not apply to work within the public right of way, even on a non-emergency basis.”

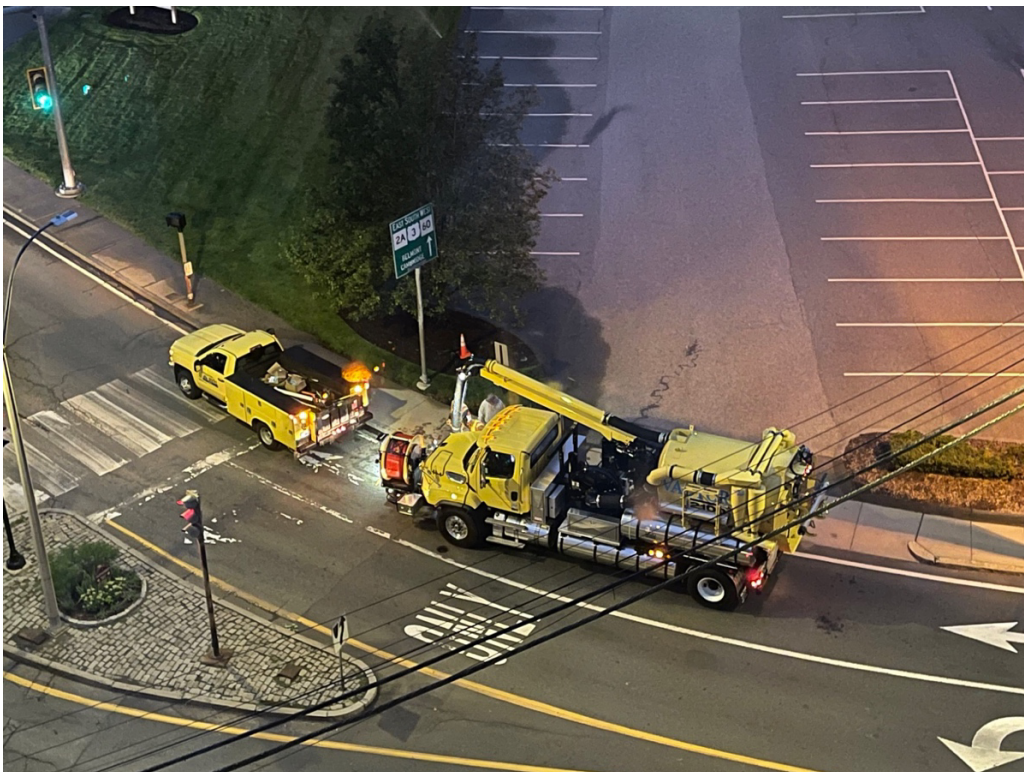
Moving this bylaw to Title VIII (Public Health and Safety), and establishing a new Article 11, places the bylaw in a position where its placement within the bylaws doesn’t exclude public property or rights of way. In addition to moving the bylaw, I also seek to define the type of non-emergency work may be scheduled after 9:00 p.m. and before 8:00 a.m. (routine maintenance such as street sweeping and line painting) and may not be conducted (such as the use of jackhammers and sewer jetting trucks).



Use of jackhammers to excavate and replace manhole. August 4, 2011 5:26 a.m.



Use of sewer jetting truck. May 9, 2019 4:30 a.m.



Use of sewer jetting truck. July 14, 2021 4:57 a.m.