



General Assembly

January Session, 2003

Raised Bill No. 1064

LCO No. 3782

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT CONCERNING MUNICIPAL POWERS RELATING TO THE
REDUCTION OF NOISE AND NOISE POLLUTION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subparagraph (E) of subdivision (7) of subsection (c) of
2 section 7-148 of the general statutes is repealed and the following is
3 substituted in lieu thereof (*Effective October 1, 2003*):

4 (E) Define, prohibit and abate within the municipality all nuisances
5 and causes thereof, including, but not limited to, excessive noise, and
6 all things detrimental to the health, morals, safety, convenience and
7 welfare of its inhabitants and cause the abatement of any nuisance at
8 the expense of the owner or owners of the premises on which such
9 nuisance exists.

10 Sec. 2. Section 22a-73 of the general statutes is repealed and the
11 following is substituted in lieu thereof (*Effective October 1, 2003*):

12 (a) To carry out [and effectuate] the purposes and policies of this
13 chapter, it is the public policy of the state to encourage municipal
14 participation by means of the regulation of activities causing noise

15 pollution within the territorial limits of the various municipalities. To
16 that end, any municipality may develop and establish a
17 comprehensive program of noise regulation. Such program may
18 include, but need not be limited to, a study of the noise problems
19 resulting from uses and activities within its jurisdiction and its
20 development and adoption of a noise control ordinance.

21 (b) Any municipality may adopt, amend and enforce a noise control
22 ordinance which may include, but need not be limited to, the
23 following: (1) Noise levels which will not be exceeded in specified
24 zones or other designated areas; (2) designation of a noise control
25 officer and the designation of an existing board or commission, or the
26 establishment of a new board or commission, to direct such program;
27 (3) implementation procedures of such program and the relation of
28 such program to other plans within the jurisdiction of the
29 municipality; (4) procedures for assuring compliance with state and
30 federal noise regulations; and (5) noise level restrictions applicable to
31 construction activities, including a limitation on on-site hours of
32 operation.

33 (c) [No ordinance shall be effective until such ordinance has been
34 approved by the commissioner. No ordinance shall be approved
35 unless it is in] Any noise control ordinance adopted pursuant to
36 subsection (b) of this section shall be in substantial conformity with
37 any state noise control plan, including ambient noise standards,
38 adopted pursuant to section 22a-69 or any standards or regulations
39 adopted by the administrator of the United States Environmental
40 Protection Agency pursuant to the Noise Control Act of 1972, [(P.L. 92-
41 574) or any amendment thereto] 42 USC 4901 et seq., as from time to
42 time amended. Notwithstanding the provisions of this subsection, any
43 municipality may adopt more stringent noise standards than those
44 adopted by the commissioner. [, provided such standards are
45 approved by the commissioner.]

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>

Statement of Purpose:

To provide municipalities with greater flexibility in preventing excessive noise and noise pollution.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]