FILMING IN NEW HAVEN

City of New Haven, Justin Elicker, Mayor

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New Haven Dept. of Arts, Culture and Tourism 165 Church Street New Haven, CT 06510 T: (203) 946-7172 F: (203) 946-7808

FILMING IN NEW HAVEN

Welcome to the City of New Haven.

Founded in 1638, this historic city, home to Yale University at the convergence of I-91 and I-95, New Haven, offers all the charm of New England in a compact contemporary urban setting. It boasts a vast range of award-winning architecture, parkland, unique neighborhoods and an ocean shoreline complete with a working harbor, sandy beaches and a vintage carousel and lighthouse. The city is rich in arts and cultural venues and hosts a plethora of noteworthy restaurants serving memorable international cuisine.

Filming in New Haven Packet

Please review the film packet and attached permit application forms.

Your packet includes:

- Filming Guidelines
- Key Contacts
- Film Application Form
- Department of Parks, Recreation and Trees Permit Application Form
- Noise Control Ordinance

Where to Start

If you have general questions regarding the permit process, please contact the Department of Arts, Culture and Tourism at (203) 946-7172 or (203) 946-8378. They serve as the main point of entry into the City. Staff there is available to guide you through the process and will work with you to ensure that your filming experience in New Haven is productive. For larger productions the Department of Arts, Culture and Tourism will arrange logistics meetings with key city department staff to further facilitate the process.

If you have questions regarding a particular department permit or process please call the appropriate personnel listed as a Key Contact. Please file a Film Application with the Department of Arts, Culture and Tourism before proceeding with applications for any subsequent, other city permits required for your shoot.

Benefits and Incentives

Coordinated Permit Process
Connecticut 30% Digital Media and Motion Picture Tax Credits
Minimal Permit/Location Fees

Cover photograph by Bill O'Brien.

FILMING IN NEW HAVEN

GENERAL FILMING GUIDELINES

Obtain a Film Application and "Filming in New Haven" Packet

For questions or clarification on City of New Haven filming policies, please contact the Department of Arts, Culture and Tourism, City of New Haven, 165 Church Street, 2nd Floor, New Haven, CT 06510 or (203) 946-7172. The office is open Monday - Friday, 9am - 5pm. Film applications and copies of this packet can be obtained online at cityofnewhaven.com.

After contact has been made, completed film application (for which there is no fee) and a certificate of insurance should be submitted to the Department of Arts, Culture and Tourism in person or via fax at (203) 946-8164. The Department of Arts, Culture and Tourism can help determine if additional permits are needed based on the project description.

Provide Proof of Insurance

Applicants are required to furnish the City of New Haven with evidence of general liability and property insurance for $2 million general aggregrate/$1 million each occurrence. The City of New Haven must be additionally named insured. The applicant must agree to be solely and absolutely liable upon any and all claims, suits and judgements against the City and/or the applicant for personal injuries and property damages arising out of or occurring during the activities of the applicant, his (its) employees or otherwise.

Large Scale or Major Film Productions/Projects

A pre-production meeting with City departments will be arranged for large scale productions to discuss project details and determine the level of City services and permits required. Please contact the Department of Arts, Culture and Tourism at (203) 946-7172.

Non-Profit Productions/Projects

Non-profit organizations must supply proof of non-profit status with completed film application.

Student Productions/Projects

Students must supply a letter of support from their educational institution with completed film application. Depending on the complexity of the project, proof of insurance requirements might be waived or reduced.

Hours of Filming

Filming is generally allowed from 7am-10pm Monday thru Saturday and 9am-9pm Sunday and should comply with the City's noise ordinance. The City reserves the right to limit filming hours as necessary based on other activities, neighborhood concerns, or conflicting use of city streets.

APPROVALS & PERMITS

Filming in a New Haven Park

A permit for use of the park is required in addition to the City's Film Application. Parks Permits can be ob-

tained from the city website (http://www.newhavenct.gov/gov/depts/parks) or picked-up at the Department of Parks, Recreation and Trees main office, 720 Edgewood Avenue. Logistical questions should be directed to William Carone Acting Director at (203) 946-8576 or wcarone@newhavenct.gov.

Filming on Private Property

Contact property owner directly. Even if no direct impact is anticipated on the City, a film application should be submitted to the Department of Arts, Culture and Tourism.

Pyrotechnics, Hazardous Materials, Open Flames, Vehicles Inside Structures or Fire Watch

Approval from the City of New Haven Fire Marshal is required and the company is responsible for any fees or costs.

Providing Food to Cast/Crew

Contact Shellie Longo at the Health Department (203) 946-8332 to obtain a temporary food service permit for caterer. If the caterer is already licensed with the New Haven Health Department, no additional food service license will be required. However a site plan and inspection will still be required.

Tents

Use of tents over 350 square feet require a permit from the Building Department. Contact Dan O'Neil at 946-8048. Special requirements apply to tents in which food is being served.

Permit Revocations and Cancellations

The City of New Haven has the right to immediately revoke any permit upon violation of any terms of this application or false statements in the application.

Filming cancellation or alterations to hours or dates which affect police or fire safety officers must be submitted 24 hours prior to scheduled date.

STREET CLOSURES/PARKING/IMPACT MITIGATION

Traffic Control and Street Closures

Production companies who wish to detour traffic inside City limits must submit a plan in writing 30 working days prior to filming to the New Haven Police Department (NHPD) subject to approval by the NHPD, and the City's Department of Transportation, Traffic and Parking.

City reserves the right to restrict high impact filming on neighborhoods, streets and parks which have experienced a high level of film activity, natural disasters, etc. **Closed streets are still subject to entry by City and private emergency vehicles at all times.**

FILMING IN NEW HAVEN

Neighborhood Street Closures

All street closures require a permit which is obtained through the Department of Transportation, Traffic and Parking. As several departments are required to sign off on each request, this process may take several days.

Downtown Street Closures

Closing of major thoroughfares require approval by the Board of Alderman which can take up to 60 days before permits will be issued. Neighborhood notification is also required. See street closure ordinance.

Sidewalk Obstructions

Filming on city sidewalks will require a sidewalk obstruction permit to be completed through the Building Department.

Filming on State Roads

Filming or closing of State roads require permission from the Connecticut Department of Transportation and should be coordinated through the state's film office.

Photo courtesy of New Haven Register

Production Vehicle Parking

Film companies utilizing production trucks and trailers on city streets will be required to submit parking plans 5 business days in advance.

Continuous on-street parking at meters requires meter bags. Continuous on-street parking of production trucks and other vehicles in non-metered areas are subject to review and fee. Contact the Department of Transportation, Traffic and Parking for details and fee structure (if applicable). Limits on the use of meter bags may be instituted depending on overall citywide activity.

Parking needs, meter bag requests and filming schedules will be reviewed and negotiated on a case by case basis.

"No parking" areas adjacent to fire hydrants must be observed at <u>all times</u> even when streets are closed.

Use of driveways or unimproved lots for parking in residential areas require permission from the property owner (s).

Neighborhood/Business District Notification

Efforts must be made to reach all residents, businesses, and property owners in the affected area. In some extreme cases, signed petitions agreeing to filming may be required.

Written notice must be provided to residents/businesses affected by filming area 72 hours prior to the begin-

ning of filming. Notice should include:

- ✓ Name of company
- ✓ Type of production
- ✓ Contact phone number
- ✓ Type and location of anticipated impact
- ✓ Name of production
- ✓ Company contact
- ✓ Dates/Times of filming

A notification plan for mid-high impact productions outlining boundaries of film production must be submitted. Failure to properly notify residents or businesses or to make reasonable accommodation to mitigate your impact on a neighborhood or business district may result in the cancellation of your permit.

Media Notification

Mid-high impact productions will also be required to submit a public relations plan and at the City's discretion may be required to hire a local public relations agency to ensure proper dissemination of street closure materials to all Connecticut-based media.

Neighborhood Business Interruption Fees

Productions must notify and/or negotiate interruption fees with any individual or business upon which the filming is expected to have a direct impact including the taking of public parking, street closures or intermittent traffic interruptions, especially in the downtown or commercial corridors.

CITY SERVICES/ASSISTANCE

Photo courtesy of
New Haven Register

Removal of Street Furnishings/Signage

Streetscape changes will be reviewed on a case by case basis. It may be necessary for approved modifications to be conducted by an outside contractor.

Use of the Green, City Parks and City Owned Greenspaces

Production companies who wish to use the New Haven Green for uses beyond filming or hourly parking must submit a site plan and details of use in writing to the Department of Parks, Recreation and Trees and Proprietors of the Green.

Removal of park fixtures, trimming of trees, etc. may require the hiring of an independent contractor.

The use of open flame is restricted to certain parks with designated picnic areas.

Disposal of Trash

A trash removal plan developed in coordination with city staff for long term and high intensity film shoots will be required. All trash must be properly disposed each day.

Vegetation and Trees

Removal, trimming or cutting of vegetation or trees is prohibited unless approved by appropriate City authority or property owner.

FEES & DEPOSITS

Prior to the granting of permission for filming large productions, the City may require the production company to assure their financial responsibility with a performance/security bond or deposit, depending upon the level of demands for city services.

The required fees must be paid prior to the issuance of a permit. Each City Department is responsible to collect the permit fee for filming related activity under their jurisdiction, i.e. Department of Parks, Recreation and Trees; New Haven Public Schools; Traffic and Parking Department; etc. Some departments may require rental fees or impact fees.

Hourly fees for police and other city personnel vary by department. Costs associated with the use of city vehicles are based on Department of Homeland Security FEMA Schedule of Equipment Rates.

All mid-high impact productions will be assessed a 15% administrative fee to defray the costs of City staffing and overhead.

ACKNOWLEDGEMENT

Recognition shall be given to the “City of New Haven” in the credits of any film, motion picture filming in New Haven which utilizes City lands or resources. Said credit shall be accorded on screen with size, placement and all other aspects consistent with other “thank-you” type credits accorded to locations of filming.

FILMING IN NEW HAVEN

KEY CONTACTS FOR PERMITS & ASSISTANCE

Film Permit*

Department of Arts, Culture and Tourism
Kim Futrell
T: (203) 946-7172 F: (203) 946-8164
165 Church St., New Haven, CT 06510
kfutrell@newhavenct.gov

Parks Usage Permit

Department of Parks Recreation and Trees
Phyllis Miller
(203) 946-8020
720 Edgewood Ave., New Haven, CT 06510
pmiller@newhavenct.gov

Parks Logistics

Department of Parks Recreation and Trees
William Carone
(203) 946-8576
wcarone@newhavenct.gov

Street/Sidewalk Obstruction Permit

Building Department
200 Orange St., 5th Fl., New Haven, CT 06510

Street/Sidewalk Obstructions
(203) 946-5758
ghinton@newhavenct.gov

Tent or Temporary Structure Permit

Building Department
200 Orange St., 5th Fl., New Haven, CT 06510

Daniel O'Neil - Tents, Temporary Structures/Electrical/Plumbing
(203) 946-8048
doneill@newhavenct.gov

Meter Bags/Street Obstructions & Closings

Traffic and Parking Department
Bruce Fischer
(203) 946-8073
200 Orange St., Basement, New Haven, CT 06510
bfischer@newhavenct.gov

Police Personnel & Services

Security, Bicycles, Horse Patrol, Cruisers, Motorcycles

Police Department
Lt. Stephen Torquati
(203) 946-6576
1 Union Ave., New Haven, CT 06519
storquati@newhavenct.gov

Fire Marshal

Fire Department
Jennifer Forslund
(203) 946-6227
952 Grand Ave., New Haven, CT 06511
jforslund@newhavenct.gov

Temporary Food Service Permit**

Health Department
Shellie Longo
(203) 946-8332
54 Meadow St., New Haven, CT 06519
slongo@newhavenct.gov

Note: Please contact the appropriate department for fees related to scope of work proposed. All personnel, equipment and vehicle charges subject to 15% administrative fee.

Department of Economic and Community Development Film Office

Mark Dixon
Location Services
(860) 270-8218
(860) 681-7502 (cell)
505 Hudson Street
Hartford, CT 06106
mark.dixon@ct.gov

Union Station

Sammy Parry
Chief Operations Officer
(203) 946-6721
1 Temple Street
New Haven, CT 06510

Craig Bordiere
(203) 789-7656 x126
Metro North

* Large film productions will require the filing of a Special Events Permit with the Permit and License Center. The online permit can be filed at www.citysquared.com/#/app/map/newHavenCityCT

** Temporary Food Service Permit, Catering License can be filed at newhaven.seamlessdocs.com/f/NHHDTFSPA

LOCATION APPLICATION

For Video, Film or Still Photography

JUSTIN ELICKER
MAYOR

CITY OF NEW HAVEN
165 Church Street, New Haven, CT 06510
Tel: (203) 946-7172 | Fax: (203) 946-8164

SECTION A

Company: _____ **Phone:** _____

Address: _____

Production Contact & Phone: _____

Location Mgr. & Phone: _____

Production Mgr. & Phone: _____

Publicist & Phone: _____

☐Feature Film ☐TV Movie ☐ TV Series/Special ☐ Commercial ☐Industrial ☐Other

Please Provide Storyline: _____

_____

If TV Commercial name product: _____

SECTION B

Location: (if more than 1 attach additional pages) _____

Dates of Filming: _____ Approx. Times: _____

Scene to be filmed must be described accurately: _____

_____

_____

Animals, firearms, special effects or unusual scenes: _____

_____

List of Production Equipment: _____ No. in Cast : _____ No. in Crew: _____

# of Trucks & Plate Number (s): _____

# of Autos & Plate Number (s): _____

# of Other Vehicles & Plate Number(s): _____

The applicant will be required to furnish the City of New Haven with evidence of insurance as per the attached . The applicant agrees to be solely and absolutely liable upon any and all claims, suits and judgements against the City and/or the applicant for personal injuries and property damages arising out of or accruing during the activities of the applicant, his (its) employees or otherwise. The applicant further agrees to comply with all pertinent provisions of the City of New Haven, CT laws, rules and regulations. This permit may be revoked at any time.

Insurance Company and Policy #: _____ **Exp. Date**: _____

A copy of the applicants insurance certificate naming the City of New Haven additionally insured must be submitted with this application.

The undersigned hereby acknowledges and agrees to adhere to read and agreed to filming guidelines and permitting requirements as outlined in the filming packet.

Signature: _____ Date: _____

Please return this form via fax, mail or in person to the Department of Arts, Culture & Tourism at the above address.

Approved By: _____ Date: _____

City of New Haven
Department of Parks, Recreation & Trees
720 Edgewood Avenue, New Haven, CT 06515
Phone 203-946-8020, Fax 203-946-8024

Justin Elicker, Mayor William Carone, Acting Director
David R. Belowsky, President, Board of Park Commissioners

Permit Application
(NOT FOR ATHLETIC FIELD USE)

Please read the following and complete the application:

- **All permit requests must be submitted no less than 3 weeks in advance. Failure to do so will result in a late charge of $40 in addition to your permit costs.**
- **Please complete with all the information pertaining to your event. Any incomplete applications will not be processed.**

Application Information

Today's Date: _____

Organization (if applicable): _____

Applicant's Name/Title: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone – Home: _____ **Work:** _____ **Cell:** _____

Fax: _____ **Email:** _____

Name of Park: _____ **Specific Location:** _____

Type of Event/Activity Planned: ***Estimated Attendance:** _____

___Run/Walk ___Rally ___Parade ___Wedding Ceremony/Photos
___Fair ___Concert ___Picnic ___Other (specify): _____

Date(s) of Event: _____ **Event Time(s):** _____ **AM/PM to** _____ **AM/PM**

Day(s) of the Week: _____

Time(s) for Setup: _____ **Clean up:** _____

Person On-site Day of Event: _____ **Cell:** _____

*** A non-refundable application fee is due and payable at the time the application is submitted.**
Cash, certified bank check/money order made payable to TREASURER, CITY OF NEW HAVEN.

***Additional charges may apply pending approval once submitted and reviewed by Permit Committee.**

PLEASE READ THE FOLLOWING CAREFULLY & SIGN

The applicant agrees to be bound by the rules and regulations of the Parks Department governing its use and by the Ordinances of the City of New Haven and Regulations of the New Haven Board of Park Commissioners. The applicant will pay the fees for labor and/or rental of equipment provided by the Parks Department in certain instances that have been identified on this application and the information sheet. In addition, the applicant will pay fees for any additional labor not stated but provided by the Parks Department as a result of the applicant's activity. The applicant will be required to pay the estimated costs associated with this event prior to the actual park permit being issued. The balance must be paid within TEN WORKING DAYS after being billed. Any balance not paid within the 10 days will automatically cancel the event. Certified checks or Money Orders must be made payable to TREASURER, CITY OF NEW HAVEN. Cash will not be accepted.

On _____(date), the undersigned applicant has inspected the site where the event will occur and is satisfied with and accepts the site in its existing condition and hereby agrees to indemnify, defend and hold harmless the City of New Haven and the New Haven Board of Park Commissioners and their employees, officers and agents from and against any and all claims, losses, suits, actions, demands, fines, fees, judgments, damages and cost arising out of or in any way connected with the use of the undersigned of the City of New Haven facility known as_____, on the date(s) of the permitted event.

Upon reviewing all information on this application, the Parks Director and/or Police Chief may require Park's staff and/or Police to be present at this event. The undersigned permit holder agrees to pay for all city services directly associated with the event.

Please note that all components of the event are subject to Parks Department approval and may require approval by and/or permits from other city agencies. Parks Department approval does not constitute permission from other agencies. It is the responsibility of the applicant to secure all necessary city permits.

Evidence of insurance will be required before final permit approval. Please provide an insurance certificate, which shows a minimum of $1 million dollars in commercial liability insurance and a policy endorsement which indemnifies and holds harmless the City of New Haven and the New Haven Board of Park Commissioners. Some events may require a higher limit of insurance. The permittee must also list the aforementioned parties as additional insured on their certificate of insurance. Each event is evaluated on its risk exposure. The City of New Haven is not responsible for any accidents or damages to persons or property resulting from the issuance of this permit.

** In applying for this park permit, the applicant shall agree that no intoxicating liquors shall be sold, distributed free or otherwise made available in connection with the use of such permit. Any special concerns and/or considerations with regard to the event must be made by contacting the Director of the Department of Parks, Recreation & Trees at (203) 946-8020.

Everything I have stated on this application is correct to the best of my knowledge. I have read, understand and agree to abide by these policies, rules and regulations on this form as they pertain to the requested usage. The permit, if granted, is not transferable and is revocable at any time at the discretion of the Parks Department and/or the Board of Park Commissioners.

By: _____ _____

Name of Organization or Trade Name (If applicable) Signature

Its: _____ For Personal Liability under the following Indemnification Paragraph

Position/Title (if applicable)

Insurance Certificate Required? ___ Yes /___ No

Standard Event Checklist

Please indicate whether the following items pertain to your event. If none applies, please check 'No'.

YES NO

____ ____ Food Served. Source: ___Food from Home ___Potluck ___Cater (Name) _____

If yes, please contact Health Department 203-946-8174 (City of New Haven Public Health License is required)

____ ____ Will you set up table(s) and/or chair(s)? (tables & chairs are not provided by us)

____ ____ Are you having Booth(s) and/or Exhibit Display(s)? Approx. amount: _____

____ ____ Are you using Canopy(ies), Tents and/or Enclosures? If yes, dimensions: _____

____ ____ Do you need Trash Receptacles and/or Recycling Containers? (Circle one or both.)

____ ____ Are you using Portable Toilet(s)? If yes, please indicate company providing units:

_____

____ ____ Entertainment, please describe: _____

____ ____ Inflatable Device(s) (Not allowed at some locations)? If yes, you **MUST** provide us with a certificate of insurance for a minimum of 1 million dollars before receiving your permit. Please describe:

_____

____ ____ Banner(s) large or small? If yes, please describe: _____

____ ____ Will event be advertised? How? _____

***Please note that you cannot advertise your event prior to approval.**

____ ____ Are there any tickets, admission or other charges? Amount _____

____ ____ Sponsorship/Vending or Promotional Activity? _____

_____

____ ____ Electricity/Water; **If available, please be advised there are additional costs.**

Please indicate time ____AM/PM to ____AM/PM

____ ____ Bathroom Rental; **If available, please be advised there are additional costs.**

Please indicate time _____ AM/PM to ____AM/PM

____ ____ Mobile Stage I? Mobile Stage II? Mobile Stage III? Bleachers? (Circle which applies); **If available, please be advised there are additional costs including mobile stage/bleacher rental fee and heavy equipment operator.**

Please indicate time: _____ AM/PM to _____ AM/PM

____ ____ Amplified Sound? If yes, please indicate Start Time _____ End Time _____

Please be advised amplified sound/DJs are not allowed in any New Haven Park with the exception of DeGale Park & New Haven Green. No amplified sound allowed on Green prior to 1:00 pm on Sundays.

The City of New Haven requires that noise levels not exceed 70 decibels between 7:00 AM and 11:00 PM in a residential or commercial zone. Note: The City of New Haven requests that there be no amplified sound on park property before 11:00 AM except for purposes of sound checking.

Any Special Requests? _____

**Please attach additional sheets as necessary (including plans, drawings, maps, etc.)

CITY OF NEW HAVEN
JUSTIN ELICKER, MAYOR

SCOTT JACKSON
CHIEF ADMINISTRATIVE OFFICER

OFFICE OF EMERGENCY MANAGEMENT
EMERGENCY OPERATIONS CENTER

RICHARD FONTANA, JR.
DIRECTOR

200 ORANGE ST.
NEW HAVEN, CT 06510
(203) 946-8224
FAX (203) 946-8223

City of New Haven Drone Use Application

Required Fields*

Application Date*: _____

Requesting Agency*

Name*: _____

Street Address*: _____

City*: _____

State*: _____

Zip Code*: _____

Email Address*: _____

Phone Number*: _____

Part 107 Account*

First Name*: _____

Last Name*: _____

Street Address*: _____

City*: _____

State*: _____

Zip Code*: _____

Email Address*: _____

Phone Number*: _____

Home ☐ Cell ☐ Business ☐ Work ☐

Pilot 1 Information*

First Name*: _____

Last Name*: _____

Street Address*: _____

City*: _____

State*: _____

Zip Code*: _____

Email Address*: _____

Phone Number 1*: _____

Home ☐ Cell ☐ Business ☐ Work ☐

Phone Number 2*: _____
Home ☐ Cell ☐ Business ☐ Work ☐
F.A.A. License Number*: _____

Pilot 2 Information
First Name: _____
Last Name: _____
Street Address: _____
City: _____
State: _____
Zip Code: _____
Email Address: _____
Phone Number 1: _____
Home ☐ Cell ☐ Business ☐ Work ☐
Phone Number 2: _____
Home ☐ Cell ☐ Business ☐ Work ☐
F.A.A. License Number: _____

Purpose of Flight*: _____

Description / Location of Flight area*
Date(s) of Flight(s)*: _____
Time(s) of Flight(s)*: _____
Duration of Flight(s)*: _____
UAS Description*: _____
Make*: _____
Model*: _____
Registration Number*: _____

Additional Requirements*
The pilot in command will be readily identifiable to the public*.
The pilot will adhere to F.A.A. Part 107 requirements, including notifying nearby Air Traffic Control*.
I agree to the additional requirements outlined above*: Yes ☐ No ☐

For Administrator Use Only

☐Approved ☐Not Approved Name: _____

Notes: _____

CITY OF NEW HAVEN

ARTICLE II. NOISE CONTROL

Sec. 18-71. Title.

This article shall be known as the “Noise Control Ordinances.”

(Ord. No. 1422, 7-6-06)

Sec. 18-72. 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, safety, welfare, or quality of life. This article is enacted to protect, preserve and promote these values for the citizens of New Haven through the reduction, control and prevention of unlawfully excessive noise.

(Ord. No. 1422, 7-6-06)

Sec. 18-73. Definitions.

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

(a) *Ambient noise* or *background noise* means a noise of a measurable intensity which exists at a point as a result of a combination of many distant individually indistinguishable sources. In statistical terms, it is the level which is exceeded ninety (90) percent of the time (L90) in which the measurement is taken.

(b) *Collection* means the act of picking up refuse at its point of generation or storage, placing it in a vehicle, and completing the process at each location.

(c) *Commercial zone* means all commercial districts and business districts, including BA, BB, BC, BD, BD-1 and BE as defined in the zoning regulations of the City of New Haven, and all uses associated therewith permitted either as a right or as a special use.

(d) *Compression release type braking system* means any device equipped on certain commercial vehicles, including but not limited to, tractors, semi-trucks, motor carriers and buses that utilize engine compression release or engine retardants as a means of slowing or braking the speed of the vehicle in lieu of applying the clutch or brakes. These devices are also known as Jake brakes.

(e) *Construction* means any site preparation, assembly, erection, substantial repair, alteration or similar action for or of public or private rights-of-way, structures, utilities or similar property. This term does not encompass demolitions.

(f) *Construction equipment* means any equipment or device operated by fuel, electric power, air or hydraulic pressure used in construction or demolition work.

(g) *Daytime hours* means the hours between 7:00 a.m. and 10:00 p.m. Mondays through Saturdays, and the hours of 9:00 a.m. through 9:00 p.m. Sundays and federal and state holidays. Unless otherwise provided, all other hours shall be construed as nighttime hours.

(h) *Decibel* means a logarithmic unit of measure used in measuring magnitudes of sound. The symbol is dB. SPL (sound-pressure level) is defined as:

SPL = 20 log P in dB/Po

Where Po = 0.0002 microbars

(i) *Demolition* means any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces or similar property.

(j) *Domestic power equipment* means power saws, drills, grinders, lawn and garden tools and other similar

devices.

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

(l) *Emergency vehicle* means any motor vehicle authorized by Conn. General Statutes section 14-283 as amended from time to time and the City of New Haven to have sound-warning devices such as sirens and bells which can lawfully be used when responding to an emergency.

(m) *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.

(n) *Impulse noise* means a sound of short duration, usually less than one (1) second, with an abrupt onset and rapid decay.

(o) *Industrial zone* means all industrial districts as defined by the zoning regulations of the City of New Haven, including but not limited to IL, IM and IH Districts.

(p) *Loud amplification device or similar equipment* shall include, but not be limited to, a radio, television, stereo, record player, tape player, cassette player, compact disc player, loud speaker or sound amplifier which is operated in such manner that it creates noise.

(q) *Motor vehicle* is defined as per section 14-1(51) of the Conn. General Statutes as amended from time to time.

(r) *Muffler* means a device for abating sounds such as those produced by escaping gases.

(s) *Noise* means any sound, the intensity of which exceeds the standards set forth in this article as it is amended from time to time.

(t) *Noise level* means the sound-pressure level in decibels as measured with a sound-level meter using the A-weighting network. The level so read is designated dB(A) or dBA.

(u) *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.

(v) *Premises* means any building, structure, land or portion thereof, including all appurtenances, 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.

(w) *Property line* means that real or imaginary line along the ground surface and its vertical extension which separates real property owned or controlled by any person from contiguous real property owned or controlled by another person, and separates real property from the public right-of-way.

(x) *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.

(y) *Recreational vehicle* means any internal-combustion-engine-powered vehicle which is being used for recreational purposes.

(z) *Refuse* means municipal solid waste, bulky waste and yard waste, garbage, household rubbish, ashes and any organic wastes normally produced from the handling and use of foods, except dishwater and wastewater.

(aa) *Residential zone* means all city-owned property used for recreational or educational purposes, all residential districts (RS-1, RS-2, RM-1, RM-2, RH-1, RH-2 and RO), any commercial district when used for residential purposes, as defined in the zoning regulations of the City of New Haven as they are amended from time to time, and all uses permitted therewith either as a right or as a special use.

(bb) *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 air, evoke physiological sensations, including but not limited to an auditory response when impinging on the ear.

(cc) *Sound-level meter* means an instrument used to take sound-level measurements and which should conform, at a minimum, to the operational specifications of the American National Standards Institute for Sound Level Meters, S1.4--1971 (Type S2A) as amended from time to time.

(dd) *Sound-pressure level* means twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure

of a sound to the reference pressure of twenty (20) micronewtons per square meter (20×10^{-6} newtons/meter^2) and which is expressed in decibels (dB).

(Ord. No. 1422, 7-6-06)

Sec. 18-74. Noise level measurement procedures.

For the purpose of determining noise levels as set forth in this article, the following guidelines shall apply:

(1) All personnel conducting sound measurements shall be trained in the current techniques and principles of sound-measuring equipment and instrumentation;

(2) Instruments used to determine sound-level measurements shall conform to the performance standards as defined in the section captioned "Noise levels" as amended from time to time;

(3) The general steps listed below shall be followed when preparing to take sound-level measurements:

(i) The instrument manufacturer's specific instructions for the preparation and use of the instrument shall be followed;

(ii) The sound-level meter shall be calibrated before and after each set of measurements;

(iii) When measurements are taken out of doors, a wind screen shall be placed over the microphone of the sound-level meter as per the manufacturer's instructions;

(iv) The sound-level meter shall be placed at an angle to the sound source as specified by the manufacturer's instructions, and be at least four (4) feet above the ground. The meter shall be placed as to not be interfered with by individuals conducting the measurements; and

(v) Measurements shall be taken at a point that is located about one (1) foot beyond the boundary of the emitter's premises and within the receptor's premises. The emitter's premises include his/her individual unit of land, or ground of contiguous parcels under the same ownership as indicated by public land records.

(Ord. No. 1422, 7-6-06)

Sec. 18-75. Noise levels.

(a) It shall be 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 as amended from time to time.

(b) Noise level standards.

(1) No person in a residential zone shall emit noise beyond the boundaries of his/her premises that exceeds the levels stated herein, and applies to adjacent residential, commercial or industrial zones.

Emitter's zone: Residential

Receptor's zone: Maximum level:

Industrial . . . 62 dBA

Commercial . . . 55 dBA

Residential/Day . . . 55 dBA

Residential/Night . . . 45 dBA

(2) No person in a commercial zone shall emit noise beyond the boundary of his/her premises that exceeds the levels stated herein, and applies to adjacent residential, commercial or industrial zones:

Emitter's zone: Commercial

Receptor's zone: Maximum level:

Industrial . . . 62 dBA

Commercial . . . 62 dBA

Residential/Day . . . 55 dBA

Residential/Night . . . 45 dBA

(3) No person in an industrial zone shall emit noise beyond the boundary of his/her premises that exceeds the levels stated herein, and applies to adjacent residential, commercial or industrial zones:

Emitter's zone: Industrial

Receptor's Zone: Maximum level:

Industrial . . . 70 dBA

Commercial . . . 66 dBA

Residential/Day . . . 61 dBA

Residential/Night . . . 51 dBA

(4) Any non-conforming use shall be deemed to be in the zone which corresponds to the actual use.

(Ord. No. 1422, 7-6-06)

Sec. 18-76. High background noise levels and impulse noise.

(a) If background noise levels caused by sources not subject to these regulations exceed the standards contained herein as amended from time to time, a source shall be considered to cause excessive noise if its emission exceeds the background noise levels by five (5) decibels, provided that no source subject to this article shall emit noise in excess of eighty (80) decibels at any time, and provided that this section does not decrease the permissible levels of other sections of this chapter as amended from timeto time.

(b) No person shall cause or allow the emission of impulse noise in excess of eighty (80) decibels peak sound-pressure level during the nighttime to any residential noise zone.

(c) No person shall cause or allow the emission of impulse noise in excess of one hundred (100) decibels peak sound-pressure level at any time in any zone.

(Ord. No. 1422, 7-6-06)

Sec. 18-77. Exclusions.

The above restrictions of sound levels shall not apply to noise emitted by or related to:

(1) Natural phenomena;

(2) Any bell or chime from any building clock, school 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 fifteen (15) minutes after being activated shall be unlawful. Notwithstanding the foregoing, repetitive activation of any alarm system due to malfunction or lack of proper maintenance shall not be excluded. However, the owner of an alarm mechanism will not be held liable if it is activated without his/her fault or negligence;

(4) Warning devices required by Occupational Safety and Health Administration or other state or federal safety regulations; and

(5) Farming equipment or farming activity.

(Ord. No. 1422, 7-6-06)

Sec. 18-78. Exemptions and special conditions.

The following shall be exempt from these regulations, subject to special conditions as provided herein:

(1) Noise generated by any construction equipment which is operated between the hours of 7:00 a.m. and 10:00 p.m. on Mondays through Saturdays, and 9:00 a.m. and 9:00 p.m. on Sundays. The building official or the director of the department of public works must approve the operation of the same during hours other than those allowed by this section. The person requesting such approval must apply for it at least seven (7) days before the date for which approval is sought. Approval may be granted if the requestingperson makes an advanced payment for the actual cost of such inspection services as may be required under applicable rules and regulations as amended from time to time;

(2) Noise created as a result of or relating to an emergency;

(3) Noise from domestic power equipment such as, but not limited to, power saws, sanders, grinders, lawn and garden tools or similar devices operated between the hours of 7:00 a.m. and 10:00 p.m. on Mondays through Saturdays, and 9:00 a.m. and 9:00 p.m. on Sundays, provided that noise discharged from exhaust is reasonably muffled;

(4) Noise from snow removal equipment, provided it is maintained in good repair and exhaust is reasonably muffled;

(5) Noise from demolition work conducted between the hours of 7:00 a.m. and 10:00 p.m. on Mondays through Saturdays, and 9:00 a.m. and 9:00 p.m. on Sundays, provided that demolition shall be exempted at all times from the noise levels set in this regulation when it is considered emergency work;

(6) Noise created by any aircraft flight operations, which the Federal Aviation Administration specifically preempts;

(7) Noise created by any lawful recreational activities, and for which the city has granted a license or permit, including but not limited to parades, sporting events, outdoor concerts, firework displays and non-amplified religious activities;

(8) Noise involving blasting other than that conducted in connection with construction or demolition activities, provided that the blasting is conducted between the hours of 7:00 a.m. and 10:00 p.m. on Mondays through Saturdays, and 9:00 a.m. and 9:00 p.m. on Sundays, at specified hours previously announced to the local public, or provided that a permit for such blasting has been obtained from local authorities;

(9) Noise created by products undergoing tests, where one (1) of the primary purposes of the test is to evaluate product noise characteristics, and where practical noise control measures have been taken;

(10) Noise generated by transmission facilities, distribution facilities and substations of public utilities providing electrical power, telephone, cable television or other similar services, and located on property which is not owned by the public utility, and which may or may not be within utility easements.

(Ord. No. 1422, 7-6-06)

Sec. 18-79. Motor vehicle noise.

(a) All motor vehicles operated within the limits of the City of New Haven shall be subject to the noise standards and decibel levels set forth in the regulations authorized in federal, state and local laws and regulations, including but not limited to Conn. regulation sections 14-80a-1a through 14-80a-10a as amended from time to time.

(b) No motor or recreational vehicles shall emit noise from a loud amplification device or similar equipment which exceeds noise level standards for residential zoned areas.

(Ord. No. 1422, 7-6-06)

Sec. 18-80. Refuse collection noise.

All refuse collectors shall comply with the noise level standards as established in this article while engaging in refuse collection at each location. For purposes of this article, the term «refuse collectors» shall be synonymous with private haulers, and all other persons that commercially engage in the collection and transportation of refuse and other debris.

(Ord. No. 1422, 7-6-06)

Sec. 18-81. Inspections.

For the purpose of determining compliance with the provisions of this article, the following provisions shall apply:

(1) The city's health director or his/her designee is hereby authorized to make inspections of stationary or fixed noise sources, and to take measurements and make tests whenever necessary to determine the quantity and character of noise.

(2) The city's chief of police or his/her designee is hereby authorized to make inspections of mobile noise sources including refuse collection, demolition, construction and vehicular activities, and to take measurements and make tests whenever necessary to determine the quantity and character of noise.

(3) In the event that any person refuses or restricts local authorized officials from entry and free access to any part of a premises, or refuses to allow such officials to inspect, test or measure noise generated from any activity, device, facility or process, said officials may seek an administrative warrant from an appropriate court to obtain such access for the aforesaid purposes.

(4) It shall be unlawful for any person to refuse to allow or permit local authorized officials free access to any premises when they are acting in compliance with a warrant for inspection that is issued by the appropriate court.

(5) It shall be unlawful for any person to violate the provisions of any warrant or court order requiring inspection, testing or measurement of noise sources.

(6) 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 article as amended from time to time.

(Ord. No. 1422, 7-6-06)

Sec. 18-82. Violations and penalties.

Any person violating this article shall be fined up to the maximum amount authorized by state statutes or this Code per occurrence. Each day such violation continues shall constitute a separate violation.

(Ord. No. 1422, 7-6-06)

Sec. 18-83. Variances.

(a) Any person residing or doing business in New Haven, who is negatively affected by the application of this article's provision(s), may seek a variance to engage in the prohibited activity. An applicant for a variance must supply the following information:

(1) Location and nature of activity;

(2) The time period and hours of operation of said activity;

(3) The nature and intensity of the noise that will be generated; and

(4) Any other information required by the appropriate city authority.

(b) No variance from these regulations shall be issued unless it has been demonstrated that:

(1) The proposed activity will not violate any Connecticut Department of Environmental Protection regulation(s) as amended from time to time;

(2) The noise levels generated by the proposed activity will not constitute a danger to public health, safety, welfare or quality of life; and

(3) Compliance with the regulations constitutes an unreasonable hardship on the applicant.

(Ord. No. 1422, 7-6-06)

Sec. 18-84. Noise variance review committee.

(a) A noise variance review committee is hereby established to consider variance requests.

(b) This committee shall consist of the city's health director, chief of police, public works director and building official or their respective designees. Additionally, the committee shall include an alderman who is appointed by the president of the board of aldermen.

(c) The committee shall review each variance application, and either approve or reject it within fifteen (15) days of its receipt. The approval or rejection shall be in writing, and shall state the condition(s) of approval, if any, or the reasons for rejection.

(d) Failure to rule on the application within the designated time shall constitute approval of the variance.

(Ord. No. 1422, 7-6-06)

Sec. 18-85. Administration.

The city's health director and chief of police are hereby authorized to make regulations from time to time that are consistent with the State Public Health Code, and the regulations of the State Department of Environmental Protection regarding noise as each is amended from time to time. Such regulations shall become effective upon the board of aldermen's approval.

(Ord. No. 1422, 7-6-06)

Sec. 18-86. Contracts.

Any written agreement, purchase order or contract whereby the City of New Haven is committed to expending funds in return for work, labor, services, supplies, equipment, materials or any combination thereof shall not be entered into unless such document contains provisions that any equipment or activities which are subject to the provisions of this article will be operated, constructed, conducted or manufactured without violating this article as it is amended from time to time.

(Ord. No. 1422, 7-6-06)

Sec. 18-87. Mediation.

(a) If the city's chief of police receives a complaint alleging a violation of this article by noise emanating from a construction, demolition, refuse collection or vehicular activity, he/she is expressly authorized to mediate such dispute within forty-eight (48) hours, provided that the following conditions apply:

(1) He/she is satisfied that the complainant is aggrieved by the alleged violation;

(2) There are reasonable grounds to believe that there is a violation of this article; and

(3) He/she determines that the particular facts and circumstances suggest that such mediation may result in a satisfactory resolution of the complaint.

(b) Nothing herein is intended to affect or in any way limit any other procedures established elsewhere in this article, limit any other powers granted to the local authorized officials, or require the city's chief of police to invoke the mediation powers herein established.

(Ord. No. 1422, 7-6-06)

Sec. 18-88. Effect on other regulations.

All of the city's zoning regulations which are more stringent than those set forth herein shall remain in full force and effect. If any word, clause, paragraph or section of this article is held to make the same unconstitutional, this article shall not thereby be invalidated, and the remainder of it shall continue in effect. Any provision herein which conflicts with the Connecticut General Statutes or the state's Public Health Code as each is amended from time to time is hereby repealed, inasmuch as said statutes and code shall take precedence over this article.

(Ord. No. 1422, 7-6-06)

Sec. 18-89. Enforcement.

(a) Notwithstanding anything contained herein to the contrary, the city's health director or his/her designee is hereby authorized to enforce this article regarding stationary or fixed noise sources.

(b) Notwithstanding anything contained herein to the contrary, the city's chief of police or his/her designee is hereby authorized to enforce this article regarding mobile noise sources, including refuse collection, demolition, construction and vehicular activities.

(c) Notwithstanding anything contained herein to the contrary, all local authorized officials, including but not limited to zoning enforcement officers, shall have the authority to enforce this article.

(Ord. No. 1422, 7-6-06)

Sec. 18-90. Appeals.

Any person aggrieved by a decision rendered by the issuer may appeal said decision in accordance with the procedure set forth in the Licenses and Permits chapter of this Code as it is amended from time to time.

(Ord. No. 1422, 7-6-06)