

MORRIS PLANNING & ZONING COMMISSION
COMMUNITY HALL • 3 EAST STREET • MORRIS, CONNECTICUT 06763

Meeting between Planning and Zoning Commission and Ordinance Committee

Morris Town Hall and Live on Zoom

March 21st, 2022 at 6:00 pm

Call in # 1-929-205-6099

<https://us02web.zoom.us/j/2374621036?pwd=Q0puT0taVVFyYittVHBxd2pGN0ZYQT09>

Meeting ID: 237 462 1036

Passcode: 239114

*Received
Asst. Town Clerk
Susan J. Gaudin
MAR 17 2022
8:50 A.M.*

Plannign and Zoning Commission

Barbara Bongolotti	David Wiig Chairman	
Del Knox	Dylan Hovey	Alternates:
Veronica Florio	William Ayles Jr. (Vice-Chairman)	Chris Ciaffaglione
Douglas Barnes (Secretary)	David Geremia Jr.	Geoff Paletsky
	Kim Dore	Lori Lindenmuth
	Staff: ZEO Tony Adili	
	Planner Janell Mullen	

Ordinance Committee

Bridget Garrity Chairman
Ben Paletsky
Maureen Doyle (Secretary)
Laura Halloran
Beverly Huntley

Special Meeting Agenda

1. Call to Order
2. Discussion on Ordinances
 - a. Noise
 - b. Cannabis
 - c. Blight
3. Adjourn

Draft Submitted to Ordinance Committee

08/25/21

1. Legislative intent.

The Residential Districts in the Town of Morris are intended to provide suitable areas primarily for residential uses and development appropriate to the environmental characteristics of the land and harmonious character of the neighborhood. Government is instituted to protect life, liberty and property. Loud, excessive and unreasonable noise is an interference with a person's right to the use and enjoyment of his property, especially in residential areas where human beings sleep or areas where serenity and tranquility are essential to the intended use of the land. The purpose of this chapter is to provide an objective standard and procedure for enforcing property rights.

2. Definitions.

As used in this chapter, the following items shall have the meanings indicated:

DAYTIME HOURS: The hours between 7:00 a.m. and 8:00 p.m.

DECIBEL: A logarithmic unit of measure in measuring magnitudes of sound. The symbol is "dB."

EMERGENCY: Any occurrence or set of circumstances involving actual or imminent physical or property damage which demands immediate action.

EMITTER: A person who creates, causes to be created or allows the noise.

IMPULSE NOISE: Sound of short duration (generally less than one second) with an abrupt onset and rapid decay.

NOISE: Any sound, the intensity of which exceeds the standards set forth in Section 5 of this chapter.

NOISE LEVEL: The sound pressure level, as measured with a sound level meter.

PERSON: Any individual, including the singular and plural, firm, partnership, association, syndicate, company, trust, corporation, municipality, agency or political administrative subdivision of the state or on other legal entity of any kind.

PREMISES: Any building structure, land or portion thereof, including all appurtenances, and shall include 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 and waters of the state.

PROPERTY LINE: That real or imaginary line along the ground surface and its vertical extension which:

- A. Separates real property owned or controlled by another person; and
- B. Separates real property from the public right-of-way.

RECEPTOR: The person who receives the noise impact.

SOUND: The 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 the air, evoke physiological sensations, including but not limited to an auditory response when impinging on the ear.

SOUND LEVEL METER: An instrument used to take sound level measurements.

3. Excessive noise prohibited.

It shall be unlawful for any person to emit or cause to be emitted any noise from such person's property beyond the boundaries of his property lines in excess of the noise levels set forth in Section 5, except in those incidences provided for in Section 8 and Section 9.

4. Noise level measurement procedures.

Measurements shall be taken at a point that is located at least one foot beyond the boundary of the emitter's property line within the premises of the complaining receptor. The emitter's premises includes his/her individual unit of land or group of contiguous parcels under the same ownership as indicated by public land records.

5. Noise level standards.

No person shall emit noise exceeding 55 dB, except in those incidences provided for in Section 8 and Section 9 of this chapter

6. Administration and enforcement.

The Chief of Police shall be responsible for enforcing the provisions of this chapter upon the complaint of any person and shall, upon such complaint, carry out the intent of this chapter. Upon receiving the first complaint, the police shall make the required sound level reading. If the sound level exceeds the standards enumerated in Section 5, a verbal warning shall be given to the emitter. If such noise does not cease, and upon receiving a second complaint, the police shall follow the procedures as set forth in Section 7. Notwithstanding that enforcement of this chapter shall be initiated by such complaint, no signed complaint shall be required by the Police Department to enforce or administer any of the provisions of this chapter.

7. Penalties for offenses.

Any person found in violation of the provisions of this chapter shall be given an infraction notice which incorporates a fine of \$1000.00 for each offense. Each minute that the offender remains in violation of this chapter shall constitute a separate offense. Failure to pay the fine in the time prescribed in the infraction notice will result in the issuance of a summons to appear in Superior Court.

8. Exceptions.

The noise level standards defined in Section 5 shall not apply to any noise emitted by or related to:

- A. Natural phenomena.
- B. Any bell or chime from any building clock, school or church.
- C. Any siren, whistle or bell lawfully used by emergency vehicles or any other alarm systems used in emergency situations; provided, however, that burglar or fire alarms not terminating within 30 minutes after being activated shall be unlawful.³
- D. Warning devices required by the Occupational Safety and Health Administration or other state or federal safety regulations.

9. Exemptions.

The following shall be exempt from these regulations, subject to special conditions as spelled out:

- A. Noise created as a result of or relating to an emergency.
- B. Noise created by construction equipment, lawn care equipment, or snow-removal equipment during daytime hours, provided that noise discharged from exhaust is adequately muffled to prevent loud and/or explosive noises therefrom.
- C. Noise created by certificated aircraft operating under the control of the Federal Aviation Administration.
- D. Noise created as a result of or relating to maintenance and repairs conducted by public utilities.
- E. Noise generated from swimming pool pumps, air-conditioning systems, and heating systems which are in good working order and which meet the specifications accepted by federal, state and Town agencies designated to govern their installation and standards of performance