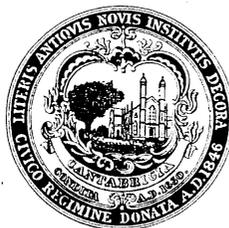


Donald A. Drisdell  
City Solicitor

Nancy E. Glowa  
Deputy City Solicitor

Arthur J. Goldberg  
First Assistant  
City Solicitor



Assistant City Solicitors

Vali Buland  
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Samuel A. Aylesworth  
Amy L. Witts

## CITY OF CAMBRIDGE

Office of the City Solicitor  
795 Massachusetts Avenue  
Cambridge, Massachusetts 02139

June 21, 2006

Robert W. Healy  
City Manager  
City Hall  
Cambridge, MA 02139

***Re: Noise Affidavits—City Council Order No. O-42, dated February 27, 2006 and  
City council Order No. O-6, dated May 1, 2006***

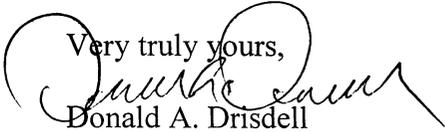
Dear Mr. Healy:

City Council Order No. O-42 of February 27, 2006 asked that this office "...draft an amendment to the Cambridge Zoning Ordinance to incorporate a Noise Affidavit requiring the affirmative statement of the proponent that installed equipment will not violate either the relevant Municipal Noise Control Ordinance or the Commonwealth of Massachusetts noise control standards."

I have conferred with the Commissioner of Inspectional Services regarding this issue and have been advised that the Inspectional Services Department ("ISD") currently requires applicants for building permits to sign an affidavit, in the form attached as "Attachment A", attesting to compliance with the Cambridge Noise Ordinance prior to the issuance of a building permit. In addition, ISD has more recently instituted the requirement of a similar affidavit, in the form attached as "Attachment B", prior to the issuance of a plumbing permit involving the installation of power vent equipment.

The City's Noise Ordinance comprehensively regulates noise-related issues and in order to preserve the uniform treatment of such issues and provide the community readily available guidance as to the City's regulation of these issues, I believe it inadvisable to incorporate a single noise-related provision into the Zoning Ordinance.

Very truly yours,

  
Donald A. Drisdell  
City Solicitor

" Attachment A "

**BUILDING CODE DATA**

Proposed use group: (Ch. 3, MSBC) \_\_\_\_\_ Existing use group: \_\_\_\_\_

Note: Complete this table for new construction and/or changes in use only.

	EXISTING	PROPOSED
Number of floors or stories and height above grade	_____	_____
Floor Area per Floor (sf)	_____	_____
Gross Floor Area (all floors, including basement, and attic)	_____	_____
Total Volume	_____	_____
Type of Construction (ch. 6, MSBC)	_____	_____

**NOISE ORDINANCE AFFIDAVIT**

The undersigned, as the architect for this proposed construction, do hereby acknowledge receipt of a copy of Chapter 8.16 of the Cambridge Municipal Code concerning noise control.

I certify that necessary actions will be taken concerning the design, specification of, and location of noise producing equipment: e.g., transformers, air handling units, etc., to insure that this project will not result in noise levels that exceed that allowed by the Municipal Code.

Printed or typed name	Title
Signature	Date
	Registration/License # as applicable

**WORKERS' COMPENSATION INSURANCE AFFIDAVIT (M.G.L. c. 152 S 25C (6))**

Workers' Compensation insurance affidavit must be completed and submitted with this application. Failure to provide this affidavit will result in the denial of the issuance of the building permit.

Signed affidavit attached: ( ) Yes ( ) No

**CERTIFIED PLOT PLAN:** For new structures and additions, a certified plot plan is required to be submitted for approval after the foundation is poured and before further work commences.

**HOLD HARMLESS CLAUSE:** The Permittee(s) by acceptance of this permit agree(s) to indemnify and hold harmless the City of Cambridge, and its employees, from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City of Cambridge, and its employees, are to assume the defense of the City of Cambridge, and its employees, against all claims, demands and actions.

**READ BEFORE SIGNING:** The undersigned hereby certifies that he/she has read and examined this application and that the proposed work subject to the provisions of the Massachusetts State Building Code and other applicable laws and ordinances is accurately represented in the statements made in this application and that the work shall be carried out in accordance with the foregoing statements and in compliance with the provisions of law and ordinance in force on the date of this application to the best of his/her ability.

Signature of Owner	Signature of Licensed Builder
Printed or Typed Name	Printed or Typed Name
(Address)	(Phone)
(Phone)	(License Number) (Expiration Date)
	City: _____ Class: _____
	State: _____ Class: _____

"Attachment B"



CITY OF CAMBRIDGE  
INSPECTIONAL SERVICES DEPARTMENT 831 MASS. AVE.  
CAMBRIDGE, MASSACHUSETTS 02139 (617) 349-6100

CITY SOLICITOR'S OFFICE  
CAMBRIDGE, MASSACHUSETTS  
RECEIVED  
2006 JUN 21 A 11:27

Ranjit Singanayagam  
Commissioner

NOISE ORDINANCE AFFIDAVIT (POWERVERT SYSTEMS)

The undersigned, as the owner or owner's agent responsible for this proposed installation, do hereby acknowledge receipt of a copy of Ch. 8.16 of the Cambridge Municipal Code concerning noise control.

I certify that necessary actions will be taken concerning the specification and location of noise producing equipment; power vent, to ensure that this installation will not result in noise levels that exceed that allowed by the Municipal Code.

Print Name (Owner/Applicant)

Title

Signature

Date

License # as applicable