

**TOWN OF ORONO, MAINE  
AMENDMENTS TO CHAPTER 13, ARTICLE II,**

**NOISE CONTROL ORDINANCE, CONCERNING NOISE SENSITIVE AREAS**

**Chapter 13, Environment, Article II, Noise Control Ordinance, of the Ordinances of the Town of Orono, Sections 13-52 and 13-53, are amended as follows:**

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Sec. 13-52. - Definitions.

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*Noise sensitive areas* means ~~areas within 300 feet of the areas within the property boundaries occupied by~~ a school, church, hospital, nursing home or funeral home.

Sec. 13-53. - Sound level limits.

- (a) Sound from routine operations or activities: It shall be unlawful for any person to operate or cause to be operated any single or combination of fixed source or mobile source equipment or machinery or to conduct any other activity or process that individually or collectively constitutes an identifiable sound source, in such a manner as to cause the hourly sound level at any point on the real property boundary of any property to exceed the limits set forth below; except in the case of Noise Sensitive Areas, where the hourly sound level shall not exceed the specified hourly sound level at the real property boundary of the Noise Sensitive Area:

District	Time	Hourly Sound Level (dBA)
Noise Sensitive Areas, as defined in this article, <u>at such times as the facility within the Noise Sensitive Area is occupied and in active use for the purpose that requires increased protection from external sound levels</u>	7:00 a.m. to 6:00 p.m.	50
	6:00 p.m. to 10:00 p.m.	45
	10:00 p.m. to 7:00 a.m.	40
Medium Density Residential Gateway Medium Density Residential	7:00 a.m. to 6:00 p.m.	55
	6:00 p.m. to 10:00 p.m.	50
	10:00 p.m. to 7:00 a.m.	45

Forestry and Agriculture Low Density Residential Public Parks & Recreation Areas Resource Protection	7:00 a.m. to 6:00 p.m.	60
	6:00 p.m. to 10:00 p.m.	55
	10:00 p.m. to 7:00 a.m.	50
High Density Residential Commercial-2 Commercial-1 Village Commercial Economic Development Zone	7:00 a.m. to 6:00 p.m.	60
	6:00 p.m. to 10:00 p.m.	55
	10:00 p.m. to 7:00 a.m.	50
Industrial	7:00 a.m. to 6:00 p.m.	70
	6:00 p.m. to 10:00 p.m.	60
	10:00 p.m. to 7:00 a.m.	55

Where the background sound is determined to be the same as or higher than the maximums listed above, the maximum permissible hourly sound level of the subject source shall be five decibels higher than the background sound level. If the police department or other enforcement agency determines that it is necessary to establish background sound in order to determine compliance of the identifiable sound source with the standards of this section, the operator of the identifiable sound source shall cooperate with the department or agency to turn off the identifiable sound source so that the level of the background sound can be measured. If the department or agency concludes, based on information from the owner or operator of the identifiable sound source, that turning off the source is not practicable or would cause undue economic hardship, the owner or operator shall submit a plan to the department or agency that includes best sound control practices to reduce or to help reduce the ambient sound to no more than five decibels higher than the maximum permissible hourly sound level, and upon approval of the department or agency shall implement such plan within an approved timeframe. Failure to comply with the foregoing provisions shall constitute a violation of this article, without the necessity of the notice and warning provisions of section 13-57.

Where properties in two or more districts join at a common boundary, the maximum noise level shall be the arithmetic mean of the maximum levels for each of the properties affected.