TOWN OF FARMINGTON
OFFICE OF THE TOWN MANAGER

MANAGER POLICY AND PROCEDURE

SUBJECT: Limited Special Noise Permit

DATE: Revised August 16, 2017

POLICY NO: MPP- 9803

PURPOSE: To clarify and provide additional guidance for the issuance of a Limited Special Noise Permit under Section 135-6 of the Farmington Town Code.

POLICY: The Chief of Police may issue a Limited Special Noise Permit in accordance with Section 135-6 of the Farmington Town Code, for good cause related to the construction or demolition of buildings, structures, streets, or highways. In order for the Chief of Police to determine if good cause exists, the applicant shall describe why the work cannot be done through other prudent and feasible alternatives.

PROCEDURE: Any party who seeks a Limited Special Noise Permit shall complete an application form and shall submit it to the Chief of Police not less than three working days prior to the anticipated need for the permit. In emergency cases, the Chief of Police may accept an application with less than three working days advance notice.

The application shall include the following information:

1. The name, address, routine telephone number, and emergency telephone number (which shall be available at any hour).

2. The location of the site for which the Limited Special Noise Permit is sought. The location shall include a street address or, if related to the construction or demolition of a street or highway, the intersection or distance from the names intersection where the work will be performed.

3. The dates and times for which the Limited Special Noise permit is sought.

4. A description of other feasible and prudent alternative courses under which the work could be done and a description why the feasible and prudent courses of action are not available. "Feasible" means alternate engineering principles which could be applied in the subject situation and why those principles could not be implemented. "Prudent"

means economically and otherwise reasonable courses of action in light of the social benefits to be derived from the proposed engineering approach, provided that while the cost may be considered in deciding what is prudent, and further provided that a mere showing of additional expense will not necessarily mean that an alternative is not prudent.

5. A map and description of the vicinity within 1,000 feet of the site for which the Limited Special Noise Permit is sought. Identify and locate any building which is used for overnight sleeping within the 1,000 foot perimeter.

Upon receipt of a completed application form, the Chief of Police shall contact the Building Department, Engineering Department, and the Planning and Zoning Department to determine that valid permit(s) have been issued for the work and to determine whether the granting of such Limited Special Noise Permit would be consistent with those departments' prior approvals or departmental regulation.

The Chief of Police shall review the information provided by the applicant and by the named departments and, if he determines that good cause is shown, shall grant the Limited Special Noise Permit.

The applicant shall, at least 24 hours prior to the start of the activity for which the Limited Special Noise Permit has been issued, provide each occupant of any building used for overnight sleeping within 1,000 feet of the site with a copy of the approved Limited Special Noise Permit. The applicant shall file a completed Certificate of Notification with the Chief of Police prior to the start of work.

If the Chief of Police later determines either that activities other than those for which the Limited Special Noise Permit has been issued are being conducted, or that the permitted activities are being conducted outside the times which were approved, he shall revoke the Limited Special Noise Permit and shall cite the applicant for a violation of chapter 135 of the Farmington Town Code.

Attachments: Limited Special Noise Permit Application Form
Certificate of Notification

DISTRIBUTION: All departments

APPROVAL: Kathleen A Eagen

Application for Limited Special Noise Permit

Applicant Name: _____

Street Address: _____ City: _____ State: _____ Zip: _____

Routine Phone Number: (___) _____ Emergency (24-hour) Phone Number: (___) _____

Fax Number: (___) _____

Purpose of the Limited Special Noise Permit:

____ Construction ____ Building ____ Demolition ____ Structure ____ Street/Highway

Location for which the Limited Special Noise Permit is sought:

Street Address: _____, or

Nearest Intersection: _____ Distance from Nearest Intersection: _____

Date(s) and Time(s) for which the Limited Special Noise Permit is sought:

Date: _____ Between _____ AM/PM and _____ AM/PM

Date: _____ Between _____ AM/PM and _____ AM/PM

Date: _____ Between _____ AM/PM and _____ AM/PM

Describe other alternative feasible and prudent courses of action which are available to you and why they cannot be used to complete the work during normal hours:

_____

_____

_____

Attach a map locating and identifying each building within 1,000 feet of the site for which this permit is sought.

Applicant signature: _____ Date _____

Concurrence endorsements:

Engineering Department: _____ *Date* _____

Building Department: _____ *Date* _____

Planning/Zoning Department: _____ *Date* _____

Approval: _____ *Date* _____

Applicant shall provide the occupant of each building used for sleeping purposes with a copy of this permit and shall provide the Chief of Police with a Certificate of Notification at least 24 hours before the start of the permitted activities.

CERTIFICATE OF NOTIFICATION
DISTRIBUTION OF LIMITED SPECIAL NOISE PERMIT

I, _____, being duly sworn, hereby depose and say:

1. That I am over 18 years of age and believe in the obligations of an oath.

2. That I have applied for a Limited Special Noise Permit in connection with construction activities located at _____.

3. That, in accordance with MPP-9803, Limited Special Noise Permit, I have distributed, prior to the date and time shown below, a copy of the approved Limited Special Noise Permit to all occupants of each building used for sleeping purposes within 1,000 feet of the site for which this permit was approved.

By: _____

Subscribed and sworn to me at _____ (AM)/(PM) on this _____ day of _____, 20____.

_____
Commissioner of the Superior Court
Notary Public
My Commission Expires: _____