

**AN ORDINANCE TO AMEND SECTION 180-8 OF THE  
CODE OF THE CITY OF AGAWAM ENTITLED SUPPLEMENTARY  
REGULATIONS BY ADDING PARAGRAPH N  
REGARDING CONSTRUCTION HOURS**

(Sponsored by Christopher C. Johnson, Mayor,  
Anthony J. Russo, Council Vice President, and Peter Smus, Councilor)

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**WHEREAS**, the Code of the City of Agawam contains no provision which regulates the hours during which construction is allowed; and

**WHEREAS**, construction, especially in residential areas or areas adjacent to residences, can be the source of unreasonably loud, disturbing and/or unnecessary noise; and

**WHEREAS**, the proposed new Paragraph N to Section 180-8 which are the enumerated supplementary zoning regulations sets reasonable limits on the times of day which construction may occur on both weekdays and weekends, it makes provision for emergency situations, and as a zoning ordinance is enforceable by the Inspector of Buildings or their designee; and

**WHEREAS**, the ability of the Inspector of Buildings to enforce as a zoning ordinance will allow for stop work orders to immediately cease construction activities during prohibited times; and

**WHEREAS**, it is in the best interests of the City of Agawam to add new Paragraph N regarding construction hours to Section 180-8 which are the enumerated supplementary zoning regulations; and

**NOW THEREFORE**, the AGAWAM CITY COUNCIL hereby makes the following amendment to Section 180-8 of the Code of the City of Agawam entitled “Supplementary regulations”:

**Amend §180-8 entitled “Supplementary regulations” by adding the following paragraph:**

- N. No erection, demolition, alteration or repair of any building and excavation in regard thereto shall take place except between the hours of 7:00 A.M. and 8:00 P.M. on weekdays (quiet time construction preparation work may take place between the hours of 6:00 A.M. and 7:00 A.M. on weekdays) and the hours of 8:00 A.M. and 6:00 P.M. on weekends, upon the issuance of and pursuant to a building permit from the Inspector of Buildings, except for emergency work of public service utilities or general public works repairs of an emergency nature and/or emergency situations which are defined as a situation wherein immediate work is necessary to restore property to a safe condition following a public calamity, natural disaster, snow emergency or where immediate work is required to protect persons or property from imminent exposure to danger. Other special exceptions may be authorized by the Inspector of Buildings or their designee.

Dated this 17<sup>th</sup> day of November, 2025

**PER ORDER OF THE AGAWAM CITY COUNCIL**

Rosemary Sandlin  
Rosemary Sandlin, President, Agawam City Council

**APPROVED AS TO FORM AND LEGALITY**

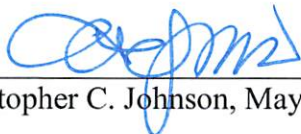
Christopher S. Cappucci  
Christopher S. Cappucci, Solicitor

**MAYORAL ACTION**

Signed by Council President this 17<sup>th</sup> day of November, 2025 and received this 18<sup>th</sup> day of November, 2025 from Council Clerk.

**APPROVAL OF LEGISLATION**

By the powers vested in me pursuant to Article 3, Section 3-6 of the Agawam Charter, as amended, I hereby approve the passage of TOR-2025-9 on this 18<sup>th</sup> day of November, 2025.

  
\_\_\_\_\_  
Christopher C. Johnson, Mayor

**DISAPPROVAL OF LEGISLATION**

By the powers vested in me pursuant to Article 3, Section 3-6 of the Agawam Charter, as amended, I hereby veto the passage of the above legislation on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Christopher C. Johnson, Mayor

**RETURN OF LEGISLATION TO COUNCIL CLERK**

Returned to Council Clerk this 18<sup>th</sup> day of November, 2025.



# Town of Agawam

Christopher C. Johnson, Mayor  
36 Main Street  
Agawam, MA 01001  
Telephone: 413-786-4520

## Memorandum

To: Agawam City Council  
From: Christopher C. Johnson, Mayor  
Re: TOR-2025-8 and TOR-2025-9 (Noise Ordinance and Construction Hours)  
Date: August 28, 2025

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Attached please find TOR-2025-8 (a rewrite of our noise ordinance) and TOR-2025-9 (a modification to our supplementary zoning regulations regarding construction hours). Council Vice President Russo approached me regarding a complaint that he received from a resident regarding some very early construction activity on a weekend. I researched the topic and came up with the two ordinance amendments.

In looking at noise ordinances from surrounding communities and comparing them to our current ordinance, it became apparent that our ordinance needed to be updated. The proposed ordinance takes into consideration what is usual and customary noise incidental to suburban life. This is an important consideration because suburban life is not completely quiet, so not all noise that an individual finds subjectively to be unreasonably loud or disturbing is prohibited.

It also takes into consideration, the character of the zoning and the customary and natural noise incident to the operation of businesses or industries permitted by our zoning so as not to work an undue hardship upon lawful businesses and industrial establishments. If you live near business or industrially zoned property which has operating businesses, a certain level of noise is to be expected.

The proposed noise ordinance also contains a definition of emergency situations and more clearly exempts noise generated pursuant to such situations. It is not uncommon to receive complaints regarding snow removal operations conducted at night or in the early morning hours. This is noise that is incidental to an emergency situation and should not be prohibited. The Police Chief reviewed the draft noise ordinance and believes it is a substantial improvement over our existing ordinance.

The modification to our supplementary zoning regulations regarding construction hours sets reasonable times for construction activities for weekdays and weekends. It also exempts emergency situations and allows the Inspector of Buildings to provide special exceptions. The reason it is a zoning amendment is that it will allow the Inspector of Buildings to enforce the ordinance via a stop work order. Otherwise, contractors may choose to simply pay a fine and operate outside the designated hours.

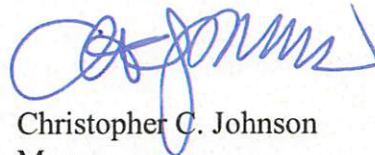
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I believe that the two ordinances taken together represent an improvement in the Town's ability to deal with noise complaints. I also believe they are reasonable in their scope and will not adversely affect our local businesses.

Please do not hesitate to contact me with any questions.

Very truly yours,



Christopher C. Johnson  
Mayor