

## Chapter 119

### NOISE

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**[HISTORY: Adopted by the BOROUGH COUNCIL 4-6-83 as Ord. No. 666. Amendments noted where applicable.]**

**§ 119.1. Definitions.**

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

DECIBEL (db) - A unit of sound-pressure measurement as defined by the American National Standards Institute, with one (1) DECIBEL or a db referring to a sound pressure of two ten-thousandths (0.0002) microbars.

SOUND-LEVEL METER - An instrument standardized by the American Standard Association and used for measurement of the intensity of sound and calibrated in DECIBELS. Readings shall be made on a db (A) scale.

**§ 119.2. Purpose.**

The making, permitting or maintaining of excessive, unnecessary, unnatural or unusually loud noises creates a condition detrimental to the public health, welfare, comfort, convenience, safety and prosperity of the residents of the BOROUGH. The provisions of this chapter and the prohibitions hereafter contained are in pursuance of and for the purpose of securing and promoting the public health, welfare, comfort, convenience, safety and prosperity of the residents of the BOROUGH.

**§ 119.3. Measurement standards; noise level limit.**

119.3.1. For the purpose of determining and classifying any noise as excessive or unusually loud as prohibited by this chapter, the following test measurement and requirements may be applied; provided, however, that a violation of

this chapter may occur without the following measurements being made:

119.3.1.1. The noise shall be measured within the BOROUGH at a distance of at least twenty-five (25) feet from a noise source located within the public right-of-way and, if the noise source is located on private property or public property other than the public right-of-way, at least twenty-five (25) feet from the property line of the property on which the noise source is located.

119.3.1.2. The noise shall be measured on a SOUND-LEVEL METER.

119.3.2. A noise measured or registered as provided above from any source more than ninety (90) DECIBELS on the A-weighting scale in intensity shall be and is hereby declared to be excessive and unusually loud and unlawful.

#### **§ 119.4. Unlawful noises and activities.**

The following acts, among others, are declared to be loud and unnecessary in violation of this chapter even if the noises referred to do not violate the standard noise level set out in § 119.3.

119.4.1. Horns, signal devices and the like.

119.4.1.1. The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle:

119.4.1.1.1. While not in motion, except as a danger signal that another vehicle is approaching apparently out of control; or

119.4.1.1.2. If in motion, only as a danger signal as required by the Motor Vehicle Code of the Commonwealth of Pennsylvania.

119.4.1.2. Whenever the sound of any horn or signal device is permitted or required, such sound shall not be unreasonably loud or harsh and shall not be for an unnecessary or unreasonable duration of time.

119.4.2. Radios, televisions, phonographs, tape recorders, loud speakers and amplifiers. The using, operating or permitting to be played, used or operated either indoors or outdoors of any radio receiving set, television receiver, musical instrument, phonograph, tape recorder, loudspeaker, amplifier or other device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle, chamber or premises in or on which said machine or device is operated and who are voluntary listeners thereto.

119.4.3. Animals and birds. The keeping of any animal or bird which, by causing frequent or long-continued noise, disturbs the comfort and repose of any person in the vicinity.

119.4.4. Defect in vehicle or noisy load. The use of any automobile, motorcycle or other vehicle so out of repair or loaded in such a manner as to create loud or unnecessary grating, grinding, rattling or other noise.

119.4.5. Exhausts. The discharge into the open air of the exhaust of any steam engine, mobile or stationary internal-combustion engine, motor vehicle or motorcycle engine except through a muffler or other device which meets the standards provided by the statutes of the Commonwealth of Pennsylvania.

119.4.6. Trains, vehicles and buses. The unnecessary or prolonged blowing or sounding of any horns, whistle, bell or other device attached to any train, locomotive, motor vehicle, bus or truck while passing through the BOROUGH.

119.4.7. Loudspeakers and amplifiers on vehicles. The use of mechanical loudspeakers or amplifiers on trucks or other vehicles for advertising or other commercial purposes.

119.4.8. Noises to attract attention. The use of any drum, bell, radio, loudspeaker or amplifier or other instrument or device attached to or sound emanating from any building or premises, whether or not enclosed, for the purpose of advertising or attracting, by creation of such noise, customers or prospective customers or other persons to any business, mercantile or commercial establishment, performance, show, sale, sale at auction or display of merchandise.

119.4.9. Garbage and refuse collections. The collection of garbage or refuse by persons engaged in the business of scavenging or garbage collecting at hours other than those specifically permitted by written approval of the proper officers of the BOROUGH.

119.4.10. Construction or repair of buildings. Construction, demolition, repair, paving or alteration of buildings or streets or excavations when conducted between the hours of 9:00 p.m. and 7:00 a.m., Monday through Saturday, and all day on Sunday, unless with the express written permission of the proper officer of the BOROUGH.

119.4.11. Power lawn mowers and chain saws. The operation or use of any power lawn mower or chain saw between the hours of 9:00 p.m. and 7:00 a.m. (9:00 a.m. on Sundays).

#### **§ 119.5. Exemptions.**

Exemption from noise level limits shall be as follows:

119.5.1. Construction, repair, excavation, paving, demolition or alteration of a street or building or premises during the hours of 7:00 a.m. to 9:00 p.m., Monday through Saturday, when permission to do such work has been given by the proper officers of the BOROUGH.

119.5.2. Normal or emergency working activities of municipal, county, state or federal government agencies and emergency activities of a public utility.

119.5.3. Warning devices on authorized emergency vehicles and on vehicles used for traffic safety purposes.

119.5.4. Attendant on-site noise properly concomitant with the actual performance of sporting events.

**§ 119.6. Conflict with other regulations.**

Whenever any provision of this chapter conflicts with any other applicable county, state or federal ordinance or statute, the higher standard shall prevail.

**§ 119.7. Violations and penalties.**

Any person or persons, firm or corporation violating any of the provisions of this chapter shall be guilty of a summary offense and, upon conviction thereof before a District Justice, shall be liable to the maximum penalty permitted by law.