

Chapter 90

NOISE

§ 90-1. Declaration of findings.

§ 90-3. Enumeration of prohibited noises.

§ 90-2. Loud or unnecessary noises prohibited.

§ 90-4. Violations and penalties.

[HISTORY: Adopted by the Board of Supervisors of the Township of Scott at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Amendments noted where applicable.]

§ 90-1. Declaration of findings.

The Board of Supervisors hereby finds and declares that:

- A. The making and creation of loud, unnecessary or unusual noises within the limits of the township is a condition which has existed for some time and the extent and volume of such noise is increasing.
- B. The making, creating or maintenance of such loud, unnecessary and unnatural or unusual noises which are prolonged, unusual or unnatural in their time, place and use affect and are detrimental to public health.
- C. The necessity in the public interest for the provisions and prohibitions hereinafter contained and enacted is declared as a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the township and its inhabitants.

§ 90-2. Loud or unnecessary noises prohibited.

It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the township.

§ 90-3. Enumeration of prohibited noises.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but such enumeration shall not be deemed to be exclusive, namely:

- A. Horns and signaling devices, etc. The sounding of any horn or signaling device on any motor vehicle, motorcycle, locomotive or other means of conveyance within the limits of the borough, except as a danger warning; the creation by means of such signaling device of

any unreasonably loud or harsh sound; and the sounding of any such device for any unnecessary and unreasonable period of time; the use of any signaling device except one operated by hand or by electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any signaling device when traffic is, for any reason, held up.

- B. Racing motors. The unnecessary or unnatural acceleration, deceleration or racing of motors in motor vehicles, whether in motion or at rest, within the limits of the township.
- C. Exhausts. The discharge upon the open air of the exhaust of any steam or diesel locomotive, stationary internal combustion engine, motorboat or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- D. Defect in vehicle or load. The use of any motor vehicle, motorcycle or other piece of machinery or equipment so out of repair or so loaded or in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- E. Radios and phonographs, etc. The using, operating or permitting to be played, used or operated of any radio receiving sets, musical instruments, sound amplifiers, phonographs or other machines or devices for the producing or reproducing of sound in such a manner as to disturb the peace, quiet, comfort and repose 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 or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- F. Loudspeakers and amplifiers for advertising. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.
- G. Yelling and shouting, etc. Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any school, church or office or in any dwelling, hotel or other type of residence or of any persons in the vicinity.
- H. Loading, unloading and opening boxes. The creating of a loud, excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers from 11:00 p.m. to 7:00 a.m.
- I. Animals and birds, etc. The keeping of any animal or bird which, by causing frequent or long-continued noise, shall disturb the comfort or repose of any persons in the vicinity.
- J. Construction or repairing of buildings. The erection (including excavation), demolition, alteration or repair of any streets, highways, lands and buildings other than between the hours of 7:00 a.m. and 9:00 p.m.
- K. Hawkers and peddlers. The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

§ 90-4. Violations and penalties.

Any person, firm or corporation who shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than one thousand dollars (\$1,000.), plus costs of prosecution, and in default of payment thereof shall be imprisoned for a term not to exceed thirty (30) days. Every day that a violation of this chapter continues shall constitute a separate offense.