

**CITY OF LOCK HAVEN
FILE OF CITY COUNCIL
SESSION OF 2019: ORDINANCE NO. 2019-03**

AN ORDINANCE AMENDING THE CITY CODE BY ADDING NOISE CONTROL

BE IT ENACTED AND ORDAINED by the City Council of the City of Lock Haven, Clinton County, Pennsylvania, that the City Code be and hereby is amended as follows:

NOISE CONTROL

Section 1. Purpose

The City of Lock Haven intends to preserve the health, safety and welfare of the residents, downtown and neighborhoods in the municipality by eliminating unreasonable noise.

Section 2. Definitions

Noise- Any sound emitted by a person, an appliance, equipment, instrument, other device or an animal other than a barking dog.

Plainly Audible- Any sound that can be detected by a person of normal sensibilities using his or her unaided hearing facilities.

Sound- Something audible: something that can be heard; vibrations sensed by ear: vibrations traveling through air, water, or some other medium, especially those within the range of frequencies that can be perceived by the human ear. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

Unreasonable Noise- Sound that is of a volume, frequency, or pattern that prevents, disrupts, injures, or endangers the health, safety, welfare, comfort or repose of reasonable persons of ordinary sensitivities within the City of Lock Haven, given the time of day, day of week, location, and/or other relevant factors in which and where the sound is made.

Section 3. Prohibited Conduct

- A. Except as otherwise provided in this chapter, it shall be unlawful for any person to make or cause to be made any unreasonable noise or to allow any unreasonable noise to be caused or made in or on any real or personal property occupied or controlled by that person to include:
1. The playing of amplified sound or musical instruments which are plainly audible at distance 50 feet beyond the property line from which the sound is generated between the hours of 8:00 AM and 10:00PM.

2. The playing of amplified sound or musical instruments which are plainly audible beyond the property line from which the sound is generated from between the hours of 10:00PM and 8:00 AM.
 3. Continuous or repeated yelling, shouting, loud whistling, or loud singing, so as to disturb the peace, comfort, or repose of others within the City by being plainly audible to persons within any dwelling, hotel, hospital, office or other type of residence other than that from which it originates.
- B. Exemptions – Section 3.A shall not apply to the following
1. Safety or warning devices - Safety signals and warning devices (e.g. stationary emergency signal devices, intrusion alarms, back-up alarms on trucks, police/fire/ambulance sirens) or any other device used to alert persons to an emergency or used during emergency work.
 2. Emergency Vehicles as defined by Pennsylvania Title 75 Section 102
 3. Highway and utility maintenance and construction.
 4. Any events approved by the Lock Haven City Council.
 5. Bells, chimes and carillons. Bells, chimes and carillons used for religious purposes or in conjunction with national celebrations or public holidays; existing bells, chimes and carillons and clock strike mechanisms that are currently in use for any purpose.
 6. Appliances, lawn and garden equipment or household power tools. Appliances, lawn and garden equipment or household power tools in use between the hours of 7:00 a.m. and 9:00 p.m., provided such are operated within the manufacturer's specifications and with all standard noise reducing equipment is in use, unmodified and in proper operating condition.
 7. The operation of snow removal equipment.

Section 4. Penalty for Violation.

Any person who shall violate the provisions of this chapter shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$600 plus costs and, in default of payment of such fine and costs, to undergo imprisonment for not more than 30 days.

Section 5. Severability.

If any section, subsection, sentence, clause, phrase, word, or other portion of this ordinance is, for any reason, held to be unconstitutional or invalid, in whole, or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance, which remaining portions shall continue in full force and effect.

Section 6. Effective Date.

This ordinance shall take effect twenty days (20) days following its final passage and adoption.

INTRODUCED BY COUNCIL MEMBER: _____
PASSED CITY COUNCIL FIRST READING: _____
PASSED CITY COUNCIL SECOND READING: _____

ATTEST:

City Clerk Gregory J. Wilson

Mayor William E. Baney III