

TOWNSHIP OF WASHINGTON
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 287

AN ORDINANCE OF THE WASHINGTON TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA,
AMENDING THE TOWNSHIP OF WASHINGTON ORDINANCE NO. 149.

Be it ordained and enacted and it is hereby ordained by the Board of Supervisors of the township of Washington, Northampton county, Pennsylvania, that Ordinance No. 149 is hereby amended as follows:

TOWNSHIP OF WASHINGTON ORDINANCE NO. 287

AN ORDINANCE TO PROMOTE THE SAFETY AND GOOD ORDER OF THE TOWNSHIP OF WASHINGTON BY
HELPING TO ERADICATE EXCESSIVE NOISE AND ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL,
OR REFUSE TO COMPLY WITH THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE.

Section 1:

The making of noise which creates a disturbance upon, near, or adjacent to the streets, public, private, or across a real property boundary within the township by automobile horns, engines, machinery, whistles, bells, sirens, radios/stereos, amplifying systems, firearms, explosives, fireworks, or otherwise, is declared to be a nuisance.

Section 2:

A. Definitions:

When used in this Ordinance, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context clearly indicates otherwise:

1. **Automobile horns**- A sound making device used to warn others of the approach of the vehicle or of its presence.
2. **Bells**- A percussion device used for signaling.
3. **Electronic amplification equipment**- An electronic device that increases the power of a signal to produce a more powerful audio signal.
4. **Engines**- A machine designed to convert energy into mechanical motion.
5. **Explosives**- A reactive substance that contains potential energy that can produce a rapid increase in volume and release of energy. (Explosion)
6. **Firearms**- An instrument used in the propulsion of a projectile, bullet, arrow, or any other object by the action of gunpowder, explosive powder, the expansion of gas or the force of a mechanical device under tension.

7. **Fireworks**- An explosive pyrotechnic device used for purposes to display many forms of noise, light, smoke, and floating materials.
8. **Machinery**- Equipment with moving parts that does work when it is given power from but not limited to; gasoline, electric, etc.
9. **Musical instrument**- An instrument or device designed to make musical sounds.
10. **Noise disturbance**- Any sound that harms or disturbs the quality of life, wellbeing of others, or makes it difficult to hear wanted sounds.
11. **"Normal agricultural operation"**- As defined in the Pennsylvania Right to Farm Law.
12. **Nuisance**- An activity that threatens the health, safety, welfare, peace, comfort, convenience, and resources of the public and community.
13. **Radio**- A receiving device that transfers electromagnetic waves into sounds.
14. **Real property boundary**- Any subset of land that has been legally defined and the improvements to such land has been made by human effort.
15. **Sirens**- A device that produces a loud, high-pitched warning sound.
16. **Stereo**- Electronic equipment that creates the impression of sound heard from various directions.
17. **Television**- A piece of equipment with a screen that is used for transmitting and receiving moving images and sound.
18. **Whistle**- An instrument or device through which air or steam is forced to produce a sound.

Section 3:

By way of amplification and not limitation, the following acts, and the causing thereof, are declared to be noise disturbances and therefore in violation of this Ordinance:

A. Radios and/or any other form of stereo equipment capable of disseminating musical tones, Televisions, Musical Instruments, Electronic Amplification Equipment and any other Similar Devices:

Operating, playing or permitting the operation or playing of any radio/stereo equipment, television, phonograph, musical instruments, sound amplifier, automobile radio, automobile stereo or high fidelity equipment or similar device which produced, reproduces or amplifies sound;

- (1) At any time of the day in such a manner from any source as to create a noise disturbance across a real property boundary; or
- (2) In such a manner as to create a noise disturbance across any real property boundary when operated in or on a motor vehicle on a public right-of-way or public space; or
- (3) In such a manner as to create a noise disturbance to any person other than the operator of the device, when operated by any passenger on a common carrier; or

(4) At such intensity that the sound is audible from a distance of thirty (30) feet in any public area, street, etc. in the Township; when the sound is in any public area, street, etc. in the Township.

B. Stationary Non-Emergency Signaling Devices:

Sound or permitting the sounding of any signal from any stationary bell, chime, siren, whistle, or similar device intended primarily for non-emergency purposes from any place for more than one minute in any hourly period.

C. Emergency Signaling Devices:

The intentional sounding or permitting the sounding outdoors of any fire, burglar, or civil defense alarm, siren, whistle or stationary emergency signaling device, except for emergency purposes, or for testing.

D. Loudspeakers/Public Address Systems:

Using or operating any loudspeaker, public address system or similar device;

- (1) Such that sound there from creates a noise disturbance across a real property boundary, or;
- (2) Between the hours of 10:00 p.m. and 7:00 a.m. on a public right-of-way or public space.

E. Vehicle Repairs and Testing:

Repairing, rebuilding, or testing any motor vehicle, motorcycle or any other motorized component in such a manner as to cause a noise disturbance across a residential real property line.

F. Power Tools:

Operating or permitting the operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool, snow blower, or similar device used outdoors in residential areas between the hours of 10:00 p.m. and 7:00 a.m. as to cause a noise disturbance across a residential real property line except to effect an emergency repair after giving notice of such emergency to the police department.

G. Firearms:

Operating or discharging any firearm;

- (1) Such that sound there from creates a noise disturbance across a real property boundary, or;
- (2) Between the hours of Official Sunset and 10 a.m. Monday through Saturday, or;
- (3) Between the hours of Official Sunset and 12 noon on Sunday.
- (4) The regulations set forth in Section 3 G.1., 3 G.2. and 3 G.3. shall not apply to the following;
 - (a.) Hunting or furtaking as defined under the rules and regulations listed in the Pennsylvania Game Commission. (*Title 34 Chapter 1 Section 101.*)
 - (b) The killing of game or wildlife to protect a person. (*\$2141 Title 34 Game*)
 - (c) The killing of game or wildlife to protect property. (*\$2121 Title 34 Game*)

(d) The use of force in self-protection and protection of other persons. (*Crimes Code 18 PA. C.S.*)

(e) Shooting activities occurring within a legal public or private shooting club.

(f) Any law enforcement personnel discharging a firearm in the line of duty.

H. Explosives:

Operating or permitting the operation of any explosives at any time of the day in such a manner from any source as to create a noise disturbance across a real property boundary.

I. Fireworks:

Operating or permitting the operation of any explosives at any time of the day in such a manner from any source as to create a noise disturbance across a real property boundary.

Section 4:

Any agricultural operation conducted in accordance with "Normal agricultural operations" as defined in the Pennsylvania Right to Farm Law is considered exempt from this ordinance so long as the agricultural operation does not have an adverse effect on the public health and safety.

Section 5:

The enumeration of the particular offences particularly defined above shall not be construed as limiting the generality of the offences prohibited by this Ordinance.

Section 6:

Any person who violates any provisions of this Ordinance shall upon summary conviction therefore, be sentenced to pay a fine, not to exceed Three Hundred (\$300.00) Dollars for each offence plus court costs dictated by the district magistrate. If in default of payment of such fine and costs, party shall be sentenced to imprisonment not to exceed thirty (30) days.

Section 7:

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or unenforceable, such shall not affect any of the remaining sentences, clauses, sections or parts of this Ordinance.

Section 8:


All ordinances or parts of ordinances inconsistent herewith are hereby repealed.


Section 9:


This Ordinance shall be effective on the date of adoption by the Township and shall remain in force until modified, amended or rescinded by the Township of Washington, Northampton County, Pennsylvania.

Enacted and Adopted this 8th day of APRIL, 20 15 by the Washington Township Board of Supervisors.


David Renaldo, Chairman


David Hess, Supervisor


Robert Smith, Supervisor

Attest: 
Gail Putvinski, Secretary