

# Borough of Freemansburg

## Ordinance #8-02

An ordinance to promote the safety and good order of the Borough of Freemansburg by helping to eradicate excessive noise and providing for penalties.

Be it ordained and enacted, and it is hereby ordained and enacted by the Borough of Freemansburg, Northampton County, Pennsylvania:

### Section 1:

The making of unnecessary noise upon, near or adjacent to the streets, public or across a real property boundary within the Borough by automobile horns, engines, machinery, whistles, bells, sirens, radios, amplifying systems or otherwise is declared to be a public nuisance.

### Section 2:

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

(a) Radios, Tape Players, Television Sets, Musical Instruments, Electronic Amplification Equipment and Similar Devices: Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, automobile radio, automobile stereo or high fidelity equipment or similar device which produces, 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 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 forty (40) feet in any public area, street, sidewalk of the Borough: when the sound is any public area, street or sidewalk of the Borough:

(b) Stationary Non-Emergency Signaling Devices: Sound or permitting the sounding of any signal from any stationary bell, chime, siren, whistle, or similar devices 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 similar stationary emergency signaling device except for emergency purposes, or for testing.

(d) Loudspeaker/Public Address Systems: Using or operating any loudspeaker, public address system, or similar device:

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

(e) Vehicle, Repairs and Testing: Repairing, rebuilding, or testing any motor vehicle, motorcycle in such 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 a residential areas between the hours of 10:00 p.m. and 7:00 a.m. the following day so as to cause disturbance across a residential real property line except to effect an emergency repair after giving notice of such emergency to the Police Department.

**Section 3:**

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

**Section 4:**

Any person who violates any provision of the Ordinance shall on summary conviction thereof, be sentenced to pay of fine, not to exceed Three Hundred (\$300.00) Dollars for each offense, together with costs and in default of payment of such fine and costs shall be sentenced to imprisonment not to exceed thirty (30) days.

**Section 5:**

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, section or parts of this Ordinance.

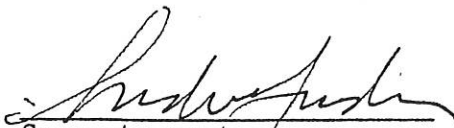
**Section 6:**

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

ORDAINED AND ENACTED this 21<sup>ST</sup> day of October, 2002 by  
the Council of the Borough of Freemansburg.

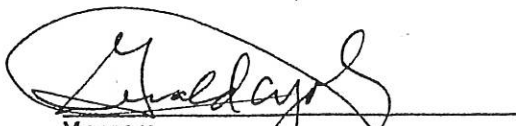
ATTEST:

THE BOROUGH OF FREEMANSBURG

  
Secretary

  
President of Council

APPROVED THIS 21<sup>ST</sup> DAY OF October, 2002

  
Mayor