

CODE OF THE BOROUGH OF NORTHUMBERLAND

CHAPTER 37 – NOISE

[HISTORY: Adopted by the Council of the Borough of Northumberland 10-6-81 as Ord. No. 363.
Amendments noted where applicable.]

General References: Dogs - see Ch. 23A

ARTICLE I – ESTABLISHMENT

37.1.01 Legislative findings and determination; purpose. (37-1)

- A. The making and creation of loud, unnecessary or unusual noises within the limits of the Borough of Northumberland is a condition which has existed for some time, and the extent and volume of such noises are increasing.
- B. The making, creation or maintenance of loud, unnecessary noises or unusual noises which are prolonged and unnatural in their time, place and use, affect and are a detriment to the health, comfort, convenience, safety and welfare of the residents of the Borough of Northumberland.
- C. It is declared as a matter of legislative determination and public policy that it is necessary in the public interest for the enactment of the provisions and prohibitions hereinafter contained, 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 health, comfort, convenience, safety and welfare of the residents of the Borough of Northumberland.

37.1.02 Making loud and unreasonable sounds. (37-2)

It shall be unlawful for any person to make or continue, or to cause to be made or continued, any loud and unreasonable sound of such character, intensity, volume, carrying power or duration as to disturb the comfort, repose, health or safety of any individual unless the sound is made in an activity conducted for a community or public purpose or for the protection or preservation of the health, safety or life of some person.

37.1.03 Enumeration of unreasonable noise. (37-3)

The following acts, among others, are declared to be unreasonable noises in violation of this chapter, but said enumeration shall not be deemed to be exclusive, namely:

- A. Horns, signaling devices, etc.: the creation by means of any horn or signaling device of any unreasonably loud or harsh sound; the sounding of a horn or signaling device for an unnecessary and unreasonable period of time; the sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place of the borough except as a danger warning.
- B. Radios, phonographs, etc.: the using, operating or permitting to be placed, used or operated any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound or at any time with louder volume than is necessary for convenient hearing for the person or persons by or for whom such machine or device is operated. The operating of any such set, instrument, phonograph, machine or device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from said set, instrument, phonograph, machine or device, if not located in a building, structure or vehicle, or fifty (50) feet from the building, structure or vehicle in which it is located, shall be prima facie evidence of a violation of this chapter.

[Amended 9-4-01 by Ord. No. 2001-10.]

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- C. Yelling, shouting, etc.: yelling, shouting, hooting, whistling or singing outdoors between the hours of 10:00 p.m. and 7:00 a.m. [Amended 9-4-01 by Ord. No. 2001-10.]
- D. Squealing tires: causing the tires of any automobile or other vehicle to make a squealing noise or other harsh or loud sound, except in the event of an emergency.
- E. Exhaust noises: the discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- F. Defect in vehicle or load: the use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such a manner as to create a loud grating, grinding or rattling noise.
- G. Construction or repairing of buildings: the erection (including excavating), demolition, alteration or repair of any building or structure other than between the hours of 7:00 a.m. and 10:00 p.m., except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Building Inspector, which permit may be granted for a period not to exceed three (3) days or less while the emergency continues and which permit may be renewed for periods of three (3) days or less while the emergency continues. [Amended 9-4-01 by Ord. No. 2001-10]
- H. Schools, courts, churches and hospitals: the creation of any loud noise on any street adjacent to any school, institution of learning, hospital, church or court while the same are in use, which annoys persons therein, provided that conspicuous signs are displayed along such streets indicating that the same is a court, school, church or hospital street.
- I. Pile drivers and hammers: the operation between the hours of 6:00 a.m. and 10:00 p.m. of any pile driver, steam shovel, pneumatic hammer, pneumatic drill, derrick, steam or electric hoist or other similar appliance, the use of which is attended by loud or unusual noise shall be permitted. The operation of any such device at any other time shall not be permitted, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Building Inspector or the Commissioner of Streets, which permit may be granted for a period not to exceed three (3) days or less while the emergency continues and which permit may be renewed for periods of three (3) days or less while the emergency continues. [Amended 2-18-03 by Ord. No. 2003-1]

37.1.04 Violations and penalties. (37-4)

[As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of the borough code are determined by council resolution.]