

Chapter 91

NOISE

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[*HISTORY*: Adopted by the Board of Supervisors of the Township of South Park 6-10-91 as Ord. No. 460. Amendments noted where applicable.]

§ 91.1. Title.

This chapter shall be known as the "Noise Ordinance of South Park Township."

§ 91.2. Definitions.

The following terms shall be defined as follows in reference to their use in this chapter:

NOISE - Sounds which are clearly audible and distinguishable from customary and ordinary background noise which disturbs conduct or enjoyment of basic human activities due to volume or frequency.

PERSON - An individual, partnership, association, corporation or other legal entity who owns, rents, leases or has control of any lot, property or structure thereon.

§ 91.3. Certain NOISES prohibited.

91.3.1. It shall be unlawful for any PERSON to allow

NOISE which exceeds the value of the decibel limits contained and defined hereinafter in Table 1 and Table 2¹ to emanate outside of and beyond the boundaries of his or her lot or property.

91.3.2. This restriction shall not be applicable during the hours of 7:00 a.m. to 7:00 p.m. prevailing time, Monday through Saturday, for the following:

91.3.2.1. Land or buildings under construction or in the process of being repaired.

91.3.2.2. Those businesses which require the use of heavy machinery, construction machinery, bulldozers, earth movers, dump trucks, mixers or any other machinery that is integral to the conduct of business.

§ 91.4. Measuring of NOISE.

When measured at any lot line, the sound-pressure level of NOISE emanating from within the lot when measured on the A scale of a sound-pressure-level meter shall not exceed the values shown in Table 1 after applying the appropriate corrections shown in Table 2. The sound-pressure level shall be measured with a sound-level meter conforming to the standards as prescribed by the American National Standards Institute, New York, New York, in Specifications for Sound Level Meters, S1.1-1971, or the latest approved revision thereof.

TABLE 1

<i>Land Use</i>	<i>Maximum Sound Level (dBA)</i>
Residential (all districts)	55
Commercial	60
Light industrial and industrial	65

¹ Editor's Note: Table 1 and Table 2 appear in § 91.4.

TABLE 2

<i>Type or Location of Operation or Character of NOISE</i>	<i>Correction Decibels</i>
Daytime operation only	-5
NOISE source operates less than:*	
20% of any 1-hour period	-5
5% of any 1-hour period	-10
NOISE of impulsive character (hammering, etc.)	-5
NOISE of periodic character (hum, screech, etc.)	-5
Property is located in any C or I District and is not within 1,500 feet, measured horizontally or vertically, from any residen- tial district	

*NOTE: Apply one (1) of these corrections only.

§ 91.5. Penalty.

Any PERSON, firm or corporation violating any provision of this chapter shall be fined not more than five hundred dollars (\$500.) or thirty (30) days in jail for each offense, and a separate offense shall be deemed committed on each and every day during or on which a violation occurs or continues.

§ 91.6. Court proceedings.

The Board of Supervisors of the Township of South Park may, in its sole discretion and in the name of the municipality, institute proceedings in courts of equity to restrain the continued violation of this chapter.

§ 91.7. Effect on other provisions.

The remedies provided in this chapter are cumulative and are not intended to repeal or replace any ordinance heretofore or hereinafter enacted which prohibits nuisances in general or specific nuisances in particular, and provided further that this chapter shall not repeal or affect in any manner whatsoever any other ordinance of the Township of South Park.