

ORDINANCE NO 2-10

**CLIFFORD TOWNSHIP  
SUSQUEHANNA COUNTY, PENNSYLVANIA  
INDUSTRIAL NOISE ORDINANCE**

An Ordinance of Clifford Township seeking to regulate the release of noise pollution from industrial sources in an effort to preserve the health, safety, and well being of the inhabitants of Clifford Township.

**BE IT ORDAINED AND ENACTED** by the Board of Supervisors of the Township of Clifford, County of Susquehanna and of the Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same, as follows:

WHEREAS, in recent years Clifford Township has seen a growth of various economic activity tied to industrial and commercial use of its lands.; and the people of the Township seek a peaceful, quiet and atmosphere in which to enjoy the use of their lands, and

WHEREAS, the Township has recognized a need to regulate the levels of noise pollution being released in the Township to avoid disruption of the inhabitants peaceful use of the land and resources of the Township and the health, safety, and well being of its residents and therefore, enacts the following ordinance:

**INDUSTRIAL NOISE POLLUTION ORDINANCE**

**Section I. PERMISSIBLE NOISE LEVELS:**

1. For purposes of determining and classifying any noise which may be released or heard continually over a period of time lasting two hours or more as excessive or unusually loud as declared to be unlawful and prohibited by this article, the following test measurements and requirements may be applied:

**A. Distance Of Measurement:**

Noise occurring within the jurisdiction of the Township shall be measured at a distance of at least twenty five feet (25') from a noise source located within the public right of way, and if the noise source is located on private property or property other than the public right of way, at least twenty five feet (25') from the property line of the property on which the noise source is located.

B. Measurement:

1. The noise shall be measured on a sound level meter of standard design and quality and having characteristics established by the American National Standards Institute.
2. For purposes of this article, measurements with sound level meters shall be made when the wind velocity at the time and place of the measurement is not more than five (5) miles per hour, or twenty five (25) miles per hour with a windscreen.
3. In all sound level measurements consideration shall be given to the effect of the ambient noise level created by the encompassing noise of the environment from all sources at the time and place of the sound level measurement.

2. Permissible Levels - A noise measured or in excess of the guidelines as set forth in the table below and measured in accordance with the requirements above, is declared to be excessive and unusually loud and is unlawful.

<u>7:00 A.M. To Next 7:00</u>	<u>7:00 P.M. To Next</u>
<u>P.M.</u>	<u>7:00 A.M.</u>
55 dB(A)	50 dB(A)

**Section II. EXCEPTIONS**

1. Air conditioners, fans, heating units and similar comfort devices, provided such are operated within the manufacturer's specifications and with all standard noise-reducing equipment in use, unmodified, and in proper operating condition.
2. Airplanes, helicopters, and trains in their normal course of operation.
3. All farm-related operations and activities.
4. Snow removal equipment, provided such are operated within the manufacturer's specifications and with all standard noise-reducing equipment in use, unmodified and in proper operating condition.
5. The firing of weapons either for hunting or target shooting.

6. Safety signals and warning devices which have as their purpose to warn other persons of a an emergency or to alert others that an emergency response is underway.

7. Bells, chimes, carillons, fireworks, or other noisemakers used for religious purposes or or in conjunction with national celebrations or public holidays.

8. SPECIAL WAIVER. A temporary waiver from strict compliance with the noise standards specified herein may be granted to persons during emergency circumstances, as determined by the Board of supervisors, to permit reasonable time to effect repairs.

**Section III. PENALTY**

1. PENALTY. For a First Time violation the fine shall be \$300 dollars per offense. For a a second or subsequent violation the fine shall be \$1,000.00. If the violation continues into the following day, the fines and penalties shall accrue at a rate of \$1,000.00 per day.

**Section IV. SEVERABILITY AND EFFECTIVENESS:**

1. Should any part of this Ordinance be rendered or declared invalid, preempted by other legislation, or unconstitutional, by a court of competent jurisdiction of the State of Pennsylvania, such invalidation of such part or portion of this Ordinance should not invalidate the remaining portions thereof, and they shall remain in full force and effect.

2. Any ordinances or part of ordinances inconsistent herewith are hereby appealed.

3. The provisions of this ordinance shall become effective on the

**DULY ENACTED AND ORDAINED** this 18<sup>th</sup> day of October, 2010,

by the Board of Supervisors in lawful session duly assembled.

TOWNSHIP OF CLIFFORD

By:

  
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CHAIRMAN

  
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SUPERVISOR

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SUPERVISOR

