

ORDINANCE # 17

AN ORDINANCE DEFINING DISTURBING THE PEACE WITHIN THE LIMITS OF THE TOWNSHIP, PROHIBITING ALL ACTIVITY TENDING TO DISTURB THE PEACE AND QUIET OF THE TOWNSHIP, AND PROVIDING FOR THE IMPOSITION OF PENALTIES FOR THE VIOLATION HEREOF.

Section 1. Disturbing the Peace Defined and Prohibited:

A. Noise: Disturbing the peace within the meaning of this Ordinance shall constitute the making, causing or permitting to be made, anywhere in West Pikeland Township, any unnecessary noise, clamor, din, or other sounds tending to disturb the peace and quiet of the community, and the carrying on of any business, trade, transportation, recreation or amusement at any time, in a place, or in a manner which causes any unnecessary noise or disturbance. Any and all such noises and disturbances are hereby prohibited. All noises or other sounds shall be considered to be unnecessary and to constitute disorderly conduct, even though they are no louder than is customary and are the unavoidable sounds or noise attendant upon the ordinary use and occupation of premises, or attendant upon the ordinary operation or performance of business, trade, transportation, recreation or other amusement, if they are made on Sunday or weekdays during hours other than the usual and customary hours for such work or activity. Except in cases of emergency, no person shall carry on any activity at a time or in a manner which causes unnecessary annoyance or disturbs the peace and quiet of the immediate neighborhood.

B. Odors, Smoke, Dust, etc.: Disturbing the peace within the meaning of this ordinance shall also include any activity, or maintenance of any condition, which produces offensive odors, smoke or dust sufficient in quantity, severity and duration to interfere materially with the reasonable comfort and well-being of residents of the immediate neighborhood. All such activity and the maintenance of any such condition is hereby prohibited.

Section 2: Particular Conduct Prohibited: Without in any manner intending to limit or restrict the generality of the above definition of, and prohibition against, disturbing the peace, the following are hereby declared to constitute disturbing the peace:

A. The unnecessary sounding of automobile horns, sirens, bells, whistles or other warning devices. The operators

of motor vehicles shall at all times exercise due care and foresight in their operation and shall not substitute the sounding of warnings for careful driving and the maintenance of proper control over their respective vehicles. It is not intended hereby to prohibit the use of such warning devices in emergencies or at times when, in the exercise of good judgment, a prudent operator would use such devices.

B. The operation of radios, phonographs or other mechanical instruments, or singing, shouting or playing of musical instruments in a manner and at a time which is generally considered to be inappropriate and which unnecessarily disturbs the peace and quiet of the immediate neighborhood.

C. The loading, unloading and delivery of coal or other materials, merchandise or commercial products at a time of the day or night which unnecessarily disturbs the peace and quiet of the immediate neighborhood.

D. The discharging on or across the streets or highways of airguns, spring guns, rifles or firearms of any kind or character whatsoever.

E. Acting in and about the streets or other public places of the Township in a noisy, loud, boisterous and unseemly manner, or in such a manner as to disturb the peace and quiet of the community.

F. The operation of automobiles, trucks, motorcycles or other vehicles without adequate mufflers, or other noise-reduction devices, or the operation of any machinery or equipment in a manner that produces an undue amount of noise, offensive odors, smoke or dust.

G. Setting off fireworks, dynamite or any other explosive device at any time; provided, however, that a fireworks display may be undertaken on appropriate occasions with the prior written approval of the Board of Supervisors.

H. Any burning which produces offensive odors sufficient to constitute a disturbance of the peace as defined in this Ordinance.

Section 3. Penalty: Any person violating any of the provisions of this Ordinance shall be guilty of the offense of disturbing the peace, and, upon conviction hereof in a summary proceeding, shall be sentenced to pay the costs of prosecution and a fine not exceeding Twenty-five (\$25.00) Dollars, and in default of the payment thereof, shall be imprisoned for a period not exceeding thirty (30) days. All fines paid under this Ordinance shall be to the Township Treasurer for the use of the Township.

Section 4. Repeal of Ordinance: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, but nothing herein shall be deemed to repeal or affect any existing Ordinance or Resolution of the Township declaring certain acts or conduct not herein provided for to constitute disturbing the peace and prohibiting the same.

Section 5. If any part of this Ordinance shall be declared unconstitutional, or in any other way inconsistent with enabling legislation, or violative of the same, passed by the legislature of the Commonwealth of Pennsylvania, the remaining portions of this Ordinance shall remain in full force and effect.

REPEALED July 20, 2015

The followins to be advertised one time for West Pikeland Township

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10

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27
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C. The loading, unloading and delivery of coal or other materials, merchandise or commercial products at a time of the day or night which unnecessarily disturbs the peace and quiet of the immediate neighborhood.

D. The discharging of air guns, spring guns, rifles or firearms of any kind whatsoever in such a manner as to disturb the peace and quiet of the community or constitute a public safety hazard.

E. Acting in and about the streets or other public places of the Township in a noisy, loud, boisterous and unseemly manner, or in such a manner as to disturb the peace and quiet of the community.

F. The operation of automobiles, trucks, motorcycles or other vehicles without adequate mufflers, or other noise-reduction devices, or the operation of any machinery or equipment in a manner that produces an undue amount of noise, offensive odors, smoke or dust.

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BY ORDER OF THE SUPERVISORS OF WEST PIKELAND TOWNSHIP

CHARLES O. THOMPSON, SEC.

REPEALED JULY 20, 2015

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