

ORDINANCE 2017-04

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF LOWER ALLEN 1997, BY AMENDING CHAPTER 147, NOISE CONTROL TO PROHIBIT NOISE ASSOCIATED WITH THE OPERATION OF MOTOR VEHICLES IN THE TOWNSHIP.

BE IT ENACTED AND ORDAINED by the Board of Commissioners ("**Board**") of Lower Allen Township ("**Township**"), Cumberland County, Pennsylvania, and it is hereby enacted and ordained by the same as follows:

SECTION I

Chapter 147, Noise Control of the Code of the Township of Lower Allen 1997, shall be amended at Section 147-4, "**Noise prohibited**" by deleting the present Subsection 'C' and by replacing it with the following Subsection 'C'.

Between the hours of 11:00 p.m. and 7:00 a.m. loading, unloading or handling boxes, containers, garbage cans or the general activity of loading or unloading operations of vehicles in such a manner as to cause a noise disturbance across the property line (boundary). This section shall not apply to municipal or utility services in or about the public right-of-way and the collection of refuse in compliance with §180-13E(6), regarding times of collection.

SECTION II

Chapter 147, Noise Control of the Code of the Township of Lower Allen 1997, shall be amended at Section 147-5, "**Motor Vehicle and Noise Levels,**" by deleting Subsection 'A' and replacing it with a new Section 'A' as follows:

No person shall operate or permit the operation of any motor vehicle or any auxiliary equipment attached to such a vehicle while the vehicle is stationary, for reasons other than traffic congestion, anywhere within 150 feet of any residence in such a manner as to cause a noise disturbance across residential property lines (boundary). Auxiliary equipment shall include air brakes, horns and other devices associated with the operation of motor vehicles.

SECTION III

The provisions of this Ordinance, as far as they are the same as those of ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such ordinances and not as new enactments. The provisions of this Ordinance shall not affect any such

suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any ordinance repealed by this Ordinance.

SECTION IV

The provisions of this Ordinance are severable, and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provision shall not affect or impair any other remaining sections, clauses or sentences of the same.

SECTION V

Any ordinance, or any part thereof, inconsistent herewith and any amendments thereof are hereby expressly repealed.

SECTION VI

This **Ordinance** shall take effect immediately.

ENACTED AND ORDAINED this 10th day of April, 2017 by the Board of Commissioners of Lower Allen Township.

Attest:
(Corporate Seal)

BOARD OF COMMISSIONERS
LOWER ALLEN TOWNSHIP

(Assistant) Secretary

(Vice) President