

**BOROUGH OF LANGHORNE MANOR  
BUCKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2008-0002**

**AN ORDINANCE OF THE BOROUGH OF LANGHORNE MANOR, BUCKS COUNTY,  
PENNSYLVANIA, ESTABLISHING A BOROUGH POLICY PROHIBITING  
EXCESSIVE AND UNNECESSARY NOISE, PROVIDING EXCEPTIONS FOR  
EMERGENCIES, AND PROVIDING FOR ENFORCEMENT AND  
PENALTIES FOR VIOLATIONS**

**WHEREAS**, Excessive sound is a serious hazard to the public health and welfare and the quality of life to the citizens of the Borough of Langhorne Manor.

**WHEREAS**, a substantial body of science and technology exists by which excessive sound may be substantially abated.

**WHEREAS**, Activities which generate excessive vibrations, dust, fumes, and vapors are detrimental to the health, safety and welfare of the citizens of the Borough of Langhorne Manor and interfere both with the quiet enjoyment of residential and public property and the operation of business and, therefore, should be controlled to the greatest extent possible.

**WHEREAS**, The Borough is empowered to ensure the public safety and to define conduct that constitutes disturbing the peace pursuant to the Borough Code, Act of February 1, 1966, P.L. 1656, of 1965, No. 581 as Amended.

**THEREFORE**, be it enacted and Ordained by Council of the Borough of Langhorne Manor, County of Bucks and Commonwealth of Pennsylvania the same as enacted and adopted as an Ordinance of the Borough as follows:

**SECTION 1: PROHIBITED CONDUCT**

A. Definition of Noise Disturbance – Any sound that endangers the safety or health of any person, disturbs a reasonable person of normal sensitivities, or endangers personal or real property. The measure of disturbance shall be measured in accordance with the A-weighted decibel scale which is expressed as “dBA.”

1. Throughout the Borough except for those instances as defined by Section 1(C)(5)(a) of this Ordinance, it shall be an excessive noise disturbance if thirty (30) feet from the place of noise generation the dBA exceeds:

75 dBA between the hours of 7 A.M. and 10 P.M.

55 dBA between the hours of 10 P.M. and 7 A.M.

- B. Excessive Noise and Noise Disturbance Prohibited – It is hereby declared to be a nuisance and shall be unlawful for any person, firm or business entity to make, cause, suffer, or permit to be made or caused upon a property owned, occupied or controlled by him or it upon any public land, street, alley or thoroughfare in the Borough of Langhorne Manor any excessive noises, noise disturbance or sounds, by means of vehicles, machinery, equipment (including sound amplification equipment and musical instruments) or by any other means or methods which are physically annoying to the comfort of any reasonable person or which are so harsh, prolonged, unnatural or unusual in their use, time and place, as to occasion physical discomfort, or which are otherwise injurious to the lives, health, peace and comfort of the inhabitants of the Borough of Langhorne Manor or any number of residents thereof.
- C. Special Prohibitions – the following acts and causes thereof are hereby declared to be a nuisance and in violation of this Ordinance.
1. Possession, harboring or keeping an animal or bird which makes any noise continuously and/or persistently for a period of 15 minutes or more, in such a manner as to disturb or annoy any person at any time of the day or night, regardless of whether the animal is situated upon private property.
  2. Operating, playing, or permitting the operation or playing of any radio, television, audio equipment, sound amplifier, musical instrument, or similar device that reproduces or amplifies sound through electric or battery means in such a manner as to create a noise, disturbance or to cause annoyance to persons in the vicinity for any person other than the operator of the device.
  3. Loudspeakers and public address systems – using or operating of any loudspeaker, public address system, or similar device, such that the sound therefrom creates a noise disturbance across a residential real property line.
  4. Performing any construction operation or permitting the operation of any tools or equipment used in construction, drilling, blasting, demolition, excavation, and extraction of stone or other such activities between the hours of 10 P.M. and 7 A.M.
  5. Repairing, rebuilding, modifying, testing, or operating a motor vehicle, motorcycle, recreational vehicle or powered model vehicle in such a manner as to cause annoyance to persons across a real property boundary from the noise source.
    - a. All motorcycles built or rebuilt after 1982 and all car engines will be operated at or below held to the decibel level of eighty-six (86) dBA measured fifty (50) feet from the place of noise generation. The decibel levels of this Ordinance established in Section 1 A.1. shall not apply to this paragraph.

- b. All motorcycles driven through Borough of Langhorne Manor must be equipped with a muffler that meets legal requirements as defined by Pennsylvania Motor Vehicle Inspection Law.
- 6. Operating or permitting the operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool or similar device used out of doors between the hours of 10 P.M. and 7 A.M. in such a manner as to cause a noise disturbance.
- 7. Operating or permitting the operation of any motor vehicle or any auxiliary equipment attached to such a vehicle, for a period of longer than five minutes in any hour while the vehicle is stationary, for reasons other than traffic congestion or emergency work with the exception of railroad engineers which may idle during a warm-up period not to exceed 20 minutes.
- 8. The operation of a snow blower is permitted any time within a 24-hour period immediately after a snowstorm. Thereafter, the operation of a snow blower is not permitted in residential areas between the hours of 10 P.M. and 7 A.M. the following day so as to cause a noise disturbance across a residential real property boundary.
- 9. Burglar alarms sounding or permitting the sounding of any burglar alarm in or on any building or motor vehicle unless such burglar alarm shall terminate its operation within 10 minutes of its being activated.

## **SECTION 2: EXCEPTIONS**

The restrictions set forth in Section 1 hereof shall not apply to any of the following noise sources:

- A. The emission of sound for the purpose of alerting persons to the existence of an emergency.
- B. Emergency work performed to protect public health or safety, including fire protection from flood or other disasters, and work performed to provide electricity, water or other public utilities when public health or safety is involved.
- C. Public gatherings, performances and the like for which a permit has been obtained from the Borough of Langhorne Manor.
- D. Warning devices on authorized emergency vehicles and/or required for safety purposes.
- E. Vehicles, machinery, appliances and equipment used in the case of an emergency snow removal.

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- F. A responding Police Officer or Code Enforcement Official shall have the discretion to declare that a Noise Disturbance is reasonable provided that it does not negatively impact the health, welfare, and safety of the Borough of Langhorne Manor residents. If a Police Officer or Code Enforcement Official declares such incident as reasonable no citation shall be issued.

### **SECTION 3: ENFORCEMENT, VIOLATION AND PENALTIES**

- A. Any full or part time Police Officer of the Borough of Langhorne Manor or Code Enforcement Officer may issue a summary citation which shall specify the nature, date and time of the violation.
- B. Any person or business entity, including but not limited to property owner, renter, user and/or possessor, who shall violate any of the provisions of this Ordinance shall, upon first summary conviction thereof, be punishable by a minimum fine of no less than one hundred (\$100.00). Each violation of any of the provisions of this Ordinance shall be deemed to be a separate and distinct offense. When a second and/or subsequent violations are committed by the same person or entity within any twelve (12) month period, the fine shall be doubled the amount of the previous fine up to a maximum of one thousand (\$1,000.00) dollars for each separate and distinct offense.
- C. In addition to the above, the Borough of Langhorne Manor may institute an action for injunctive relief to prohibit or abate any activity in violation of the provisions of this ordinance.

### **SECTION 4: SEVERABILITY AND REPEALER**

- A. The provisions of this ordinance are severable. If any section, clause, sentence, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance.

It is hereby declared to be the intent of Borough Council that this Ordinance would have not been adopted if such illegal, invalid or unconstitutional section, clause, sentence or part of a provision had been included therein.

- B. Any and all other Ordinances or parts of Ordinances of the Borough of Langhorne Manor in violation or in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such reconcilable conflict.

**ORDAINED and ENACTED** as an Ordinance of the Borough of Langhorne Manor this  
day of \_\_\_\_\_, 2008.

**ATTEST:**

**COUNCIL FOR THE BOROUGH  
OF LANGHORNE MANOR**

\_\_\_\_\_  
**Loretta Luff, Secretary**

By: \_\_\_\_\_  
**William McTigue, President**

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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**Francis J. Farmer, Mayor**