

EAST FALLOWFIELD TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2003-03

AN ORDINANCE AMENDING ORDINANCE NO. 2000-3  
PROHIBITING LOUD, DISTURBING, AND UNNECESSARY  
NOISES WITHIN THE TOWNSHIP AND PROVIDING  
PENALTIES THEREFORE. EFFECTIVE FIVE DAYS FROM  
ENACTMENT

\* 2007-09  
amended  
Section 1 C.  
\* New  
Ordinance  
2008-02

AND NOW, this 26<sup>th</sup> day of June, 2003, the Board of Supervisors of East Fallowfield Township, pursuant to the authority granted to it by the Pennsylvania Second Class Township Code hereby enacts and ordains as follows:

Section 1. Ordinance No. 2000-3 approved June 22, 2000, is hereby amended to read as follows:

ARTICLE I - DEFINITIONS

SECTION 1.1. For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the following meanings:

A. "TOWNSHIP" is the Township of East Fallowfield, Chester County, Pennsylvania.

B. "OWNER" is a person owning, leasing, occupying or having charge of any premises within the Township.

C. "PERSON" is any natural person, firm, partnership, association, corporation, company or organization of any kind

ARTICLE II - PROHIBITION OF EXCESSIVE NOISE.

SECTION 2.1. It shall be unlawful for any person to make continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose health peace or safety of others, within the limits of the Township.

SECTION 2.2. The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this Ordinance, but said enumeration shall not be deemed to be exclusive, namely:

A. Horns, signaling devices, etc.: Sounding any horn or signaling device on any automobile, motorcycle, street car or other vehicle on any street or public place of the Township except as a danger warning; creating, by means of any such signaling device, any unreasonably loud or harsh sound; or the sounding of any such device for any unnecessary or unreasonable period of time.

B. The operation of radios, phonographs or other mechanical instruments or singing, shouting or playing of musical instruments by any person or owner 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. The operation of any such instrument, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this Ordinance.

C. The loading, unloading and delivery of local 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 air guns, rifles firearms of any kind or character whatsoever

E. Congregating or acting in and about the streets or other public 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 discharge into the open air of the exhaust of any stationary internal combustion engine, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises there from.

G. Yelling, shouting, hooting, whistling or singing on the streets or in other public places, particularly between the hours of 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet comfort, or repose of persons in any dwelling or other type of residence, or of any persons in the vicinity.

H. The construction (including excavation), demolition, alteration or repair or any building, street or highway between the hours of 10:00 p.m. and 7:00 a.m. during weekdays, before 7:00 a.m. or after 5:00 p.m. on Saturdays, and at any time on Sundays. The prohibition shall not apply to any vehicle or personnel of the Township while engaged upon necessary public business.

### ARTICLE III – PENALTIES FOR VIOLATION.

Any person who violates or permits a violation of this Ordinance shall be guilty of summary violation and, upon conviction thereof before any District Justice, be sentenced to pay a fine of not more than \$1000, plus all court costs, including reasonable attorney's fees incurred by the Township in the enforcement of this Ordinance. Each day a violation exists shall constitute a separate offense. In default of payment of any fine, the defendant shall be sentenced to imprisonment to the extent allowed by law for the punishment of summary offenses. The appropriate officers or agents of the Township are hereby authorized to seek any other available relief at law or equity, including injunction, to enforce compliance with this Ordinance.

### ARTICLE IV – GENERAL PROVISIONS

SECTION 4.1. If any provision, paragraph, word, section or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provision, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect and for the purposes of this Section, the provisions of this Ordinance are hereby declared to be severable.

SECTION 4.2. Any past Ordinance and parts of other ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

Section 2. This Ordinance shall be effective five (5) days from the date of enactment.

ENACTED AND ORDAINED This 26<sup>th</sup> day of June 2003.

EAST FALLOWFIELD TOWNSHIP  
BOARD OF SUPERVISORS

R.A. Sparr  
Robert Sparr, Chairman

Denny Howell  
Denny Howell, Vice Chairman

Earl Emel  
Earl Emel, Member

Martha Frid  
Martha Frid, Secretary