**CHAPTER 10**

**HEALTH AND SAFETY**

**Part 3**

**Noise**

 **§301. Prohibition.** No person shall, between the hours of 10:00 o’clock P.M. and 7:00 o’clock A.M. of the following day, make or cause to be made any loud, unnecessary or unusual noise which disturbs the peace or quiet of White Deer Township or which causes discomfort or annoyance to any reasonable person of normal sensitivities and/or hearing residing in White Deer Township nor shall any person owning, leasing or controlling land within White Deer Township permit said noise to originate or emanate from said land. The source of said noise may include but not be limited to:

 (1) Radio, television, cassette and disc player, phonographs, musical instruments, sound amplifiers or similar devices which produce, reproduce or amplify sounds.

 (2) The operation of motor vehicles, machinery or similar equipment.

 (3) Repairing, rebuilding, testing or otherwise working on any motor vehicles, motor boat, aircraft, machinery or similar equipment.

 (4) Any animal or bird which howls, barks, meows, squawks or makes other sounds continuously and/or inconsistently for a period of 10 minutes or which makes said sound intermittently for ½ hours if said animal or bird is kept, possessed, harbored, controlled or maintained by a person.

 **§302. Definition.** For purposes of this Part the term person shall include but not be limited to a corporation, partnership, unincorporated association, limited liability company or similar entity.

 **§303. Violations.** Violations of this Part shall be prosecuted before a District Judge in the same manner provided for the prosecution of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Township Solicitor may assume charge of the prosecution without the consent of the District Attorney as requested by the Pennsylvania Rules of Criminal Procedure. The penalty for a violation of the Part shall not exceed a fine of $1,000.00 and/or imprisonment to the extent allowed by law for the punishment of a summary offense.

 **§304. Officers Responsible.** The officers or other persons responsible for the operation of a corporation, partnership, unincorporated association, limited liability company or similar entity may be prosecuted for a violation of the Part committed by said corporation, partnership, unincorporated association, limited liability company or similar entity.

 **§305. Exceptions. T**he provisions of this Part shall not apply to persons conducting normal farming operations, normal business operations and refuse removal.

 (Ordinance No. 29, adopted September 22, 2009)