

ORDINANCE NO. ~~15-01~~-03-2015

**MORGAN TOWNSHIP  
GREENE COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF MORGAN TOWNSHIP, GREENE COUNTY,  
PENNSYLVANIA, REGULATING THE KEEPING OF CERTAIN ANIMALS AND  
PROHIBITING THE KEEPING OF ANIMALS MAKING DISTURBING NOISES  
AND PRESCRIBING THE PENALTIES FOR VIOLATION THEREOF.**

**WHEREAS**, Morgan Township previously adopted Ordinance No. 96-02 concerning animals making disturbing noises; and

**WHEREAS**, it is now deemed necessary for the promotion of the health, cleanliness, comfort and safety of the citizens of Morgan Township to enact this Ordinance, amending the regulation of the keeping of animals making disturbing noises.

**NOW THEREFORE**, pursuant to the authority conferred upon it by the Pennsylvania Second Class Township Code, the Board of Supervisors of Morgan Township, Greene County, Pennsylvania, do hereby ENACT AND ORDAIN the following:

**Section One: Short Title**

This Ordinance shall be known and cited as Morgan Township "Animal Noise Ordinance of 2015".

**Section Two: Purpose**

The Board of Supervisors of Morgan Township, finding that excessive levels of sound are detrimental to the physical, mental and social well-being of the people as well as to their comfort, living conditions, general welfare and safety and being therefore a public health and welfare hazard, hereby declare it to be necessary to provide for the greater control and more effective regulation of excessive sound and sources of excessive sound within the Township.

**Section Three: Noise Disturbance**

It shall be illegal within Morgan Township for any person or persons to own, possess, harbor or control any animal or bird which makes any noise continuously and/or incessantly for a period of thirty (30) minutes or makes such noise intermittently for one (1) hours or more to the disturbance of any person any time of the day or night regardless of whether the animal or bird is physically situated in or upon private

property, said noise being a nuisance; provided, that at the time the animal or bird is making such noise no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated nor is there any other legitimate cause which justifiably provoked the animal or bird.

#### **Section Four: Exceptions**

This Ordinance shall not be deemed to prohibit or otherwise declare unlawful any agricultural operations protected from nuisance suits by the Act of January 10, 1982, Pol. 454, No. 133, 3 P.S. 951 et. seq.

#### **Section Five: Penalties**

Any person, firm or corporation who shall violate any provision of this Ordinance, shall, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than One Thousand Dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Ordinance continues or each section of this Ordinance which shall be found to have been violated shall constitute a separate offense.

#### **Section Six: Repealer**

Any Ordinance containing any provision inconsistent herewith to the extent that such provision is inconsistent, that provision is also hereby repealed.

#### **Section Seven: Severability**

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

#### **Section Eight: Effective Date**

This Ordinance shall become effective immediately upon final enactment.

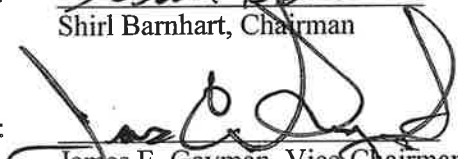
**ORDAINED AND ENACTED INTO LAW** by the Board of Supervisors of Morgan Township  
in lawful session assembled this 3rd day of MARCH, 2015.

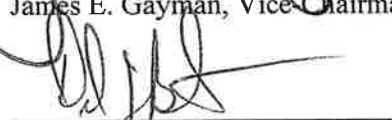
**ATTEST:**

  
Reida Litten, Secretary/ Treasurer

**TOWNSHIP OF MORGAN**

By:   
Shirl Barnhart, Chairman

By:   
James E. Gayman, Vice Chairman

By:   
Dominick Barbetta, Supervisor