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**Part 2****Noise Nuisances**

[See also, Chapter 10, "Health and Safety"]

**§2-201. Intent and Purpose.**

The Board of Supervisors of the Township of Lower Southampton, 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 therefor a public health and welfare hazard, hereby declares it to be necessary to provide for the greater control and more effective regulation of excessive sound and the sources of excessive sound within the Township.

(*Ord. 356, 12/17/1986*)

**§2-202. Noise Disturbance.**

It shall be unlawful for any owner, custodian or keeper of any dog, cat, bird or other animal to permit the same to make excessive noise to the disturbance, annoyance, or fright of persons in the vicinity. It shall also be unlawful for the owner, custodian or keeper of any dog, cat, bird or other animal to keep the same when the animal exhibits a habit or pattern of making excessive noise to the disturbance, annoyance or fright of persons in the vicinity.

(*Ord. 356, 12/17/1986; as amended by Ord. 531, 11/28/2007, §1*)

**§2-203. Exceptions.**

This Part shall not be deemed to prohibit or otherwise declare unlawful any agricultural operations protected from the nuisance suits by Act No. 1982-133, 3 P.S. §951 *et seq.*

(*Ord. 356, 12/17/1986*)

**§2-204. Penalties.**

1. Any person, firm or corporation who shall violate any provision of this Part, may, upon conviction thereof before a magisterial district judge, be sentenced to pay a fine of not less than \$300 and not more than \$1,000, and/or to undergo prison for a term not to exceed 90 days.

2. Each day that a violation shall continue, upon notice by the Code Enforcement Officer, shall constitute a separate offense, punishable as provided under subsection .1. In order to invoke the per diem penalties provided hereunder, the Code Enforcement Officer must provide written notice to the owner, custodian or keeper of any animal as provided under §2-202, providing notice of the existence of a violation, and a reasonable opportunity to correct said violation, said remediation period not to exceed 5 days.

3. Notwithstanding the foregoing, the Code Enforcement Officers are hereby authorized to pursue criminal proceedings as provided under subsection .1 without advance notice to the custodian, owner or keeper of any offending animal, for each and every violation of §2-202 as may be found by the Code Enforcement Officer.

(*Ord. 356*, 12/17/1986; as amended by *Ord. 531*, 11/28/2007, §2)