

PART 2

ANIMAL NOISE CONTROL

§201. INTENT AND PURPOSE.

The Borough of New Stanton, 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 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 Borough of New Stanton.

(Ord. 97-173, 2/6/1997)

§202. NOISE DISTURBANCE.

It shall be illegal within the Borough of New Stanton 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 10 minutes or makes such noise intermittently for 1/2 hour 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.

(Ord. 97-173, 2/6/1997)

§203. EXCEPTIONS.

This Part shall not be deemed to prohibit or otherwise declare unlawful any agricultural operations protected from nuisance suits by Act No. 1982-133, nor shall this Part prohibit the normal and accepted training activities by the owners and operators of a licensed dog training and special retriever training class areas as protected and provided by Act No. 79-1992.

(Ord. 97-173, 2/6/1997)

§204. PENALTIES.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$600 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.