

LEGAL NOTICE
BOROUGH OF SOUDERTON
MONTGOMERY COUNTY, PENNSYLVANIA

NOTICE is hereby given that Souderton Borough Council will hold a public hearing on Monday, December 5, 2022 beginning at 7:00 pm in the Souderton Municipal Building, 31 W. Summit Street, Souderton, Pennsylvania to consider the following:

ORDINANCE NO. _____

AN ORDINANCE REGULATING AND PROHIBITING NOISE
NUISANCES IN THE BOROUGH OF SOUDERTON;
PROVIDING FOR PENALTIES FOR VIOLATIONS;
REPEALING INCONSISTENT ORDINANCES

The BOROUGH COUNCIL of the BOROUGH OF SOUDERTON hereby enacts and ordains, as follows:

SECTION 1. DECLARATION OF NOISE NUISANCES. It is hereby declared to be a public nuisance and a violation of this Ordinance for any person to make or cause to be made through any device, vehicle, or instrumentality, any excessive or unusually loud noise or to create a noise nuisance causing discomfort or annoyance to a person of ordinary sensibilities within the Borough of Souderton. Without intending to limit the generality of the foregoing, the following are declared to be prohibited noise nuisances within the Borough of Souderton.

A. The exterior operation of construction equipment or the performance of exterior construction or repair work (except in the case of emergency) on any building or other structure after 10:00 o'clock p.m. or before 6:00 o'clock a.m. prevailing time. The operation of any machinery, commercial motor vehicle on a truck, any equipment, pump, snowplow, snow blower, lawn mower, leaf blower, chain saw, or similar mechanical device; to use such device or equipment in such a manner or with such volume as to annoy or disturb the quiet, comfort, or repose of any person or persons in any dwelling house, apartment or other type of residence after 10:00 o'clock p.m. or before 6:00 o'clock a.m., prevailing time. This subsection shall not apply to municipal or public utility vehicles used for emergency work, such as but not limited to snow removal, highway or public utility repairs.

B. The operation, whether on a public or private street or on private property, of any motor vehicle without a muffler or the repair, rebuilding, or testing of any motor vehicle or motorcycle in the Borough of Souderton, licensed or unlicensed on public or private premises, whether standing or moving, without an appropriate muffling device on the exhaust system of said vehicle in order to prevent any unnecessary or unreasonably loud or harsh sound.

C. Playing any musical instrument, stereo, radio, or similar device or operating or using any sound amplification equipment either outside or within any building if the sound produced is audible outside such building, after 10:00 o'clock p.m. or before 6:00 o'clock a.m. prevailing time.

D. The sounding or triggering of a vehicle horn or alarm, except in emergencies, on any automobile, truck, motorcycle, motor bicycle or other vehicle in any street or public place of the Borough of Souderton after 10:00 o'clock p.m. or before 6:00 o'clock a.m., prevailing time.

E. Yelling, shouting, or arguing on any public street so as to annoy or disturb the quiet, comfort, or repose of persons in any building or of any persons in the vicinity after 10:00 o'clock p.m. or before 6:00 o'clock a.m. prevailing time.

F. Operating or permitting to be operated any tool, such as a powered saw, sander, drill grinder, garden equipment, powered lawn mower, or tool of like nature, used primarily for domestic purposes, outdoors in the Borough of Souderton after 10:00 o'clock p. m. or before 6:00 o'clock a.m. , prevailing time.

SECTION 2. VIOLATIONS AND PENALTIES. Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof before a District Justice, be sentenced to pay costs and a fine not exceeding One Thousand Dollars (\$1,000.00).

SECTION 3. SEVERABILITY. If any provision of this Ordinance is for any reason found to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair any of the remaining provisions of this Ordinance.

SECTION 4. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED by the Borough Council of the Borough of Souderton this 5th day of December, 2022.

BOROUGH OF SOUDERTON

By: Tracy W. Burke, President

(BOROUGH SEAL)

Attest: P. Michael Coll, Secretary

APPROVED this 5th day of December, 2022.
Daniel L. Yocum, Mayor

The Public is invited to attend this hearing and make comment.

P. Michael Coll, Borough Manager/Secretary