

WHITPAIN TOWNSHIP

ORDINANCE #371

AN ORDINANCE AMENDING CHAPTER 83 [DISTURBING THE PEACE], SECTION 83-1 [DEFINITION; DISTURBING THE PEACE PROHIBITED] OF THE TOWNSHIP CODE TO CHANGE THE DEFINITION OF DISTURBING THE PEACE TO MODIFY THE REQUIRED QUIET HOURS BASED ON THE DAY OF THE WEEK AND FOR HOLIDAYS.

CERTIFICATION

I, ROMAN M. PRONCZAK, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE #371



Roman M. Pronczak, P.E., Township Manager

March 19, 2019

ENACTED: March 19, 2019

WHITPAIN TOWNSHIP

ORDINANCE #371

AN ORDINANCE AMENDING CHAPTER 83 [DISTURBING THE PEACE], SECTION 83-1 [DEFINITION; DISTURBING THE PEACE PROHIBITED] OF THE TOWNSHIP CODE TO CHANGE THE DEFINITION OF DISTURBING THE PEACE TO MODIFY THE REQUIRED QUIET HOURS BASED ON THE DAY OF THE WEEK AND FOR HOLIDAYS.

IT IS HEREBY ENACTED AND ORDAINED by the Whitpain Township Board of Supervisors that the Township's Ordinance shall be amended as follows:

SECTION 1. Amendment to Chapter 83 [Disturbing the Peace], Section 83-1 [Definition; disturbing the peace prohibited] to change the required quiet hours based on the day of the week and for holidays.

Section 83-1 [Definition; disturbing the peace prohibited] is amended to change required quiet hours based on the day of the week and for holidays. This section, as amended, shall read as follows:

83-1. Definition; disturbing the peace prohibited.

"Disturbing the peace" within the meaning of this chapter shall constitute the making, causing or permitting to be made or caused to be made anywhere within the Township of Whitpain of any loud, boisterous or unseemly noise or unnecessary noises, clamor, din or other sounds tending to disturb the peace and quiet of the community, and the carrying on of any business, trade, transportation, recreation or amusement at any time, in any place or in any manner which causes any unnecessary noise or disturbances, and all such noises and disturbances are hereby prohibited. All noises or other sounds shall be considered to be unnecessary and to constitute disturbing the peace even though they are not louder than customary and are unavoidable sounds or noises attendant upon the operation or performance of business, trade, transportation, recreation or amusement if they are made in such a manner as to be plainly audible at a distance of 50 yards from the building, structure, vehicle or area from which the sound or sounds are emanating during the following times, prevailing local time:

- (a) On Sunday before 8:00 a.m. or after 9:00 p.m.;
- (b) On Monday through Thursday before 6:00 a.m. or after 9:00 p.m.;
- (c) On Friday before 6:00 a.m. or after 11:00 p.m.; and
- (d) On Saturday before 8:00 a.m. and after 11:00 p.m.

On New Year's Eve, the day before Memorial Day, Memorial Day, the day before Independence Day, Independence Day, the day before Labor Day, and Labor Day, the evening quiet hours begin at 11:00 p.m., regardless of the day of the week.

Notwithstanding the remainder of this Chapter, except in cases of emergency, no person shall carry on an activity at any time or in any manner which causes unnecessary annoyance or disturbs the peace and quiet of the immediate neighborhood.

SECTION 2. Repeal and Ratification

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 3. Severability

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 4. Effective Date

This Ordinance shall become effective 5 days after enactment.

ORDAINED AND ENACTED this 19th day of March 2019, by the
Whitpain Township Board of Supervisors.


**WHITPAIN TOWNSHIP
BOARD OF SUPERVISORS**



FREDERICK R. CONNER, JR., *Chair*

[Seal]

Attested by:



ANTHONY F. GRECO
Secretary