

**Chapter 46**  
**NOISE NUISANCES**

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**[HISTORY: Adopted by the Board of Supervisors of the Township of Greene 4-25-2007 by Ord. No. 2007-4. Amendments noted where applicable.]**

**GENERAL REFERENCES**

Zoning — See Ch. 105.

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**§ 46-1. Definitions.**

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future; words in the plural include the singular and words in the singular include the plural. Any personal pronoun shall be construed so as to mean either the masculine, feminine, or neuter gender, as the context may require; and the word "shall" is always mandatory and not merely precatory.

**BOARD OF SUPERVISORS** — The Board of Supervisors of Greene Township, Franklin County, Pennsylvania

**NUISANCE** — The unreasonable, unwarrantable or unlawful use of public or private property which causes injury, damage, hurt, inconvenience, annoyance or discomfort to any person in the legitimate enjoyment of his reasonable rights of person or property.

**OWNER** — A person owning, leasing, occupying or having charge of any premises within the Township.

**PERMITS** — To suffer, allow, consent, let; to give, leave or license; to acquiesce by failure to prevent, or to expressly accept or agree to the doing of an act

**PERSON** — Any natural person, firm, partnership, association, corporation, company or organization of any kind.

**TOWNSHIP** — The Township of Greene, Franklin County, Pennsylvania.

**§ 46-2. Unreasonable noise.**

A. Unreasonable noise defined. In residential districts or if the abutting property is used for residential purposes, shall be considered an unreasonable noise and a public nuisance if,

between the hours of 10:00 p.m. of one day and 6:00 a.m. the following day, regardless of the sound level which is emitted, for any person to engage in the following conduct:

- (1) Play or permit the operation of the playing of any radio, television, drum, musical instrument, music player, sound amplifier, phonograph or similar device which produces, reproduces or amplifies sound in such a manner as to be plainly audible across a property line or from within another dwelling unit.
- (2) Rebuild, test or otherwise work on any motorcycle, motor vehicle, motorboat or aircraft in such a manner as to be plainly audible across a property line.
- (3) To yell, shout, whistle, sing or otherwise create noise across property lines that disturbs the quiet, comfort or repose of persons in any dwelling, hotel, or other type of residence

B. Exemptions The following activities shall be exempt from the provisions of this chapter:

- (1) Noise as safety signals, warning devices, emergency pressure relief valves or other sound needed to alert people about an emergency.
- (2) Noise resulting from emergency work.
- (3) Noise resulting from public festivals, celebrations, or other lawfully authorized public gatherings.
- (4) Noise resulting from any athletic, recreational, or other such outdoor activity on fields and sites specifically set aside for such purposes

C. Presumptions. It shall not be necessary to establish that any occurrence has lasted for a specific period of time in order to find the violation of this section. If the offending noise emanates from private property, it shall be conclusively presumed that the occupant of the property authorized and/or permitted and participated in the violation.

### § 46-3. Notice.

A. Notice required. Prior to the filing of a private criminal complaint for violation of § 46-2, it shall be necessary to serve written notice upon the occupant of the property in one of the following ways:

- (1) By mailing a copy of the notice to the occupant by any form of mail requiring a receipt signed by the occupant.
- (2) By personal delivery of notice to the occupant.

B. Form to be provided. Notice required under this section must be given on a form prescribed and provided by the Township and said required notice may be executed and served as required by the agreed party or by a Township official on complaint received from the aggrieved party in writing and signed.

C. Content of notice. A notice shall set forth the name and address of the property and the occupant of the property, the nature and extent of the violation or offense, the identity of