

Loud, unnecessary, or unusual noise prohibited.

[Amended 8-13-1973 by Ord. No. 73-28]

The following noises are prohibited: making, continuing or causing to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others; or to create any unreasonably loud, disturbing and unnecessary noise of such character, intensity or duration as is detrimental to the life or health of any individual or persons within the limits of the Township of Pennsauken or is patently offensive to persons or ordinary sensibilities.

§ 210-2 Enumeration of prohibited noises.

The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this chapter, but said enumeration shall not be deemed to be exclusive:

A.

Radios, televisions, phonographs, etc. The using, operating or permitting to be played, used or operated of any radio receiving set, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighborhood inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine, or device between the hours of 11:00 p.m. and 7:00 a.m. in such manner as to be plainly audible at a distance of 25 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this chapter.

B.

Loudspeakers; amplifiers for advertising. The using, operating, or permitting to be played, used, or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or for any other purpose.

C.

Yelling, shouting, etc. Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of

persons in any office, dwelling, apartment or other type of residence, or of any persons in the vicinity.

D.

Construction or repairing of buildings. The erection (including excavating), demolition, alteration, or repair of any building other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Construction Official. Said permit may be granted for a period not to exceed three days or less while the emergency continues and may be renewed for periods of three days or less while the emergency continues. If the Construction Official should determine that the public health and safety will not be impaired by the erection, demolition or repair of any building or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m., and if he or she shall further determine that loss or inconvenience would result to any party or interest, he or she may grant permission for such work to be done within the hours of 6:00 p.m. and 7:00 a.m. upon application being made at the time the permit for the work is awarded or during the progress of the work. Nothing in this subsection shall prevent the occupant or owner of the premises at any time from making or causing to be made minor repairs or improvements to, on or about the premises, provided that the same shall be done without undue noise or disturbance and shall not cause a nuisance or disturb the peace and quiet of the neighborhood.

E.

Schools, courts, churches, and hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church, or court while the same are in use, or adjacent to any hospital, which excessive noise unreasonably interferes with the workings of such institution or disturbs or unduly annoys patients in the hospital, provided that conspicuous signs are displayed in such streets indicating that the same is a school, hospital, or court street.

F.

Drums. The use of any drum or other instrument or device for the purpose of attracting attention to any performance, show or sale by the creation of noise.

G.

Hawkers and peddlers. The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

H.

Pile drivers, hammers, etc. The operation, other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, of any pile driver, steam shovel, bulldozer or other earthmoving machinery, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud or unusual noise.

§ 210-3 Sound equipment.

A.

Sound equipment prohibited. The use or operation of a sound truck, loudspeaker, or amplifying system, either from a stationary position or from a moving vehicle, shall be unlawful within the Township limits for any purpose other than that of a civic nature directly pertinent to activities within the Township of Pennsauken or affecting the residents of this community. Political activities at no time shall be considered as civic in nature under this chapter.

B.

Permit necessary. Prior to the use of such sound equipment for the purposes specified, a permit shall be obtained from the Township Clerk. Application forms for this purpose shall be furnished by the Township Clerk and shall require the applicant to disclose:

(1)

The name and address of all persons and organizations for which such a permit is being sought.

(2)

The specific purpose of the application.

(3)

The number and type of equipment and vehicles to be used.

(4)

The projected hours and area of the use of such equipment within the Township.

(5)

The person or official who shall be in charge of and responsible for compliance with the terms of this chapter.

(6)

In detail, the specific nature of the civic activity to be advertised.

C.

Municipal emergency use. In addition to the allowance of sound devices for civic purposes, the municipality may utilize any device of this nature at any and all times that there may be a municipal emergency, regardless of the provisions of this chapter.

D.

Prohibited hours. The hours of limitation for the operation of sound devices shall be not before 9:00 a.m. or after 7:00 p.m. on any weekday, and not at all on Sunday.

E.

Fee. No fee shall be required for making the aforesaid application or for issuance of the permit.

F.

Type of use prohibited. The use of the aforesaid sound devices shall at no time cause injury to the health of any person or persons nor shall otherwise be detrimental to the general welfare and dignity of the community, and the use thereof shall at all times be under the control of the governing body and of the Police Department as an agency thereof.

§ 210-4 Exemptions.

Nothing herein contained shall be construed to apply to church bells or chimes or to prohibit playing by a band or orchestra in a hall or building or in the open air.

§ 210-5 Violations and penalties.

[Amended 9-12-1984 by Ord. No. 84-26]

Any person who shall violate this chapter shall, upon conviction thereof, subject to one or more of the following: a fine not exceeding \$1,250 or imprisonment in the county jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, for each offense in the discretion of the Municipal Court Judge.