

LEHIGH TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA
ORDINANCE NO. 2026-3

AN ORDINANCE AMENDING CHAPTER 103 (NUISANCES); REPEALING
CHAPTER 51 (ANIMALS); AND REPEALING CERTAIN SECTIONS OF
CHAPTER 111 (PEACE AND GOOD ORDER) AND CHAPTER 180
(ZONING) OF THE CODIFIED ORDINANCES OF LEHIGH TOWNSHIP,
NORTHAMPTON COUNTY, PENNSYLVANIA

WHEREAS, excessive, unnecessary, and unreasonable noise has been determined to be a condition that adversely affects the physical, mental, and social well-being of residents, as well as their comfort, living conditions, and general welfare; and

WHEREAS, the Township has previously regulated noise and related nuisances through multiple provisions contained in Chapter 103 (Nuisances), Chapter 51 (Animals), Chapter 111 (Peace and Good Order), and Chapter 180 (Zoning) of the Codified Ordinances; and

WHEREAS, the Board of Supervisors has determined that certain provisions within these chapters are duplicative, inconsistent, or outdated, thereby creating challenges for effective enforcement and public understanding; and

WHEREAS, the consolidation and modernization of noise regulations into a single, comprehensive section within Chapter 103 (Nuisances) will promote clarity, consistency, and enforceability of the Township's ordinances; and

NOW THEREFORE BE IT ENACTED AND ORDAINED by the Board of Supervisors of Lehigh Township, as follows:

SECTION I. Chapter 103 Nuisances shall be amended as follows:

- A. Section 103-2.P Noise, including foot notes shall be stricken and deleted in its entirety.
- B. Section 103-3.C shall be amended by striking and deleting "P" of this section as below:

Such notice shall require the owner to commence action in accordance with the terms thereof within 20 days and, thereafter, to comply fully with its terms with reasonable dispatch, with all material to be supplied and work to be done at the owner's expense, provided, however, if any of the provisions of § 103-2F, I, J, K, O, ~~P~~ or Q are violated, and If the circumstances require immediate corrective measures, such notice shall require the owner to immediately comply with the terms thereof.

- C. Section 103-4 shall be amended and read as follows:

Section 103-4, Noise

1. **Definitions.** The following definitions and meanings shall apply to this section.

ANIMAL. Any domestic animal, wild animal or any household pet.

dB(A) (A-WEIGHTED DECIBEL). The symbol designation of a noise level, reported in decibels, using the A-weighted network of a sound level meter, as defined by ANSI S1.4, Specification for Sound Level Meters.

DECIBEL (dB). A unit of measure of the sound pressure level at a specific location.

DOMESTIC ANIMAL. All animals normally or ordinarily domesticated or raised in this area and climate as livestock or for work or breeding purposes, or normally or ordinarily kept as a household pet.

EMERGENCY SERVICES. Any work necessary to deliver essential services, including but not limited to fire suppression and related services, medical care and related services, emergency management services, repairing gas, water, electric, telephone, sewer facilities, or public transportation facilities, removing fallen trees from public rights-of-way, or abating life-threatening conditions.

HOUSEHOLD PET. Any dog, cat, bird or other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

IMPULSIVE SOUND. A sound having a duration of less than one second with rapid onset and decay rates.

NOISE. Any sound emitted by a person, an appliance, equipment, instrument, other device or an animal.

ORIGINATING PROPERTY. The property from where noise is generated or originates. The property that is the source of the noise.

PERSON. Any individual, corporation, or other legal entity, regardless of whether owner or occupant of property.

PROPERTY LINE. The real or perceived line and its vertical extension which separates real property owned or controlled by one person from that which is owned or controlled by another person.

PUBLIC RIGHT-OF-WAY. Any street, highway, road, sidewalk, avenue, alley, or boulevard which is leased, owned or controlled by a governmental entity.

RECEIVING PROPERTY. All lands, buildings, and structures thereon affected by noise emanating from another property.

SOUND LEVEL. The instantaneous sound pressure level measured in decibels with a sound level meter set for A-weighting on slow response speed, unless otherwise noted.

SOUND LEVEL METER. An instrument, including a microphone, an amplifier, an output meter and frequency-weighting networks, used for measurement of sound pressure levels conforming to Type 1 or Type 2 standards as specified in ANSI Standard S1.4, Specifications of Sound Level Meters, 1983 (R1990), or the latest version thereof.

SOUND SOURCE PROPERTY, COMMERCIAL/INDUSTRIAL. Commercial/Industrial property generating or producing noise and is located within the following zoning districts: RC; NC; GC; Office Business Zone, I and BMC as defined by Chapter 180, 180-18, 180-19, 180-20, 180-21, 180-22 and 180-23, of the Lehigh Township Code of Ordinances.

SOUND SOURCE PROPERTY, RESIDENTIAL. A residential property generating or producing noise and is located within the following zoning district: A/RR; VR, and PRRC as defined by Chapter 180, § 180-16, 180-17 and 180-18.1, of the Lehigh Township Code of Ordinances.

TOWNSHIP. The Township of Lehigh, Northampton County, Pennsylvania, acting by and through its Board of Supervisors or its authorized designees.

WILD ANIMAL. Any animal, including bird, fowl or reptile, not normally or ordinarily domesticated; not normally or ordinarily raised in this area and climate as livestock or for work or breeding purposes; or not capable of being kept as a household pet.

2. No person shall cause public inconvenience, annoyance or alarm by making unreasonable noise or noise disturbance which serves no legitimate purpose that annoys disturbs the comfort, health and safety, or peace of others which can be heard at a distance of 150 feet from its source or at the property line, whichever is less.

3. No person shall allow, cause, transmit, or propose the operation of any sound source on a particular property in such a manner as to create a sound level that exceeds the maximum permissible level set forth in the Table herein below, when measured at the property line of the Sound Source Property. A sound level in excess of the decibels permitted in the table set for below would constitute a noise disturbance and a violation of this Part.

Sound Level Limits by Receiving Land Use and Time

Receiving Land Use	Time	Sound Level Limit
A/RR and VR Residential Districts	At all times	65 dBA
All other Districts	At all times	70 dBA

- a. For any source of sound which emits a pure tone or continuous sound, the maximum Sound level limits set forth in the table above shall be reduced by 5 dB(A).
4. Should a Commercial/Industrial Sound Source Property be located in a Residential District, said property shall be subject to the Residential Property Maximum Permissible Limits.
5. The following items and the causes thereof are declared to be in violation of this Chapter and constitute a nuisance if the use or activity occurs between the hours of 11:00 p.m. and 7:00 a.m. and causes sound that annoys or disturbs a reasonable person of normal sensibilities at the property line of a residential receiving property:
- A. Operating, playing, or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which produces, reproduces, or amplifies sound either indoors or outdoors at a place of public entertainment, on private property, public right-of-way, or public space.
- B. Unnecessary blowing of horns or making of unnecessary loud noises in or upon the streets of the Township except for the proper use of horns or other devices as reasonable warning in accordance with traffic laws.
- C. The use and operation of any lawn maintenance device, including lawn mowers, edgers, leaf blowers, trimmers, as well as other similar equipment.
- a. Snowblowers and snow removal equipment shall be exempt during periods of inclement winter weather.

- D. The use of any tools or equipment used in construction, drilling, earthmoving, excavating, or demolition work.
 - E. The repairing, rebuilding or testing of any motor vehicle, motorcycle, motorboat, or aircraft (with or without mufflers);
 - F. Loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, trash dumpsters, garbage cans, or similar objects.
 - G. Any other noise to be able to be heard on any neighboring property between the hours of 11:00 p.m. and 7:00 a.m.
6. It shall be illegal within the Township of Lehigh for any person or persons to own, possess, harbor, or control any animal which makes any noise continuously and/or incessantly during the hours of 11:00 p.m. to 7:00 a.m. for a period of 20 minutes or makes such noise intermittently for 45 minutes or more to the disturbance of any person at any time of the day or night regardless of whether the animal is physically situated in or upon private property, said noise being a nuisance; provided that at the time the animal is making such noise, no person is trespassing or threatening to trespass upon private property in or upon which the animal is situated nor is there any other legitimate cause which justifiably provoked the animal.
7. The maximum permissible sound-level limits set forth in this section shall not apply to any of the following noise sources:
- A. The emission of sound for the purpose of alerting person(s) to an emergency. Noise generated to request assistance or warn of a hazardous situation, as part of providing Emergency Services, or is part of responding to natural emergencies.
 - B. Repair or construction work to provide electricity, water or other public utilities or facilities within the hours of 7:00 a.m. to 11:00 p.m. except for clearly emergency repairs which are not restricted by time.
 - C. Noise generated from an authorized warning alarm or siren, emergency vehicle or a vehicle operated by a gas, electric, communications or water/sewer utility.

- D. Household power tools and lawn mowers between the hours of 7:00 a.m. and 11:00 p.m. Noise generated from lawn care and other household maintenance equipment and tools used between 7:00 a.m. and 11:00 p.m. so long as the equipment is outfitted with the original muffler or sound dissipative device as installed by the manufacturer.
- E. Agricultural activities, including livestock and domestic animals. A commercial kennel shall comply with this chapter. Noise generated from agricultural activities and other activities protected by the Right to Farm Act (Title 3 P.S. §§ 951 through 957) involving agricultural animals, equipment, and field machinery (used and maintained in accordance with the manufacturer's specifications).
- F. Public or Private celebrations which create a sound level louder than the permitted decibels, or may be heard more than 150 feet from source or property line, whichever is greater that have been specifically authorized by the Township Board of Supervisors.
- G. Railroads.
- H. Unamplified human voices.
- I. Routine ringing of bells and chimes by a place of worship. Noise generated from a bell, chime or similar device used by a church, mosque, synagogue or a school.
- J. Noise generated from normal business activities conducted by Lehigh Township or an agent or contractor of the Township or other governmental/quasigovernmental agency.
- K. Noise generated from the engine of a motor vehicle on a public highway that is subject to Regulation exclusively by the Commonwealth of Pennsylvania Department of Transportation.
- L. Noise generated from community, school or municipality sponsored or approved celebrations or special events.
- M. Noise generated from emergency backup generators used during a power failure or other emergency situation, except that no exercising maintenance of generators shall occur between the hours of 11:00 p.m. and 7:00 a.m.
- N. Fireworks shall be subject to the requirements of Chapter 79.

7. Property owners under no circumstance shall allow or permit tenant(s) and/or guest(s) to engage in disruptive conduct which creates loud, unnecessary noise, constitutes a physically offensive condition, or serves no legitimate purpose. Any property owners who permit or tolerate any tenant or any invited or uninvited guest(s) to engage in such disruptive conduct shall be subject enforcement proceedings and fines. The proceedings are intended to promote responsible owner management and control of leased premises and to eliminate unsafe and/or problematic tenant and visitor behavior. Upon a first violation of this section, the property owner shall receive verbal or written notice of the violation from either the Code Enforcement Officer or the Police Department. A second and each subsequent violation shall be subject to enforcement proceedings and fines in accordance with Article II, § 1-17 of the Lehigh Township Codified Ordinances. If the Code Enforcement Officer or the Police Department are able to make verbal contact with the property owner and the property owner fails to correct the unnecessary or disruptive conduct creating unnecessary noise continues for a period of more than one hour after receiving a verbal notice, it shall be considered a second/separate violation and subject to enforcement proceedings and fines in accordance with Article II, § 1-17 of the Lehigh Township Codified Ordinances.
8. Impulsive sounds. For any source of sound which emits an impulsive sound (a sound of short duration, with an abrupt onset and rapid decay and an occurrence of not more than one time in any fifteen-second interval), the excursions of sound-pressure level shall not exceed 20 dBA over the maximum permitted ambient sound-pressure level, regardless of time of day or night or receiving land use. Some examples would include, but are not limited to, banging from unloading of dumpsters or containers; unhitching of truck trailers, explosions from mining operations, the discharge of firearms, test revving of engines or motors, or other sounds of a similar nature. Sounds of this nature may not equal or exceed a maximum noise level of 80 dB(A), when measured at or within the property line of the Originating Property. Impulsive sounds at or above 80 dB(A) would constitute nuisance and a violation of this Chapter.
9. The use of Tannerite or similar targets shall only be permitted between the hours of 10 a.m. and 7 p.m. Prior to the use of Tannerite or similar targets, the Lehigh Township Police Department shall be notified. All State and Federal firearm regulations shall apply to the use of Tannerite.

- D. The existing Chapter 103-4, Violations and Penalties shall be renumbered to Chapter 103-5 and read as follows:

This chapter regulates building, housing, property, maintenance, health, fire, public safety, air or noise pollution, and shall be enforced pursuant to 53 P.S. 66601(c.1)(2).

1. Penalties for violation of this chapter shall be as provided in Chapter 1, General Provisions, Article II.
2. The Board of Supervisors may direct the removal, repair or alterations, as the case may be, to be done by the Township and to certify the costs thereof to the Township Solicitor, the cost of such removal, repair or alterations shall be a lien upon such premises from the time of such removal, cutting, repairs and alterations which date shall be determined by the certificate of the person doing such work, and filed with the Township Secretary/Treasurer.
3. The Township, by means of a complaint in equity, may compel the owner of the premises to comply with the terms of any notice of violation, or seek any such other relief as any such court of competent jurisdiction is empowered to afford.

SECTION II. Chapter 51, Animals shall be repealed in its entirety.

SECTION III. Chapter 111 shall be amended by deleting the following sections:

- A. Section 111-5, Unnecessary Noises shall be deleted in its entirety, including footnotes.
- B. Section 111-6, Horns and Loud Noises

SECTION IV. Chapter 180 shall be amended by deleting the following section:

- A. Section 180-49, Noise Control

SECTION V. Severability

The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this Ordinance would have been amended as if such unconstitutional, illegal, or invalid provision or provisions had not been included herein.

SECTION VI. Repealer

Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed.

Enacted and ordained this Day of , 2026.

LEHIGH TOWNSHIP

ATTEST:

BY: _____
Chairman, Board of Supervisors

Secretary