

ORDINANCE 2022-1

AN ORDINANCE AMENDING CHAPTER 103, NUISANCES AND CHAPTER 111, PEACE AND GOOD ORDER, OF THE CODIFIED ORDINANCES OF LEHIGH TOWNSHIP, NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA.

BE IT ENACTED AND ORDAINED, AND IT IS HEREBY ENACTED AND ORDAINED, BY the Board of Supervisors of Lehigh Township, that the Codified Ordinances of Lehigh Township shall be amended as follows:

SECTION 1. Chapter 103, NUISANCES. The following section of Chapter 103-2, Nuisances declared illegal, shall be deleted in its entirety:

- A. Section 103-2.P. Loud music or noise, etc. For any person, except by permission of Township Board of Supervisors, to play, amplify or listen to music by any manner including home stereos, vehicular sound systems and portable "boom boxes," to beat any drum or drums, blow any horn or horns, or otherwise make any unusual noise, disturbing the peace after 11:00 p.m., which can be heard a distance of 150 feet from its source or such person's property line or for any person to make, continue or cause to be made or continued any unnecessary or unusually loud noise which annoys, disturbs, injures or endangers the comfort, health, safety or peace of others within and which can be heard a distance of 150 feet from its source or such person's property line between the hours of 11:00 p.m. and 7:00 a.m.

SECTION 2. Chapter 111, Peace and Good Order. Section 111-5, Unnecessary noises shall be deleted in its entirety and shall now read as follows:

- A Section 111-5. Unnecessary Noises.
1. It is a public nuisance and considered to be disturbing the peace and injurious to the public's interest for any person, whether a tenant, owner, or otherwise, to permit at any time the continued or intermittent use or operation of devices or making any other loud, unnecessary noise which creates a physically offensive condition and which serves no legitimate purpose which annoys, disturbs, injures or endangers the comfort, health, safety or peace of others and which can be heard 150 feet from the

source. This shall include, but is not limited to, loudspeakers, radios, stereos, sound devices or other apparatus, the unnecessary blowing of horns or any other noises.

2. Under no circumstance, unless permission is granted by the Board of Supervisors, shall a person permit noise to be able to be heard on any neighboring property between the hours of 11:00 p.m. and 7:00 a.m.
3. Property Owners shall not permit tenants and/or guest(s) to engage in, disruptive conduct which creates loud, unnecessary noise which creates a physically offensive condition and which serves no legitimate purpose. Owners who permit or tolerate any tenant and/or any invited and/or uninvited guest(s) to engage in disruptive conduct shall be subject to the following civil enforcement proceedings and civil fines, which proceedings are intended to promote owner management and control of leased premises and the elimination of unsafe and/or problematic tenants and visitors.

### SECTION 3. Penalties.

1. First Offense for any person, owner, tenant, rental unit or rental property. Upon the first offense relating to a particular owner, occupant, tenant, rental unit, or rental property, the Code Enforcement Officer or Police Officer shall issue an oral warning to any occupant of the premises and written warning to the owner, along with a copy of the disruptive conduct report, wherein the owner or manager is believed to have permitted or tolerated any tenant and/or any invited and/or uninvited guest(s) to engage in disruptive conduct on, in or adjacent to the rental premises.
2. Second or Subsequent Offenses relating to a particular owner, Occupant, tenant, rental unit or rental property. Upon the second or subsequent offenses relating to a particular owner, occupant, tenant, rental unit, or rental property, the Police Officers shall promptly serve a copy of the disruptive conduct report upon the owner and thereafter commence with criminal enforcement proceedings to both the occupant and property owner as specified under Article II, Section 1-17 of the Lehigh Township Codified Ordinances.

SECTION 4. Severability. In the event any provision, section, sentence, clause or part of the Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being the intent of the Township that such remainder shall be in full force and effect.

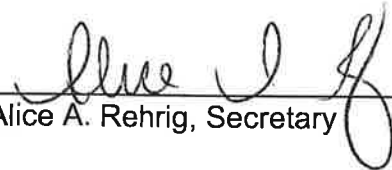
SECTION 5. Repealer. All Ordinances or parts of Ordinances inconsistent herewith are hereby and the same repealed.

SECTION 6. Effective Date. This ordinance shall be effective immediately upon its adoption.

ENACTED AND ORDAINED this 10<sup>th</sup> Day of May, 2022.

LEHIGH TOWNSHIP

ATTEST:

  
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Alice A. Rehrig, Secretary

By:   
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Michael Jones, Chairman