

ORDINANCE NO. 186

AN ORDINANCE OF THE TOWNSHIP OF EAST LAMPETER  
PROHIBITING THE KEEPING OF ANIMALS MAKING  
DISTURBING NOISES, PRESCRIBING PENALTIES FOR  
VIOLATION AND MAKING CERTAIN EXCEPTIONS

The Supervisors of East Lampeter Township hereby ordain  
as follows:

**Section 1. Intent and Purpose.**

The Board of Supervisors of East Lampeter Township, finding that excessive levels of sound are detrimental to the physical, mental, and social well-being of the people as well as to their comfort, living conditions, general welfare, and safety and being therefore a public health and welfare hazard, hereby declares it to be necessary to provide for the greater control and more effective regulation of excessive sound and the sources of excessive sound within the Township of East Lampeter.

**Section 2. Noise Disturbance.**

It shall be illegal within the Township of East Lampeter for any person or persons to own, possess, harbor, or control any animal or bird which makes any noise continuously and/or incessantly for a period of fifteen minutes or makes such noise intermittently for one-half hour or more to the disturbance of any person any time of the day or night regardless of whether the animal or bird is physically situated in or upon private property, said noise being a nuisance; provided, that at the time the animal or bird is making such noise no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated nor is there any other legitimate cause which justifiably provoked the animal or bird.

**Section 3. Exceptions.**

This ordinance shall not be deemed to prohibit or otherwise declare unlawful any agricultural operations protected from nuisance suits by Act No. 1982-133.

Nor shall this ordinance apply to owners or operators of dog training and special retriever training areas licensed by the Pennsylvania Game Commission; provided, that the owners and operators of the training areas were and remain in compliance with any applicable noise control laws or ordinances at the time the permit for establishment of the training area was authorized by the Commission.

**Section 4. Petitions Complaining of Animal Noises.**

Whenever any person shall complain to the police department that an animal or bird which continuously and/or incessantly makes noise is being kept by any person in the Township of East Lampeter,

the police department shall notify the owner of the said animal or bird that a complaint has been received and that the person should take whatever steps necessary to alleviate the noise.

If the warning given to the person alleged to be keeping the animal or bird as set forth above is ineffective, then a verified complaint of at least two (2) citizens not from the same household may be presented to the police department, alleging that an animal or bird which continuously and/or incessantly makes noise is being kept by any person within the Township of East Lampeter. The police department shall inform the owner of such animal or bird that said petition has been received and shall cite the owner of the animal or bird for the violation alleged in said complaint.

**Section 5. Penalties.**

Any person, firm, or corporation who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00) nor less than twenty-five dollars (\$25.00), and in default of payment, to imprisonment for a term not to exceed thirty (30) days.

**Section 6. Repealer.**

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Section 7. Severability.**

If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this ordinance. It is hereby declared as the intent of the Supervisors of East Lampeter Township that this ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

**Section 8. Effective Date.**

This ordinance shall become effective five (5) days after adoption by the Board of Supervisors of East Lampeter Township.

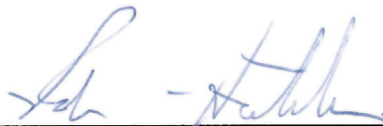
ORDAINED AND ENACTED this 19<sup>th</sup> day of November, 1996.

BOARD OF SUPERVISORS OF THE TOWNSHIP  
OF EAST LAMPETER

By: \_\_\_\_\_

(Vice) Chairman

I, Ralph M. Hutchison, Secretary of the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of East Lampeter Township held on 11/17, 1996, at which meeting a quorum was present and voted in favor thereof.



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Ralph M. Hutchison, Secretary