

ARTICLE 713
Disturbing the Peace

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| 713.01 Loud and unnecessary noises prohibited. | 713.06 Horns and warning devices on vehicles. |
| 713.02 Radios, phonographs and other sound machines. | 713.07 Music from taverns. |
| 713.03 Sound trucks and bullhorns; permits required; restrictions. | 713.08 Noisy theater advertising. |
| 713.04 Permit application. | 713.99 Penalty. |
| 713.05 Possession and display of permit. | |

CROSS REFERENCES

- Disorderly establishments or practices - see 3rd Class §2403(24)
(53 P.S. §37403(24))
- Public nuisances - see 18 Pa.S. §6504
- Noise - see GEN. OFF. Art. 727
- Sound levels and noise control - see GEN. OFF. Art. 735

713.01 LOUD AND UNNECESSARY NOISES PROHIBITED.

It is hereby declared to be a nuisance, and no person shall make, cause or permit to be made or caused upon any premises owned, occupied or controlled by him, or upon any public street, alley or highway in the City any unnecessary noises or sounds by means of the human voice, or by any other means or methods which are physically annoying to the comfort of any person, or which are so harsh or so prolonged or unnatural, or unusual in their use, time and place as to occasion physical discomfort or which are injurious to the lives, health, peace and comfort of City inhabitants. (1956 Code §18-1.)

713.02 RADIOS, PHONOGRAPHS AND OTHER SOUND MACHINES.

No person shall play, use, operate or knowingly permit to be played, used or operated any radio receiving set, musical instrument, phonograph, sound amplifier, loud speaker or other machine or device for the reproduction of sound, upon property, real or personal, on premises owned, occupied or used by him which is not measured and regulated by decibels so that the sound coming from such machine can be audibly heard at a distance greater than 100 feet from the property or premises wherein such machine or device is located.

Nothing contained in this section shall be construed to prohibit the playing of a band or orchestra in any concert hall, auditorium, club room or public park.
(1956 Code §18-2.)

713.03 SOUND TRUCKS AND BULLHORNS; PERMITS REQUIRED; RESTRICTIONS.

(a) No person shall operate a sound truck, loudspeaker or bullhorn, battery or hand-operated, on the streets or public places of the City without first having obtained a permit from the City Clerk. Such permit shall be for a period of one day only, unless such permit shall have been granted for a longer period of time by the City Clerk or his agent and such period of time shall have been specifically noted on the permit. Such permit shall not be transferable and may not be extended as to the date it shall be used, nor shall any permit for the operation of a sound truck be issued for use earlier than 9:00 a. m. or later than 6:00 p. m. of the prevailing local time. Such permit shall only be issued for use on Monday through Saturday. For use on Sunday, special permission must be obtained from the Mayor's office. Every application for a permit shall be accompanied by a permit fee of four dollars (\$4.00). (Ord. 14-1977 §1. Passed 7-13-77.)

(b) No sound truck or loud speaker may be used which attracts the attention of motorists or pedestrians, thereby causing the blocking of streets and creating a traffic congestion and hazard. (1956 Code §18-6.)

713.04 PERMIT APPLICATION.

The application for a permit required by the preceding section shall be filed with the City Clerk. The permit issued shall be limited in accordance with the information contained in such application and shall set forth the following:

- (a) Name and home address of the applicant.
- (b) Business address of the applicant.
- (c) Name and address of the owner of the sound truck.
- (d) Make and license number of the sound truck.
- (e) Name and address of the person operating the sound truck.
- (f) Name and address of the person operating the sound equipment.
- (g) The purpose for which the sound truck will be used.
- (h) The proposed hours of operation of the sound truck.
- (i) A certificate from an engineer that such amplifying machine is so equipped and regulated by decibels, that the sound coming from such machine cannot be audibly heard at a distance greater than 100 feet from the sound truck or amplifying machine. (Ord. 14-1977 §2. Passed 7-13-77.)

713.05 POSSESSION AND DISPLAY OF PERMIT.

Once a permit is issued under this article, such permit must remain in the possession of the permittee during such times that the sound amplifying equipment is in operation. Such permit shall, upon request, be promptly exhibited to any police officer of the City. (Ord. 14-1977 §3. Passed 7-13-77.)

713.06 HORNS AND WARNING DEVICES ON VEHICLES.

No person shall sound any horn or warning device on any motor vehicle, motorcycle, bus or other vehicle, except when required by law, or to give timely warning of impending danger to persons driving other vehicles or to persons upon the street. No person shall sound any horn or warning device on any motor vehicle, motorcycle, bus or other vehicle which emits an unreasonably loud or harsh sound, or for any unnecessary or unreasonable period of time. (1956 Code §18-7.)

713.07 MUSIC FROM TAVERNS.

After 2:00 a. m., no person shall play upon or make a noise with any musical instrument in any place where intoxicating liquors are sold to be consumed on the premises, nor shall any proprietor, agent or manager of such place permit or allow the same, or permit or allow therein any music or jazz of any sort or kind, from or by a radio, victrola, player piano or any instrument, mechanical or otherwise. However, the Mayor for adequate reason may restrict the hour of 2:00 a. m. to an earlier but not later hour. (1956 Code §18-8.)

713.08 NOISY THEATER ADVERTISING.

(a) No owner or operator of any theater or moving picture show shall use or cause to be used as a means of advertisement or to attract the attention of the public, any instrument or device, musical or otherwise, that makes a loud, discordant, continuous and objectionable noise or sound, or have any person make a loud noise for such purpose with his voice, or with any instrument, so that the same becomes a nuisance to the public or to those that live or do business in the vicinity. Violation of any provision of this section shall subject the proprietor to the revocation of any City license.

(b) If the noise described in this section is being made by a person, such person shall cease to make such noise when ordered to do so by a policeman. No person shall interfere with a police officer in the performance of any duties imposed by this section. (1956 Code §3-3, 3-4.)

713.99 PENALTY.

Any person who violates any provision of this article shall, upon conviction in a summary proceeding, be fined not more than one thousand dollars (\$1,000) and costs and, in default of payment thereof, shall be imprisoned for not more than ninety days. Each violation of any provision shall be deemed to be a separate and distinct offense. (Ord. 4-1990 §2. Passed 6-6-90.)