BOROUGH OF PICTURE ROCKS, PA.

ORDINANCE NO. 1991-2

AN ORDINANCE PROHIBITING THE KEEPING OF ANIMALS MAKING DISTRIBUTING NOISES AND PRESCRIBING PENALTIES FOR VIOLATIONS.

Be it enacted and ordained by the Picture Rocks Borough Council, and the same is hereby enacted by the authority of the same that:

Section 1. Intent and Purpose. The Picture Rocks Borough Council of the Borough of Picture Rocks, 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 Borough of Picture Rocks.

Section 2. Noise Disturbance. It shall be illegal within the Borough of Picture Rocks for any person or persons to own, possess, harbor, keep or control any animal or bird which makes such noise continuously and/or incessantly for a period of ten 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. a. This ordinance shall not be deemed to prohibit or otherwise declare unlawful any agricultural opoerations protected from the nuisance suits by Act. No. 1982-133.

Section 4. 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 three hundred dollars (300.00), and/or to imprisonment for a term not to exceed ninety (90) days.

Section 5. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 6. 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 Picture Rocks Borough Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 7. Effective Date. This ordinance shall become effective on December 4, 1991.

ENACTED AND ORDAINED this __4th__ day of November 1991.

SIGNED: _____
Council President

APPROVED: _____
Mayor

ATTEST: _____
Secretary

BOROUGH OF HUGHESVILLE
ORDINANCE NO. 2-1986 of 1986

AN ORDINANCE PROHIBITING THE KEEPING OF ANIMALS MAKING DISTRIBUTING NOISES AND PRESCRIBING PENALTIES FOR VIOLATION.

Be it enacted and ordained by the Hughesville Borough Council, and the same is hereby enacted by the authority of the same that:

Section 1. Intent and Purpose. The Hughesville Borough Council of the Borough of Hughesville,, 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 Borough of Hughesville.

Section 2. Noise Disturbance. It shall be illegal within the Borough of Hughesville for any person or persons to own, possess, harbor, keep or control any animal or bird which makes such noise continuously and/or incessantly for a period of ten 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. a. This ordinance shall not be deemed to prohibit or otherwise declare unlawful any agricultural operations protected from the nuisance suits by Act No. 1982-133.

b. This ordinance shall not be deemed to prohibit the keeping of animals upon the property of the Lycoming County Fair Association for agricultural fair purposes.

Section 4. 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 three hundred dollars (300.00), and/or to imprisonment for a term not to exceed ninety (90) days.

Section 5. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinance is specifically repealed: Chapter VI, Section 2, paragraph 4.

Section 6. 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 Hughesville Borough Council that this ordinance would have been

adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 7. Effective Date. This ordinance shall become effective on March 10, 1986.

ENACTED AND ORDAINED this _10th_ day of February, 1986.

SIGNED:

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Council President

ATTEST: APPROVED:

_____   _____
Secretary   Mayor