

ORDINANCE 2004-4

An ordinance of the Township of Monroe prohibiting the keeping of animals making disturbing noises and prescribing penalties for violation.

§1. Intent and Purpose. The Board of Supervisors of the Township of Monroe 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 Monroe.

§2. Noise Disturbance. It shall be illegal within the Township of Monroe 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 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.

§3. Exceptions. 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.

§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 imprisonment for a term not to exceed ninety (90) days. Each day that a violation of this Ordinance continues, shall constitute a separate offense.

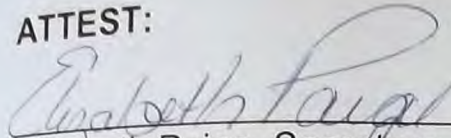
§5. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

§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 Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

§7. Effective Date. This ordinance shall become effective five (5) days after passage.

DULY ENACTED AND ORDAINED this day of June 15, 2004, by the Board of Supervisors of the Township of Monroe, Snyder County, Pennsylvania, in lawful sessions duly assembled, after a public hearing following a minimum of seven (7) days notice and after proper notice of its intent to adopt this ordinance.

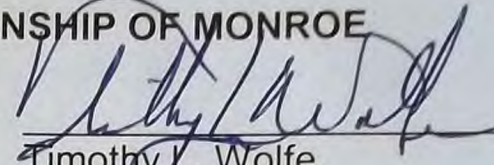
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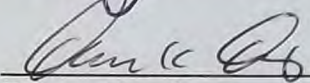

Elizabeth Paige, Secretary

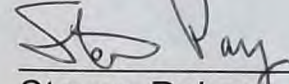
(Township Seal)



TOWNSHIP OF MONROE

BY: 
Timothy L. Wolfe

BY: 
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BY: 
Steven Paige