

ORDINANCE NO. 2003 - 1

**AN ORDINANCE AMENDING CHAPTER 37 OF THE NORTHUMBERLAND
BOROUGH CODE PERTAINING TO NOISE LIMITATIONS SO AS TO
PERMIT THE OPERATION OF CERTAIN PNEUMATIC MACHINERY FROM
THE HOURS OF 6:00 A.M. TO 10:00 P.M.**

WHEREAS, the Borough of Northumberland has previously enacted and has in force an Ordinance pertaining to noise limitations which establishes penalties for violations as set forth in Chapter 37 of the Northumberland Code, dated _____, _____, _____; and

WHEREAS, Section 37.3, Paragraph I, of the aforesaid Noise Ordinance as set forth in the Northumberland Borough Code, which pertains to the permitted operation of pile drivers and hammers within the Borough limits is inconsistent with longstanding manufacturing processes in the Borough; and

WHEREAS, the Borough has become aware of the inconsistency between the Noise Ordinance as it currently exists and the longstanding manufacturing processes in the Borough and wishes to correct the said inconsistency.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Northumberland, and it is hereby enacted and ordained by the authority of the same as follows:

Section I:

Section 37.3. Paragraph I. is revised to read as follows:

PILE DRIVERS AND HAMMERS: the operation between the hours of 6:00 A.M. and 10:00 P.M. of any pile driver, steam shovel, pneumatic hammer, pneumatic drill, derrick, steam or electric hoist or other similar appliance, the use of which is attended by loud or unusual noise shall be permitted. The operation of any such device at any other time shall not be permitted, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Building Commissioner or the Commissioner of the Streets, which permit may be granted for a period not to exceed three (3) days or less while the emergency continues and which permit may be renewed for periods of three (3) days or less while the emergency continues.

Section II:

All Ordinances or parts hereof inconsistent herewith are hereby repealed.

ENACTED AND ORDAINED into an Ordinance this _____ day of _____, 2003.

ATTEST:

BOROUGH OF NORTHUMBERLAND

Secretary

BY: _____
President of Council

Approved this _____ day of _____, 2003.

Mayor