

AN ORDINANCE OF NEWBERRY TOWNSHIP,
YORK COUNTY, PENNSYLVANIA, PROHIBITING THE
KEEPING OF ANIMALS MAKING DISTURBING NOISES
AND PRESCRIBING PENALTIES FOR VIOLATION

ORDINANCE NO. 219

BE IT ORDAINED AND ENACTED and it is hereby Ordained and Enacted by the Board of Supervisors of Newberry Township, York County, Pennsylvania, as follows:

SECTION 1. INTENT AND PURPOSE. The Board of Supervisors of Newberry Township, York County, Pennsylvania, 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 Newberry.

SECTION 2. NOISE DISTURBANCE. It shall be illegal within the Township of Newberry 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.

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.

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 (\$300.00) dollars, 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 All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.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 Board of Supervisors of Newberry Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 6. CODIFICATION. The within ordinance shall become part one of Chapter 2 of the Newberry Township Code of Ordinance.

SECTION 11. EFFECTIVE DATE. This ordinance shall become effective on the 8th day of May, 1989.

ORDAINED and ENACTED this 8th day of May, 1989.

ATTEST:

NEWBERRY TOWNSHIP
BOARD OF SUPERVISORS

Frederick L. Sanders
Secretary

BY: Red Thomas
Chairman