

**MONROE COUNTY**  
**MUNICIPAL NOISE CONTROLS**

\*no County model ordinance

SUMMARY:

-Standalone: Chestnuthill, Coolbaugh, Hamilton,

-ZO: Eldred, Jackson, Middle Smithfield, Paradise, Polk, Tobyhanna, DWG, Mt. Pocono, Stroudsburg

-Both: Stroud

**TOWNSHIPS**

**Barrett:**

\*addresses noise when applicant seeks to expand or restore a nonconforming use

the Zoning Hearing Board, in deciding upon any application for a special exception to enlarge, alter, extend, reestablish or restore a nonconforming use, shall consider the effect of the proposal set forth in the application on the following factors:

A.

Nuisance considerations.

(1)

Traffic generation.

(2)

Noise, dust, fumes, gases, odor, glare, vibration, fire and explosion hazards and other nuisances.

**Chestnuthill**

\*addressed in a separate Nuisance Ordinance

§ 74-11 Noise.

Any noise source which due to intensity, frequency, duration, location, lack of shielding or other reason which causes injury, damage, hurt, inconvenience, or discomfort to others in the legitimate use and enjoyment of their rights of person or property. Noise in excess of the greatest maximum sound level at § 119-46, Zoning, Township Code, shall be deemed a public nuisance for purposes of this chapter.

**Coolbaugh**

\*addressed in a separate Noise Ordinance

§ 262-6 Noise limits.

The following limits are established for noise in the Township:

A.

General standards. No person shall create or allow the creation of any noise or operate or cause to be operated any source of sound on property owned, leased, occupied or otherwise controlled by such person, which causes the sound level, when measured at or beyond the boundaries of the lot on which such activities take place, to exceed the noise levels specified below for the various zoning districts.

<b>Zoning Districts</b>	<b>Noise Level [Db(A)]</b>
All forest, agricultural and residential districts	62
All other zoning districts	70

B.

Special regulations. No person shall create or permit to be created any sound which can be heard at the residence of any neighbor in any residential district, as follows:

(1)

Any amplified sound.

(2)

Any repetitive animal sound.

(3)

Sound from a party exceeding 70 Db(A).

(4)

Sound from appliances or equipment exceeding 55 Db(A) except where exempted below.

(5)

Sound from any commercial or industrial activity whether located in a residential or other district.

C.

Vehicles. No person shall operate either a motor vehicle of a type subject to registration, except in police, fire equipment, ambulance or other government emergency vehicles, at any time or under any condition of grade, load, acceleration or deceleration in such a manner as to exceed the following noise limits for the category of minor vehicles based on a distance of 50 feet from the center of the lane traveled on within the speed limit specified in this section, under test procedures established by this chapter.

<b>Type of Vehicle</b>	<b>Speed Limit</b>	
	<b>35 mph or Less</b>	<b>More than 35 mph</b>
Any motor vehicle with a manufacturer's gross combination weight rating of 10,000 pounds or more and any combination of vehicles towed by such motor vehicle	86 Db(A)	90 Db(A)
Any other vehicle or any combination of vehicles towed by such motor vehicle	76 Db(A)	82 Db(A)
Any motorcycle or motor-driven cycle	78 Db(A)	82 Db(A)

D.

Equipment. No person shall operate any powered equipment or power hand tool that produces a maximum noise level exceeding the following noise limits at a distance of 50 feet, under test procedures established by this chapter.

<b>Type of Equipment</b>	<b>Noise Limit</b>
Construction and industrial machinery such as crawler-tractors, dozers, rotary drills and augers, loaders, power shovels, cranes, derricks, motor graders, paving machines, off-highway trucks, ditches, trenches, compactors, scrapers, pavement breakers, truck loaders, conveyor belts, stone crushers, compressors and pneumatic power equipment, but not including pile drivers	86 Db(A)
Agricultural tractors and equipment	86 Db(A)
Power commercial equipment of 2 HP or less, intended for infrequent use in residential areas, such as chain saws, pavement breakers, log chippers, power hand tools, etc.	86 Db(A)
Power equipment intended for repetitive use in residential areas, such as lawn mowers, small lawn and garden tools, riding tractors, snow removal equipment, etc.	

**Eldred**

\*addressed in Zoning Ordinance - Performance Standards/Environmental Protection Page VII-6

#### 701.6 Noise

A. No person shall operate or cause to be operated, on property, any source of continuous sound (any sound that is steady, fluctuating, or intermittent with a recurrence greater than one time in any fifteen second interval)

in such a manner as to create a sound level that exceeds the limits set forth for the receiving land use category

in the following table when measured at the property line of the receiving land use.

Maximum Sound Levels

Category Limits (dBA)

Period Commercial Manufacturing All Others

Monday-Saturday, 7:00 a.m.-9:00 p.m. 65 70 60

Saturday, 9:00 p.m.- Monday. 7:00 a.m.

Monday-Friday, 9:00 p.m.-7:00 a.m.

Legal Holidays, 12:00-a.m.-12:00 p.m.

60 70 50

B. For any source that emits a pure tone, the maximum sound level limits in the table above shall be reduced by

five (5) dBA. For any source that emits an impulsive sound (a sound of short duration, with an abrupt onset and

rapid decay and an occurrence of not more than one time in any fifteen second interval), the excursions of

sound pressure level shall not exceed ten (10) dBA over the ambient sound pressure level, regardless of time

of day or night or receiving land use using the "fast meter characteristic of a Type II meter, meeting the ANSI

specifications S1.4-1971, as amended.

C. The maximum sound levels listed in the table above do not apply to the following noise sources

1. Emergency alerts.

2. Emergency work to provide electricity, water, or other public utilities when public health or safety is involved.

3. Domestic power tools between the hours of 8:00 a.m. and 9:00.

4. Explosives and construction operations.

5. Agriculture.

6. Motor vehicle operations.

7. Public celebrations authorized by the Township.

8. Railroads.

9. The unamplified human voice.

10. Outdoor sports or entertainment activities approved by the Township

### **Hamilton**

\*addressed in a separate Nuisance Ordinance

### **Jackson**

\*addressed in Zoning Ordinance as a Performance Standard  
Noise.

(1)

No person shall operate or cause to be operated on private or public property any source of continuous sound (any sound which is steady, fluctuating or intermittent with a recurrence greater than one time in any 15 second interval) in such a manner as to create a sound level which exceeds

the limits set forth for the receiving land use category in the following table when measured at or beyond the property boundary of the receiving land use.

Continuous Sound Levels by Receiving Land Use		
Receiving Land Use Category	Time	Sound Level Limit
Residential, public space, open space or institutional	1. 7:00 a.m. through 9:00 p.m.	1. 60 dBa
	2. 9:00 p.m. through 7:00 a.m., plus Sundays and legal holidays	2. 50 dBa
Commercial or business	1. 7:00 a.m. through 9:00 p.m.	
	2. 9:00 p.m. through 7:00 a.m., plus Sundays and legal holidays	1. 65 dBa
Industrial	At all times	70 dBa

(2)

For any source of sound which emits a pure tone, the maximum sound level limits set forth in the above table shall be reduced by 5 dBa. For any source of sound which emits an impulsive sound (a sound of short duration, with an abrupt onset and rapid decay and an occurrence of not more than one time in any 15 second interval) the excursions of sound pressure level shall not exceed 20 dBa over the ambient sound pressure level, regardless of time of day or night or receiving land use, using the fast meter characteristic of a Type II meter, meeting ANSI S1.4-1971.

(3)

The maximum permissible sound levels by the receiving land use category as listed in the previous table shall not apply to any of the following noise sources:

(a)

The emission of sound for the purpose of alerting persons to the existence of an emergency.

(b)

Emergency work to provide electricity, water, or other public utilities when public health or safety is involved.

(c)

Domestic power tools, between the hours of 8:00 a.m. and 9:00 p.m.

(d)

Explosives and construction operations.

(e)

Motor vehicles during normal operation on public and private roads.

(f)

Public celebrations specifically authorized by the Township.

(g)

Surface carriers engaged in commerce by railroad.

(h)

The unamplified human voice.

(i)

Periodic outdoor sports or entertainment activities approved by the Township.

G.

Vibration. No vibration shall be permitted which is detectable without instruments at or beyond the property line, and no use shall generate any vibration which is capable of causing damage to buildings, structures, equipment alignment, or structural soundness. This requirement shall not apply to occasional blasting and other operations conducted in accord with applicable regulations that may be necessary during construction of streets, structures and utilities, and mineral extraction operations in compliance with state regulations.

## Middle Smithfield

\*addressed in Zoning Ordinance with specific Environmental Protection and Nuisance Standards

## Paradise

\*addressed in Zoning Ordinance under Nuisance Control

Purpose. To ensure adequate protection of the residents of the Township against possible negative effects of certain uses, processes or activities applicable to all districts, but particularly to those that permit industrial uses.

B.

Noise control. No person shall operate or cause to be operated on private or public property any source of continuous sound (any sound which is steady, fluctuating or intermittent with a recurrence greater than one time in any fifteen-second interval) in such a manner as to create a sound level which exceeds the limits set forth for the receiving land use category in the following table when measured at or beyond the property boundary of the receiving land use.

Continuous Sound Levels by Receiving Land Use		
Receiving Land Use Category	Time	Sound Level Limit (dBA)
Residential, public space, open space, agricultural or industrial	6:00 a.m. to 9:00 p.m.	60
	9:00 p.m. to 6:00 a.m. plus Sundays and legal holidays	50
Commercial or business	6:00 a.m. to 9:00 p.m.	65
	9:00 p.m. to 6:00 a.m. plus Sundays and legal holidays	60
Industrial	At all times	70

(1)

For any source of sound which emits a pure tone, the maximum sound level limits set forth in the above table shall be reduced by five dBA. For any source of sound which emits an impulsive sound (a sound of short duration, with an abrupt onset and rapid decay and an occurrence of not more than one time in any fifteen-second interval), the excursions of sound pressure level shall not exceed 20 dBA over the ambient sound pressure level regardless of time of day or night or receiving land use, using the fast meter characteristic of a Type II meter, meeting the ANSI specifications S1.4-1971.

(2)

The maximum permissible sound levels by the receiving land use category as listed in the previous table shall not apply to any of the following noise sources:

(a)

The emission of sound for the purpose of alerting persons to the existence of an emergency.

(b)

Emergency work to provide electricity, water or other public utilities when public health or safety are involved.

(c)

Domestic power tools between the hours of 6:00 a.m. and 9:00 p.m.

(d)

Construction operations between the hours of 6:00 a.m. and 9:00 p.m.

(e)

Agriculture.

(f)

Motor vehicle operations.

(g)

Public celebrations specifically authorized by the Township.

(h)

Surface carriers engaged in commerce by railroad.

(i)

The unamplified human voice in residences.

(j)

Periodic school activities.

C.

Fumes and gases. No use shall emit fumes or gases in excess of levels permitted by the United States Environmental Protection Agency (USEPA), PADEP or other appropriate regulatory agency.

D.

Dust and other emissions. The emissions of dust, smoke, refuse matter, odor or similar substances or conditions which can cause any spoiling, staining, irritation or damage to persons or property at any point beyond the property line of the use creating the emission are hereby prohibited. A water wagon or other appropriate device shall be used to keep dust to a minimum during mining operations. Any area not accessible by a water wagon shall control dust by other means.

E.

Vibration. No use shall produce physical vibrations in excess of the maximum safe levels established by the PADEP or the United States Bureau of Mines, including the criteria published in the November of 1980 USBM Report of Investigation RI-8507.

The applicant shall supply information to the Township, including the type of equipment to be used, operating times and parameters, etc., to verify proposed compliance with this requirement.

## **Pocono**

\*only a factor to consider in conditional use applications

## **Polk**

\*addressed in Zoning Ordinance under Performance Standards

H.

Noise.

(1)

Definitions. As used in this section, the following terms shall have the meanings indicated:

A-WEIGHTED NOISE LEVEL (DBA)

A measure of sound pressure in decibels with the sound pressure scale adjusted to conform with the frequency response of the human ear. A sound level meter that measures A-weighted decibels, designated as dBA, has an electrical circuit that allows the meter to have the same sensitivity to sound at different frequencies as the average human ear (2007, Australian Academy of Science).

AMBIENT NOISE LEVEL

The average A-weighted noise level (Leq) at any specified point which is representative of the noise level of that environment over an extended period of time. It is a composite of all sounds from sources both near and far.

EQUIVALENT NOISE LEVEL (LEQ)

The dBA level of a steady state sound which has the same dBA weighted sound energy as that contained in the actual time-varying sound being measured over a specific time period (2003, Eilar Associates, Encinitas, CA).

NOISE SOURCE

A single piece of equipment, or a collection of equipment under the control and operation of a single entity (e.g., a wind farm), that produces noise as a consequence of its operation. A collection of equipment may not necessarily be connected or related, if they may be operated simultaneously.

SUSPECT SOURCE

A noise source that may be in violation of this § 400-702H, identified by the nature of sounds or a correlation with the times of operation and the alleged violation.

(2)

Limits.

(a)

Ambient noise level threshold.

[1]

No noise source shall produce an A-weighted noise level at any point in the Township outside the boundaries of the property on which the noise source is located (or in the case of a project considered a single noise source, the boundaries of the collective project area) at a level in excess of 10 dBA above the ambient noise level.

[2]

An increase in excess of 10 dBA shall be permitted, provided the owner/operator of the noise source acquires a noise easement in form and content approved by the Township (solely with respect to the noise easement) from the affected property owner which establishes the maximum increase. However, no increase shall be permitted for properties separated by any public road right-of-way, and in no case shall the maximum noise level exceed the level established by § 400-702H(2)(c).

(b)

Ambient noise level. For projects being developed, the ambient noise level for the entire project may be established prior to construction of such project for the duration of construction and operation of such project by measuring the noise level near the boundaries of the property on which the project is to be constructed in accordance with § 400-702H(3) below for a continuous two-week period no more than two years prior to the start of construction of such project.

Maximum Sound Levels					
Period	Receiving Land Limits (dBA)				
	Existing Dwelling	Zoning District			
		RR, R-1, R-2	R-3	C	I
Monday through Saturday, 7:00 a.m. through 9:00 p.m.	60	60	60	65	70
Saturday, 9:00 p.m. through Monday, 7:00 a.m.; Monday through Friday, 9:00 p.m. - 7:00 a.m.	50	50	55	60	70

(c)

Maximum noise level. Notwithstanding any of the foregoing provisions of this § 400-702H(2), in no event shall a noise source produce an A-weighted noise level outside the boundaries of the property on which the noise source is located (or in the case of a project considered a single noise source, the boundaries of the collective project area) at a level in excess of the limits established in the Maximum Sound Levels Table.

**Price** — N/A

**Ross** — N/A



**Smithfield**

\*only a factor to consider in conditional use applications

**Stroud**

\*addressed in a Nuisance Ordinance and Zoning Ordinance Performance Standard

**Tobyhanna**

\*addressed in Zoning Ordinance

Prohibited uses. Any use not specifically permitted in a zone established by this chapter is hereby specifically prohibited from that district, and the following uses and activities are specifically prohibited in any district in the Township:

(1)

The use of any building or premises in such a manner that the health, morals, safety or welfare of a community may be endangered.

(2)

Any trade, industry or purpose that is noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise.

**Tunkhannock — N/A**

## BOROUGHS

### **Delaware Water Gap**

\*addressed by Zoning Ordinance

§65 Noise

A. Definitions.

(1) A-weighted Noise Level (dBA). A measure of sound pressure in decibels with the sound pressure scale adjusted to conform with the frequency response of the human ear. A sound level meter that measures A-weighted decibels, designated as dBA, has an electrical circuit that allows the meter to have the same sensitivity to sound at different frequencies as the average human ear (2007, Australian Academy of Science).

(2) Equivalent Noise Level (Leq). The dBA level of a steady state sound which has the same dBA weighted sound energy as that contained in the actual time-varying sound being measured over a specific time period (2003, Eilar Associates, Encinitas, CA).

(3) Ambient Noise Level. The average A-weighted Noise Level (Leq) at any specified point which is representative of the noise level of that environment over an extended period. It is a composite of all sounds from sources, both near and far.

(4) Noise Source. A single piece of equipment, or a collection of equipment under the control and operation of a single entity (e.g., a wind farm), that produces noise because of its operation. A collection of equipment may not necessarily be connected or related, if they may be operated simultaneously.

(5) Suspect Source. A Noise Source that may be in violation of this §65 identified by the nature of sounds or a correlation with the times of operation and the alleged violation.

### **East Stroudsburg**

\*addressed by standalone Peache and Good Order Ordinance

§ 117-1 Prohibited conduct.

Any person who shall commit any disturbance or who shall be guilty of any act, word or conduct causing or tending to cause a disturbance of the peace and good order of the Borough; or who shall cause or tend to cause any loud or unusual noise; or who shall use any profane, scandalous, insulting, obscene, lewd, filthy or other indecent language to any person or in the hearing of any person or persons or causing or tending to cause any danger, discomfort or annoyance to any of the inhabitants of the Borough of East Stroudsburg or users of the Borough thoroughfares; or who shall make any immodest, immoral, lewd or other indecent act to or in the presence of any other person or persons; or who shall unlawfully and willfully make any boisterous, raucous or unseemly noise or disturbance, or who shall fight or quarrel or incite others to fight or quarrel; or who shall loaf or loiter or congregate upon any of the public streets or alleys or public grounds in

the Borough of East Stroudsburg to the annoyance of the peaceful residents nearby or to any member of the traveling public upon any street or alley or being lawfully upon any of the public grounds in the Borough so as to disturb the good order, quiet and welfare of the Borough whereby the public peace is broken or disturbed shall be guilty of disorderly conduct, which is hereby prohibited within the Borough of East Stroudsburg.

**Mount Pocono**

\*addressed by Zoning Ordinance

D.

Racetracks. All racetracks for motor-driven vehicles, including but not limited to automobiles, trucks, go-carts, motorcycles, motor scooters, dune buggies, watercraft, and the like, shall be located not less than 1,000 feet from any R-1, R-2 or R-3 District, and the track/course shall not be less than 500 feet from any property line or public road right-of-way.

**Stroudsburg**

\*addressed by Zoning Ordinance

Noise. The sound level of any operation (other than outdoor athletic facilities and the operation of motor vehicles or other transportation facilities, operations involved in the construction or demolition of structures, emergency alarm signals or time signals) shall not exceed the decibel levels in the designated octave bands as stated below. The sound-pressure level shall be measured with a Sound Level Meter and an Octave Band Analyzer that conform to specifications published by the American Standards Association (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, Z 24, 3-1944, American Standards Association, Inc., New York, New York, and the American Standard Specification for Octave-Band Filter Set for the Analysis of Noise and Other Sounds, Z 24, 10-1953, American Standards Association, Inc., New York, New York, shall be used).

The maximum permissible sound-pressure levels for smooth and continuous noise shall be as follows (all of the decibel levels stated below shall apply in each case):

Frequency Band (Cycles per Second)	Maximum Permitted Sound-Pressure Level (Decibels)
0 — 150	67
150 — 300	59
300 — 600	52
600 — 1,200	46
1,200 — 2,400	40
2,400 — 4,800	34
Above 4800	32

**Frequency Band  
(Cycles per Second)**

**Maximum Permitted Sound-Pressure Level  
(Decibels)**

If the noise is not smooth and continuous or is radiated during sleeping hours, one or more of the corrections shall be added to or subtracted from each of the decibel levels given above.

<b>Type of Operation or Character of Noise</b>	<b>Correction in Decibels</b>
Noise occurs between the hours of 10:00 p.m. and 7:00 a.m.	3
Noise occurs less than 5% of any one-hour period	+5
Noise is of periodic character (hum, scream, etc.), or is of impulsive character (hammering, etc.). (In the case of impulsive noise, the correction shall apply only to the average pressure during an impulse, and impulse peaks shall not exceed the basic standards given above).	

2.  
Smoke, Dust, Fumes, Gases, Odors, Mists, Vapors and Pollens. The emission of smoke, dust, fumes, gases, odors, mists, vapors, pollens and similar matter, or any combination thereof, which can cause any damage to human or animal health or vegetation, or to other forms of property, or which can cause any soiling or staining of persons or property at the point beyond the lot line of the use creating the emission is prohibited. Standards concerning such emissions shall be in accord with the rules and regulations of the following source: The Air Pollution Control Act, the Act of January 8, 1960, P.L. 2119, as amended 35 P.S., Article 4001, et seq.