

WORTH TOWNSHIP BUTLER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2020-001

AN ORDINANCE OF THE TOWNSHIP OF WORTH, BUTLER COUNTY, PENNSYLVANIA, REGULATING THE USE OF SOUND SYSTEMS.

WHEREAS, the Worth Township Board of Supervisors believes that it is in the best interest of the health, safety and welfare of the residents of and visitors to Worth Township to regulate the use of sound systems.

THEREFORE, be it ordained and enacted, and it is hereby ordained and enacted, by the Board of Supervisors of Worth Township as follows:

Section 1. Recitals. The recitals set forth above are made a part hereof.

Section 2. Purpose and Findings. Worth Township intends to preserve the health, safety and welfare of the residents and neighborhoods within its boundaries by regulating the utilization of sound systems to help alleviate disturbances of the general peace and tranquility of Worth Township.

Worth Township finds that:

- a. Events and gatherings which utilize sound systems, whether held on private or public property, can, if misused, create neighborhood disturbances and other conditions which result in a general disturbance of the peace and can impact the health, safety and welfare of the surrounding community. As such, sound systems will require permits to allow the Township, law enforcement officials and/or emergency responders to properly plan for, respond to and/or abate potential misuse.
- b. The event host, organizer, management entity and/or property owner are deemed to be responsible for the proper use of sound systems in a manner to be a responsible neighbor.

Section 3. Definitions. For purposes of this subsection, "sound systems" means portable electric or electronic sound systems for amplifying live or recorded music or live or recorded speaking, as the case may be), by utilizing amplifiers, microphones, amplified acoustic musical instruments and the like. This use is hereafter referred to as an "amplified event".

An "amplified event" shall mean any gathering of fifty (50) or more people or a place of gathering promoted in such a fashion to attract fifty (50) more people, for the purposes involving sound systems.

Section 4. Permit Required. The use of sound systems or an amplified event shall require a permit from the Township. The permit will be required for event or gatherings with (50) or more people in attendance. The permit shall be requested from and issued by the Worth Township secretary. The applicant shall apply for a permit at least sixty (60) days prior to utilizing a sound system. All permits shall be conspicuously posted at the site of the amplified event. Permit fees shall be determined by Resolution of the Board of Supervisors from time to time enacted.

Section 5. Setback. The sound system equipment used shall not be oriented toward a single- family residence located within one thousand (1000) feet of the sound system equipment. Further, to the extent possible, sound amplification equipment shall be oriented so that sound is directed away from the closest residential property.

Section 6. Hours of Operation. Sound systems used for amplified events shall be utilized only between the hours of 10 A.M. and 10 P.M. on Sunday through Thursday and between 10 A.M. and 12 A.M on Friday and Saturday. A request to extend time shall be filed in writing at the same time as the application is filed. An application to extend time shall be mailed by the applicant to all properties within one thousand (1000) feet of the property boundary of the event, based on the on-line county GIS maps. An application to extend time may be granted by the Board of Supervisors only upon good cause.

Section 7. Revocation of Permit. The Pennsylvania State Police and/or the authorized Township Supervisor shall have the authority to enter upon the property to revoke the Sound System event permit upon the violation of any of the terms and conditions of the use permit or of the provisions of this Section. Upon such revocation, the use of any and all sound amplification shall cease and desist immediately. No property or person in violation of the Sound System Ordinance shall be eligible for a use permit under this Section within a calendar year that the violation occurs, except on permission of the Board of Supervisors for good cause.

Section 8. Penalty. Any person who violates or permits a violation of this Section shall, upon being found liable therefore in an enforcement proceeding commenced by the Township before a Magisterial District Judge, shall pay a fine of not more than One Thousand (\$1,000.00) Dollars, plus all Court costs, including reasonable attorney's fees, incurred by the Township in the enforcement of this Section; and in the failure to do so, undergo imprisonment for a term not to exceed thirty (30) days.

Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to issue a cease and desist notice, enter upon the property to abate the violation and/or seek equitable relief, including injunction, to enforce compliance herewith. A person who violates this Ordinance shall also be responsible for the Township's attorney's fees, engineering fees, expert fees and Court costs associated with enforcement.

Section 9. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the balance of this Ordinance and the application of such provision will remain in effect to the full extent permitted by law.

Section 10. Effective Date. The effective date of this Ordinance is five (5) days after enactment.

ORDAINED AND ENACTED this 5 day of May, 2020.

ATTEST:

WORTH TOWNSHIP BOARD OF SUPERVISORS

BY: [Signature]

Chairman

BY: [Signature]

Vice-Chairman

BY: [Signature]

Supervisor

[Signature]
Township Secretary