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ARTICLE 707  
Noise

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707.01 DEFINITIONS

- a.) Person. A natural person, heirs, executors, administrators or assigns, and includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid. (Ord. 2 of 2019, Passed 05-06-19)

707.02 UNLAWFUL ACTS

- a.) It shall constitute the offense of disorderly conduct for any person to make or continue to make, or cause to be made or continued, within the City, any loud or unnecessary noise or any noise which may reasonably be anticipated to annoy, disturb, injure or endanger the comfort, repose, peace, health or safety of others, whether due to volume or duration, or both.
- b.) Without limitation as to the types of noise producing acts which are in violation of this Article, noise produced by the following acts is declared to be loud, disturbing and unnecessary noise in violation of this Article:
- (1) Use or operation of, or permitting the use or operation of, any radio, CD player, digital audio player, portable media player, television, musical instrument, phonograph, loudspeakers, amplifiers or any other machine or device designed to or intended to produce or reproduce sound in such a manner as to disturb the peace, quiet and comfort of residential inhabitants or at any time with louder volume than is necessary for convenient hearing by the person or persons whom are in the room, vehicle or chamber in which such machine or device is operating and who are voluntary listeners thereto. The operating of any such machine or device between the hours of 10:00 p.m. and 6:00 a.m., prevailing time, in such a manner as to be plainly audible at a distance of fifty (50) feet from the property line or vehicle in which it is located shall be prima facie evidence of a violation of this Article.
  - (2) Yelling, shouting, whistling or singing on public streets between the hours of 10:00 p.m. and 6:00 a.m., prevailing time, or at any time or place so as to annoy or disturb the quiet, comfort or repose of any persons in any commercial or residential location, whether inside or

outside of any building or dwelling, or of any person in the vicinity.

### 707.03 EXCEPTIONS

This Article shall not apply to:

- (a) Any activity described in Section 707.02(b)(1) of this Article that occurs in the Central Business District between the hours of 6:00 a.m. and 10:00 p.m., prevailing time.
- (b) Any activity described in Section 707.02(b)(1) of this Article that occurs on property owned or operated by the City of Franklin, the General Authority of the City of Franklin, or the Franklin Industrial and Commercial Development Authority, that is authorized by the City or said authorities, or performed by any person employed or contracted by the City or said authorities.
- (c) Any and all manufacturing operations conducted within the area of the City that is zoned as an Industrial District.

### 707.04 PENALTIES

Any person who shall violate any provision of this Ordinance shall, upon conviction thereof in a summary proceeding, be punishable by a fine of not more than Three Hundred Dollars (\$300.00) and costs of such proceedings or, upon default of payment of such fine and costs, by imprisonment in the Venango County Prison for a term of not more than thirty (30) days; provided, however, that if the Magisterial District Judge determines that the defendant is without the financial means to pay the fines and costs immediately or in a single remittance, such defendant shall be permitted to pay the fines or costs in installments and over such periods of time as the Magisterial District Judge deems to be just.”