

**HORSHAM TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2026-02

**AN ORDINANCE AMENDING THE CODE OF HORSHAM TOWNSHIP,
ESTABLISHING A NEW CHAPTER 153, NOISE, AND ESTABLISHING
PURPOSES, DEFINITIONS, PROHIBITIONS ON NOISE AND TIME
LIMITATIONS, NOISE MEASUREMENT LOCATIONS AND DEVICES,
EXCEPTIONS, FINES, PENALTIES, VIOLATIONS, AND ENFORCEMENT
PROVISIONS RELATED TO NOISE DISTURBANCES IN THE TOWNSHIP**

WHEREAS, the Horsham Township Home Rule Charter and the Second Class Township Code authorizes the Horsham Township Council to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management and control of the Township and the health, safety, and welfare of the Township and its citizens and guests;

WHEREAS, the Horsham Township Council finds that excessive noise can be a serious hazard to the public health, welfare, safety and quality of life and that the public has a right to, and should be ensured of, an environment free of excessive noise;

WHEREAS, the Horsham Township Council finds that excessive levels of sound are detrimental to the physical, mental and social well-being of the residents as well as to their comfort, living conditions, general welfare and safety, and being therefore a public health and welfare hazard;

WHEREAS, the Horsham Township Council has met the procedural requirements of the Horsham Township Home Rule Charter for the adoption of this proposed ordinance;

WHEREAS, the Horsham Township Council, after due consideration of the proposed ordinance at a duly advertised public meeting, has determined that the health, safety, and general welfare of the citizens and residents of the Township will be served by an amendment to the Horsham Township Code to adopt noise regulations within the Township that will prevent excessive noise that may jeopardize the health, welfare or safety or degrade the quality of life of the citizens of Horsham Township.

NOW, THEREFORE, THE HORSHAM TOWNSHIP COUNCIL DOES HEREBY ENACT AND ORDAIN, by the authority of the same, to wit:

SECTION 1. CODE AMENDMENT. A new Chapter 153 shall be added to the Horsham Township Code, entitled “Noise”, and shall provide for the following:

CHAPTER 153. NOISE

§ 153-1. Purpose

Horsham Township Council, finding that excessive levels of sound are detrimental to the physical, mental and social well-being of the residents 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 Horsham Township limits.

§ 153-2. Definitions.

All terminology used in this chapter shall be in conformance with the applicable publications of the most current edition of the American National Standards Institute (ANSI) or its successor body. The following words and terms, as used herein, shall have the following meanings:

A-WEIGHTED SOUND PRESSURE LEVEL (SPL) - The logarithmic sum of the decibel levels of the full frequency range between 20 Hz and 20,000 Hz weighted to correlate to the loudness of sounds as perceived by the human ear using the A-weighted network.

BACKGROUND SOUND LEVEL - The measured sound level in the area, exclusive of spontaneous, extraneous sounds, and the sound contribution of the specific source in question.

DECIBEL (dBA) - A unit for measuring the sound-pressure level, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals or 0.0002 microbar.

EQUIVALENT CONTINUOUS SOUND PRESSURE LEVEL (LEQ) - The constant sound level which contains the same amount of sound energy over a given time period as the fluctuating sound. It is considered to be the average sound level within each measurement period. The LEQ shall be measured on the A-weighted scale, and the time interval shall be 10 minutes.

MEASUREMENT INSTRUMENT - A Type I or Type II sound level meter as specified by the most current ANSI standard using the A-weighting network as specified in the most current edition of the ANSI standard or its successor.

NONRESIDENTIAL DISTRICT(S) - Land within any zoning district other than a Residential District (as defined below), as provided in Chapter 230, Zoning, of the Township Code.

PERSON - Any individual, firm, corporation, association or partnership.

PLAINLY AUDIBLE - Any sound that can be clearly detected, tracked, or heard by a person with

normal, unaided hearing faculties. As an example, if the sound source under investigation is a portable or personal vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The listener need not be able to determine the title, specific words, or the artist performing the song.

PROPERTY LINE - The boundary between adjoining lots, dwelling units, and/or condominium units owned, rented or leased by different persons, and also, for any two or more buildings on the same lot, the line drawn midway between any two said buildings.

RESIDENTIAL DISTRICT(S) - Land within a R-1, R-2, R-2A, R-3, R-4, R-5, R-6, R-7, or R-8 Residential District, MR-1 or MR-2 Mixed Use District, BC - Business Campus District, RGCC - Residential Golf Course Community District, or the MHD - Mobile Home Development District.

WEEKDAY DAYTIME HOURS – The hours between 7:00 a.m. and 9:00 p.m. on Mondays through Fridays. Federal and commonwealth holidays during such timeframe shall be subject to Weekend Daytime Hour requirements.

WEEKDAY NIGHTTIME HOURS – The hours between 9:00 p.m. and 7:00 a.m. of the following day between and including Sunday evening through and including Friday morning. Federal and commonwealth holidays during such timeframe shall be subject to Weekend Nighttime Hour requirements.

WEEKEND DAYTIME HOURS - The hours between 8:00 a.m. and 11:00 p.m. on Saturdays and Sundays and all federal and/or commonwealth holidays.

WEEKEND NIGHTTIME HOURS – The hours between 11:00 p.m. and 8:00 a.m. of the following day between and including Friday evening through and including Sunday morning and all federal and/or commonwealth holidays.

§ 153-3. Excessive noise prohibited.

It shall be unlawful for any person to make, permit, or produce excessive noise. Such noise shall be considered excessive, and shall be deemed a public nuisance, if the sound is in violation of any of the provisions of §153-4 below.

§ 153-4. Maximum permissible sound pressure levels.

- A. No person, activity or equipment shall create or cause, or permit the creation of, sound pressure levels and/or LEQ average sound pressure levels received by a property in a Residential District or Nonresidential District during Daytime Weekday Hours, Daytime Weekend Hours, Nighttime Weekday Hours and/or Nighttime Weekend Hours exceeding the following limits:

Maximum A-Weighted Sound Pressure Levels (SPL)
Daytime Weekday or Weekend / Nighttime Weekday or Weekend

Receiving Property	Time of Day – Weekday or Weekend	Maximum SPL (dBA)	LEQ Average SPL (dBA)
Residential District	Daytime	75	70
	Nighttime	60	50
Nonresidential District	Daytime	75	70
	Nighttime	65	55

B. No person or equipment shall create or cause, or permit the creation of, sound exceeding the noise levels established under §230-49(I), Environmental Resource Protection, Noise.

C. In addition to noise disturbances prohibited under Subsection A and B above, the following actions are specifically prohibited within a Residential District during Weekday Nighttime Hours and Weekend Nighttime Hours, in such a manner that such activities are Plainly Audible across a Property Line, unless otherwise exempted or specified in this chapter or unless authorized by the Township Manager or their designee:

- (1) Loading or unloading trucks or other motor vehicles, including for deliveries, or opening, closing or otherwise handling boxes, crates, containers, building materials, garbage cans or other objects, including such noise coming from the vehicle itself. This restriction shall not apply to residential oil deliveries.
- (2) Rebuilding, testing, or otherwise working on any motorcycle, motor vehicle, motorboat, aircraft, or other similar vehicle.
- (3) Excepting emergency work, the operating or permitting the operation of any equipment used in construction, repair, alteration or demolition work on buildings, structures, streets, alleys or appurtenances thereto, including, but not limited to, drilling, cutting, or hammering.
- (4) Except when necessary to provide clear vehicular or pedestrian access to and from a property due to a storm of an unexpected occurrence resulting in the access obstruction or as otherwise exempt or specified in this chapter, operating or permitting the operation of any power equipment powered by gasoline, electric, battery-operated, or similar power sources, used for home or building repair or grounds maintenance, including, but not limited to, power saws, power generators, chainsaws, sanders, lawn mowers, string trimmers, hedge or tree trimmers, leaf blowers, wood chippers, or other lawn or garden equipment, power tools, or snow removal equipment.
- (5) Operating or permitting the operation of any model aircraft powered by internal combustion engines, whether tethered or not, the firing or operating of model rocket vehicles, operating a drone for non-commercial purpose, or other similar noise-producing

devices.

- (6) Operating or permitting the operation of a recreational vehicle, including, but not limited to, all-terrain vehicles, trail bikes, dirt bikes, mini-bikes, go-carts, dune buggies, snowmobiles, quads and the like, regardless of whether the operator is upon the private property of the operator or on the private property of some third person who has granted permission to the operator to be operating the recreational vehicle on their property.
 - (7) Playing or permitting the operation or playing of any radios, stereos, television sets, musical instruments and similar devices which produces, reproduces or amplifies sound, or amplified speech or song, in such a manner as to be Plainly Audible across a Property Line or from within another dwelling unit, nor shall these activities take place occur in such a manner as to create a noise disturbance across a Property Line or at 50 feet from such device, whichever is less, when the device is operated in or on a motor vehicle or hand-carried on a public right-of-way or public space.
- D. Collecting or permitting the collection of garbage, waste or refuse and/or street sweeping activities shall be permitted to occur between 6:00 a.m. and 8:00 p.m. any day of the week.
- E. Golf Courses shall be permitted to utilize grounds maintenance equipment, including, but not limited to, lawnmowers, string trimmers, hedge or tree trimmers, and leaf blowers, or other lawn or garden equipment necessary for the daily preparation of the Golf Course between the hours of 6:00 a.m. and 9:00 p.m. any day of the week, unless such noise is not Plainly Audible across a Property Line.
- F. Noise from animals and birds:
1. Owning, possessing, harboring or controlling any animal or bird which howls, barks, meows, squawks or makes other sounds continuously and/or incessantly for a period of 10 minutes or makes such noise intermittently for 1/2 hour or more to the disturbance of any person at any time of the day or night, regardless of whether the animal or bird is situated in or upon private property; provided, however, that at the time the animal or bird is making such noise, no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated or for any other legitimate cause which teased or provoked the animal or bird.
 2. This subsection only applies when two or more persons file complaints about the animal or bird. However, prior to filing the complaint, the complainants must first request the person owning, possessing, harboring or controlling the animal or bird to take action to prevent the animal or bird from creating a noise disturbance. If, after making the request to the person owning, possessing, harboring or controlling the animal or bird, the noise disturbance continues, a complaint may be filed.
- G. Motor vehicle prohibitions.
1. Motor vehicles and motorcycles on public rights-of-way. No person shall operate or cause to be operated a public or private motor vehicle or motorcycle, or any equipment attached to such a vehicle, on a public right-of-way at any time in such a manner that the sound level emitted by the motor vehicle or motorcycle, or any equipment attached to such a

vehicle, exceeds the level set forth in Title 67, Chapter 450, of the Pennsylvania Department of Transportation Regulations (Established Sound Levels).

2. Standing motor vehicles. No person shall operate or permit the operation of any motor vehicle, or any auxiliary equipment attached to such a vehicle, for a period longer than 15 minutes in any hour while the vehicle is stationary, for reasons other than traffic congestion, anywhere within 150 feet of any residence in such a manner as to cause a noise disturbance across a Residential District Property Line.
 3. Unnecessary horn blowing. No person shall at any time sound the horn or other warning device of a vehicle except when absolutely necessary as a warning while actually driving such vehicle.
- H. Prima facie violation. The noise from any of the aforesaid prohibited acts that disturbs two or more residents who are in general agreement as to the times and durations of the noise and who reside in separate residences (including apartments and condominiums) located across a Property Line from the property on which the source of the noise is generated shall be prima facie evidence of a noise disturbance in violation of this chapter.
- I. If there are any provisions of the Horsham Township Code that set forth noise standards or authorize activities that conflict with the noise level regulations set forth in this chapter, the more restrictive language shall apply.
- J. Where there is a conflict between a specific provision and a general provision of this section, the specific provision shall take precedent.

§ 153-5. Noise measurement locations.

- A. Unless otherwise specified, sound measurements, including the discernment of whether a noise is Plainly Audible, shall be made on the receiving property at least ten (10) feet from the Property Line nearest the noise source, or at least five (5) feet from a habitable structure on the receiving property, whichever is less, and at least three (3) feet above the ground. Where the source of the noise occurs within a multiunit building, or where buildings have a common party wall, the measurement shall be taken in a habitable space in the complainant's dwelling unit closest to the noise source.
- B. The background sound level shall be measured at the same location as the measurement for the sound contribution of the specific source in question and at a time immediately following that measurement. All sound measurements shall be made using the zoning district permissible sound pressure limits of the receiving property found in §153-4. This provision does not apply to a determination of whether a noise is Plainly Audible.

§ 153-6. Measurement instrument.

- A. If a sound measurement is required to determine a sound level, such measurement shall be taken with a measurement instrument as defined in §153-2. The manufacturer's published indication of compliance with such specifications shall be prima facie evidence of such compliance.

- B. No measurement instrument shall be required to determine whether a sound is Plainly Audible under this chapter.

§ 153-7. Exemptions.

- A. The following activities are exempt from the provisions of this chapter, subject to compliance with any restrictions listed below:
1. Traffic noises. Noises from the lawful operation of motor vehicles, utility vehicles, or emergency service vehicles.
 2. Noises created by governmental units, including Horsham Township, including activities on Township parks and other Township properties.
 3. Noises created by emergency service facilities.
 4. Noises created or necessitated by a government declared emergency and civil defense activities.
 5. Warning devices: sounds made by warning devices, including vehicle or home alarms, operating continuously for no more than two minutes, except that in the event of an actual emergency the time limitation shall not apply.
 6. Noise created by emergency generators during a power outage. Noise created by emergency generator testing shall be exempt, but only during Weekday Daytime Hours or Weekend Daytime Hours for a maximum of 20 minutes, unless other governmental regulations apply.
 7. Noise caused by snow removal activity.
 8. Mechanical equipment that was in place and Code-compliant as of the date of enactment and that is operating normally, but above the limits set forth in § 153-4 A or B, is required to be brought into compliance to the greatest extent possible, as determined by the Township Manager or their designee, by use of sound baffling or other screening technology.
 9. Noise created by life safety equipment, including but not limited to fire pumps, sirens, required fire alarm systems, ventilation systems controlled by CO detectors or similar devices, safety signals, warning devices, emergency pressure relief valves, or other sound needed to alert people about an emergency;
 10. Aircraft and railway transportation pursuant to commonwealth or federal regulations.
 11. Noise resulting from any authorized emergency vehicle when responding to an emergency call or from any source acting in time of emergency;
 12. Municipal and utility services: sounds resulting from the repair or replacement of any municipal or utility installation in or about the public right-of-way.
 13. Noise resulting from public festivals, celebrations, lawful fireworks, and noisemakers, when permitted by the Township or used for celebration of an official holiday authorized by the Township, commonwealth, or federal government;
 14. Routine and customary sounds of ringing of bells and chimes by a place of worship;
 15. Noise resulting from any athletic, recreational, or other such outdoor activity from an official Township, school district, or other organized league recognized by the Township;
 16. Blasting, only if performed in accordance with a permit issued by the Pennsylvania

Department of Environmental Protection, the Township or any other governmental agency having jurisdiction. Such blasting may occur only between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday, unless specifically authorized at different times by the DEP permit;

§ 153-8. Violations and penalties.

- A. Any person which shall violate any of the provisions of this chapter shall, upon conviction thereof, pay a fine in the amount of \$500 to be collected by summary proceedings brought in the name of the Township in addition to court costs and attorneys' fees incurred in enforcement of the violation. For each twenty-four (24) hour period that a violation exists or continues, a new and separate offense shall be deemed to have been committed.
- B. Notwithstanding the foregoing and the exercise of the powers contained herein, in addition to seeking fines, the Township may also institute appropriate proceedings in courts of equity to enforce any provisions of this chapter, including injunctive relief. In such instances, the Township shall be entitled to recover reasonable attorneys' fees, court costs, and other expenses associated with the enforcement activities or related legal proceedings, including sampling and monitoring expenses.

§ 153-9. Chapter cumulative.

This chapter shall be cumulative and shall be in addition to other Township regulations and, in particular, to any regulations pertaining to disorderly conduct, nuisance or zoning. This chapter and the foregoing penalties shall not be construed to limit or deny the right of the Township or any person to such equitable or legal remedies as may otherwise be available.

SECTION 2. REPEALER. Unless specified above or otherwise preserved, all Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 3. REVISIONS. Horsham Township Council does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

SECTION 4. SEVERABILITY. In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance amendment shall become effective at the earliest time provided by law pursuant to the Horsham Charter.

SECTION 6. FAILURE TO ENFORCE NOT A WAIVER. The failure of Horsham Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

ORDAINED AND ENACTED by the Horsham Township Council, Montgomery County, Pennsylvania, this 8th day of July, 2026.

ATTEST:


William T. Gildea-Walker, Manager

**TOWNSHIP COUNCIL OF
THE TOWNSHIP OF HORSHAM**

BY: 
Samantha Slaff, President