

ARTICLE 509

Enforcement and General Penalty

509.01 Duty To Enforce

509.02 Direction Of Traffic

509.03 Unnecessary Noise By or From a Motor Vehicle a Nuisance

509.99 General Penalty

CROSS REFERENCES

Prosecution under local ordinance superseded by State law - See Vehicle Code §6301

Authority of police officer - See Vehicle Code §6308 (b)

Local police enforcement - See Vehicle Code §6505 (b), (c)

Parking generally - See TRAF. Art. 531

Parking meters - See TRAF. Art. 533

Impounding - See TRAF. Art. 535

Bicycle violations - See TRAF. Art. 543

509.01 DUTY TO ENFORCE.

It shall be the duty of the Police Department to enforce this Traffic Code and all ordinances and regulations of the Pennsylvania Vehicle Code. (Ord. 1769 §4. Passed 11/13/62.)

509.02 DIRECTION OF TRAFFIC.

(a) The Police Department including fire police and/or auxiliary police, is authorized to direct all traffic by voice, hand or other signals. In the event of a fire or other emergency, to expedite traffic or to safeguard pedestrians, the Police Department may direct traffic as conditions may require.

(b) Members of the Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity. (Ord. 1769 §4. Passed 11/13/62.)

509.03 UNNECESSARY NOISE BY OR FROM A MOTOR
VEHICLE A NUISANCE

(a) The making of unnecessary noise, by or from a motor vehicle upon, near or adjacent to the streets or other public places in the City by horns, engine whistles, bells, sirens, radios, amplifying systems or otherwise, is declared to be a public nuisance. Prohibited conduct shall include, but not be limited to the following:

- (1) No person shall operate or allow to be operated a radio, stereo, boom box, tape and/or CD player or any other type of sound reproduction device at a sound level which is audible at a distance of greater than forty (40) feet from the location of such motor vehicle.
 - (2) No person shall operate or allow to be operated a motor vehicle unless the vehicle is equipped with a muffler or other effective noise suppressing system in good working order and in constant operation. Further, no muffler or exhaust system shall be equipped with a cutout, bypass or similar device so as to cause unnecessary noise.
 - (3) No person shall operate or allow to be operated a motor vehicle or any equipment attached thereto on a public right of way at any time in such a manner that the sound emitted by the motor vehicle or any equipment attached thereto exceeds the levels set forth in Pennsylvania Department of Transportation Regulations Title 67, Chapter 157, Subchapter B, 67 Pa. Code § 157.11, and all amendments thereto.
 - (4) No person shall cause or allow the making of more than one false alarm within twenty-four (24) hours by a motor vehicle alarm.
- (b) The provisions of this Section 509.03(a) shall not apply to:
- (1) Police, Fire and Ambulance Vehicles or Devices.

The emission of sound, including radios, public address

systems or other communications devices from a police, fire and/or ambulance vehicle.

(2) Municipal and Utility Services Vehicles or Devices.

The emission of sound from a municipal and/or utility services vehicle or device.

(3) Places of Religious Worship.

The sound of any bell or chime used in conjunction with places of religious worship.

(4) Political and Labor Rallies, Athletic Events or City of Bethlehem Licensed, Permitted or Authorized Events.

The use of devices such as public address systems, amplifying systems, bull horns, musical instruments, tape messages or similar devices which are used at political or labor rallies, or athletic events or other City of Bethlehem licensed, permitted or authorized events to the extent already protected by law.

(5) Construction and Improvements

The operating of any tools or equipment used in construction, drilling or demolition work, provided that such work does not occur between 9:00 p.m. and 6:00 a.m. unless a special permit is obtained from the Community and Economic Development Director or his designated representative.

(6) Emergencies

The emission of sound for the purpose of alerting persons to the existence of an emergency or emitted in response to an emergency.

(c) The provisions of this ordinance are not intended to interfere with, abrogate or annul other rules, regulations or ordinances, including Title

18 and Title 75, Pennsylvania Consolidated Statutes. If more stringent requirements are contained elsewhere the more stringent rules or regulations shall apply. Any sound measurements required to be made on a sound level meter shall be performed, and required calibrations shall be made, pursuant to Pennsylvania Department of Transportation Regulations Title 67, Chapter 157, and all amendments thereto.

(Ord. 4399. Passed 11/8/06.)

509.99 GENERAL PENALTY.

(a) Any person who violates any provision of this Article shall be subject to the following penalties:

- (1) First violation - A fine of not less than \$50.00 nor more than \$100.00;
- (2) Second violation - A fine of not less than \$100.00 nor more than \$300.00;
- (3) Third and Each Subsequent Violation - A fine of not less than \$500.00, or thirty days imprisonment, or both.

(Ord. 2623 §6. Passed 10/3/78; Ord. 4399. Passed 11/8/06.)