

## ARTICLE V ENVIRONMENTAL PROTECTION

501. EROSION CONTROL. The landowner, person and/or entity performing any earth disturbance shall utilize sufficient measures to prevent soil erosion and sedimentation of creeks.
- 501..A. The disturbed land area and the duration of exposure shall be kept to a practical minimum.
- 501.B. Any earth disturbance over 5,000 square feet of land area shall require the submission of an adequate Erosion and Sedimentation Control Plan to the County Conservation District.
- 501.C. See State erosion control regulations (Note: as of the adoption date of this Ordinance, such provisions were in 25 PA. Code Chapter 102).
502. NUISANCES AND HAZARDS TO PUBLIC SAFETY. No land owner, tenant nor leasee shall use or allow to be used any land or structures in a way that results or threatens to result in any of the following conditions:
- 502.A. Transmission of communicable disease, including conditions that may encourage the breeding of insects or rodents.
- 502.B. A physical hazard to the public, or a physical hazard that could be an attractive nuisance that would be accessible by children.
- 502.C. Pollution to groundwaters or surface waters, other than as authorized by a State or Federal permit.
- 502.D. Risks to public health and safety, such as but not limited to explosion, fire or biological hazards.
- 502.E. Interference with the reasonable use and enjoyment of property by a neighboring landowner of ordinary sensitivities.
503. WETLANDS. The Zoning Officer may require an applicant to prove that a suspect.area proposed for alteration does or does not meet the State or Federal definition of a "wetland."
504. FLOOD-PRONE AREAS. See the Borough Floodplain Ordinance, as amended.
505. NOISE.
- 505.A. No principal or accessory use, or operations or activities on its lot, shall generate a sound level exceeding the limits established in the table below, when measured at the specified locations:

Sound Level Limits by Receiving Land Use/ District

LAND USE OR ZONING DISTRICT RECEIVING THE NOISE	HOURS/ DAYS	MAXIMUM SOUND LEVEL
At a Lot Line of a Residential Use in a Residential District	1) 7 a.m. to 9 p.m. other than Sundays, Christmas Day, Thanksgiving Day, New Year's Day, Labor Day and Memorial Day 2) 9 p.m. to 7 a.m: plus all day Sundays, Christmas Day, Thanksgiving Day, New Year's Day, Labor Day and Memorial Day	1) 67 dBA 2) 61 d B A
At any Other Lot Line	All times and days	70 dBA

Note- dBA means "A" weighted decibel.

- 505.B. The maximum permissible sound level limits set forth in the above table shall not apply to any of the following noise sources:
1. Sound needed to alert people about an emergency.
  2. Repair or installation of utilities or construction of structures, sidewalks or streets between the hours of 7 a.m. and 8 p.m., except for clearly emergency repairs which are not restricted by time.
  3. Household power tools and lawnmowers between the hours of 8 a.m. and 9 p.m.
  4. Agricultural activities, including permitted raising of livestock, but not exempting a commercial kennel.
  5. Public celebrations specifically authorized by the Borough Council or a County, State or Federal Government agency or body.
  6. Unamplified human voices or the sound of a single animal.
  7. Routine ringing of bells and chimes by a place of worship or municipal clock.
  8. Vehicles operating on a public street, railroads and aircraft.
506. ODORS AND DUST. No use shall generate odors or dust that are offensive to persons of average sensitivities beyond the boundaries of the subject lot.
507. CONTROL OF LIGHT AND GLARE. This section 507 shall only regulate lighting that spills across lot lines or onto public streets.
- 507.A. Street Lighting Exempted. This Section 507 shall not apply to street lighting that is owned, financed or maintained by the Borough or the State.
- 507.B. Height of Lights. No luminaire, spotlight or other light source that is within 200 feet of a lot line of an existing dwelling or approved residential lot shall be placed at a height exceeding 35 feet above the average surrounding ground level. This limitation shall not apply to lights needed for air safety nor lights intended solely to illuminate an architectural feature of a building.
- 507.C. Diffused. All light sources, including signs, shall be properly diffused as needed with a translucent or similar cover to prevent exposed bulbs from being directly visible from streets, public sidewalks, dwellings or adjacent lots.
- 507.D. Shielding. All light sources, including signs, shall be shielded around the light source and carefully directed and placed to prevent the lighting from creating a nuisance to reasonable persons in adjacent dwellings, and to prevent the lighting from shining into the eyes of passing motorists.
- 507.E. Flickering. Flashing, flickering or strobe lighting are prohibited, except for non-advertising seasonal lights between October 25th and January 10th.
508. WASTE CONTAINERS. – This section is not intended to apply to temporary dumpsters used for renovations/alteration purposes.
- 508.A. Screening. All newly located trash dumpsters shall be screened on 3 of 4 sides (not including the side it is to be emptied from) as needed to screen the dumpster from view from public streets or dwellings on abutting lots. A solid wooden fence, brick wall, evergreen plants or structure designed to be architecturally compatible with the principal building shall be used for such screening.
- 508.B. Setback from Dwellings. If physically possible, any solid waste container with a capacity of over 15 cubic feet shall be kept a minimum of 20 feet from a dwelling unit on an abutting lot.
509. STEEP SLOPES. See the provisions of the OSR district in Section 307.