

**ORDINANCE 2024-04**

**BOROUGH OF DOWNINGTOWN**

**CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF  
DOWNINGTOWN, AS AMENDED, BY AMENDING CHAPTER 182, "NOISE",**

**AND NOW**, this 10<sup>th</sup> day of July, 2024 it is hereby enacted and ordained by the Borough Council of Downingtown, Chester County, Pennsylvania, that:

**SECTION 1.** Section 182-2 of the Borough Code, "Definitions and Word Usage" is hereby amended to delete the definition of "Noise Control Officer (NCO)"

**SECTION 2.** Section 182-2 of the Borough Code, "Definitions and Word Usage" is hereby amended to amend the definition of the term "Pure Tone" to read as: "Any sound that is a single pitch or a set of single pitches, or any sound where any octave band exceeds any of the two contiguous octave bands by five dB.

**SECTION 3.** Section 182-3.B(1) of the Borough Code, "Procedures" is hereby amended to read as follows: To the extent practicable, all sources contributing sound to the point of measurement shall be identified.

**SECTION 4.** Table 3, "Absolute Octave Band Levels", located in Section 182-4.B of the Borough Code, "Maximum Permissible Sound Levels" is hereby amended to delete the heading "Receiving Property" and to change the heading "Time" to "Octave Band (Hz)"

**SECTION 5.** Section 182-6 of the Borough Code, "Enforcement" is hereby amended to read as follows: "Responsibility for enforcement of this chapter shall rest with both the Borough Code Enforcement Office and the Borough Police Department. The Borough Code Enforcement Officer or a member of the Borough Police Department is authorized to file and prosecute violations of this chapter in summary proceedings."

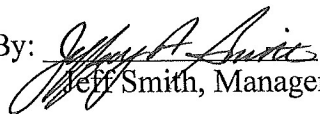
**SECTION 6. Applicability.** The provisions hereof shall supersede any ordinances or parts of ordinances which are inconsistent herewith.

**SECTION 7. Severability.** If any provision, sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.


**SECTION 8. Effective Date.** This Ordinance shall become effective five (5) days from enactment.

**ENACTED AND ORDAINED** this 10<sup>th</sup> day of July, 2024 by the Borough Council of  
Downingtown.

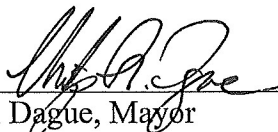
ATTEST:

By:   
Jeff Smith, Manager

BOROUGH OF DOWNINGTOWN

  
Alex Rakoff, Council President

Approved by the Mayor on the 10<sup>th</sup> day of July 2024.

  
Phil Dague, Mayor