

AN ORDINANCE

NO. \_\_\_\_\_

**AN ORDINANCE To Amend The Code Of The Township Of Lower Merion, Chapter 105, Noise And Exterior Lighting, By Adding Definitions For Continuous Sound And Impulsive Sound And To Apply Those Definitions To The Chart Providing Maximum A-Weighted Sound Pressure Levels In Residential And Nonresidential Zoning Districts.**

The Board of Commissioners of the Township of Lower Merion hereby ordains:

**Section 1.** The Code of the Township of Lower Merion, Chapter 105, Noise and Exterior Lighting, Article I, Definitions, shall be amended by the addition in alphabetical order of the following:

**Article I. Definitions**

**§ 105-1 Definitions**

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**Continuous Sound**

Sound lasting 1 second or longer, or an impulsive sound that occurs 5 or more times an hour.

\* \* \* \* \*

**Impulsive Sound**

Sound lasting less than 1 second.

**Section 2.** The Code of the Township of Lower Merion, Chapter 105, Noise and Exterior Lighting, Article II, Noise, §105-3 Maximum permissible sound pressure levels, subsection C thereof, shall be amended to provide as follows:

**Article II. Noise**

**§ 105-3 Maximum permissible sound pressure levels**

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C. Notwithstanding the provisions in Subsections A and B above, during daytime (8:00 a.m. - 8:00 p.m.) or nighttime (8:00 p.m. - 8:00 a.m.) hours, the maximum permissible sound pressure levels and average levels shall not exceed those set forth in the following chart:

<b>Maximum A-Weighted Sound Pressure Levels (SPL)</b> <b>8:00 a.m. - 8:00 p.m., Daytime/8:00 p.m. - 8:00 a.m., Nighttime</b>			
<b>Zoning District of Receiving Property</b>	<b>Time of Day</b>	<b>Maximum Impulsive SPL (dBA)</b>	<b>LEQ Average Continuous SPL (dBA)</b>
Residential (R)	Daytime	75	<del>70</del> 65
	Nighttime	60	50
Nonresidential (C)	Daytime	75	70
	Nighttime	65	55

**Section 3.** Nothing in this Ordinance or in Chapter 105 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 105 prior to the adoption of this amendment.

**Section 4.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

**Section 5** This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this       day of       , 2025.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF LOWER MERION

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Todd M. Sinai, President

ATTEST:

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Jody L. Kelley, Secretary