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ADAMS

Supervisors debate effectiveness of noise ordinances

By Darlene White Natale

Adams resident Rich Stachel told the supervisors that he was bringing up the noise issue again because he didn't want the possibility of an ordinance to die.

On Monday evening, Adams supervisors spent almost an hour listening to residents' complaints about nuisance noises and discussing a proposed ordinance.

Solicitor James Taylor said he had spent considerable time on noise ordinance research. Taylor said the older style nuisance ordinances are no longer enforceable. He said the Supreme Court has said that you can't simply declare something a nuisance — you must set standards.

Taylor has researched ordinances in Illinois, Virginia and Pennsylvania, and has found that the trend is to set objective standards, such as decibel levels.

Taylor said some of these ordinances are 20 to 30 pages long, and are not very popu-

lar with governing bodies, judges or district justices. However, they are insisted upon by annoyed citizens.

Taylor said he prepared a four-page draft ordinance to regulate intrusive noise. He set the maximum decibel level at 90, with variables such as amplitude, duration, frequency, time and location.

Alex Kroll of the Downieville section of Adams said that if Austin's Bleach were allowed 90 decibels, his property would be worth nothing. Kroll said he was asking the supervisors for support.

Supervisor Don Aiken told Kroll to file charges. Kroll told him that he wanted to solve the problem.

Stachel told the supervisors that his complaints began because of his desire for peace in his neighborhood. He said noise from all-terrain vehicles and Roessing Bronze were his problem. He is not looking to regulate a guy mowing his lawn.

"I lean towards the nuisance — the pest,

the guy not giving any regard for the neighborhood," said Stachel.

Dr. Al Mannerino said the ordinance presented by Taylor would not solve the problem that he and his wife brought to the supervisors. That is that dirt bikes create 70 to 80 decibels constantly.

Mannerino said the ordinance must be more than decibels. He said dirt bikes should be taken out of Adams, or at least regulated so that you can't ride them within 300 feet of anyone's property. Aiken told him that you can't ban anything in the township because it would be challenged. Taylor said a muffled dirt bike may be quieter than a lawn mower.

"We don't want to be running someone that's cutting his grass to the magistrate," Taylor added. Lawn mowers, snowblowers and other lawn and garden equipment would not be prohibited.

The ordinance addresses barking and howling dogs, shouting, horns and ampli-

fied sounds. The proposal restricts heavy equipment and construction to between the hours of 7 a.m. and 8 p.m. Emergency vehicles and farm equipment are not regulated in the suggested ordinance.

"Everything these gentlemen have said is true. This is why it is difficult to draft a noise ordinance," said Taylor. He said there were variables such as time and duration. Taylor said the proposed ordinance was enforceable, but that it might not achieve desired results.

Taylor said violations would be summary offenses, and could be enforced by the police. Proceedings would be before a district justice with fines up to \$1,000.

"It doesn't matter what you draft. It isn't going to be right anyhow — guaranteed," said Aiken.

The draft of the ordinance is available for review at the township building on Hutchman Road.

In other business, the delivery of the

concrete span for the bridge on Brickyard Road has been delayed until Nov. 9. This obstacle may result in the bridge being closed all winter unless the weather stays mild.

The supervisors opened bids for insurance and anti-skid materials.

Heberling Insurance of Sewickley offered the lowest price for the township's general liability and workers' compensation at \$15,996.

Kerr-Bartolac & Associates of Ambridge offered the most expensive price for comparable coverage, at \$25,934.

Glade Mill Supply Inc. of Valencia was the low bidder for 550 tons of road salt at \$35 per ton.

McClymond's Supply and Transit of Portersville was the low bidder for ashes at \$8 a ton for 800 tons.

Darlene White Natale is a free-lance writer.