

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 56 - 2026

July 15, 2026

AN ORDINANCE

Amending Part II General Legislation, Chapter 400 Noise, Section 400-6 Sound levels by receiving land use, to add regulations for continuously operating uses and Section 400-7 Regulations, to add a compliance verification method.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

Chapter 400 Noise

[Adopted by the City Council of the City of Allentown 9-18-1991 by Ord. No. 13078 (Article 710 of the 1962 Codified Ordinances).]

SECTION ONE: That Chapter 400 Noise, Section 400-6 Sound levels by receiving land use be amended as follows:

§ 400-6 Sound levels by receiving land use.

A. Maximum permissible sound levels by receiving land use. Unless a variance is obtained pursuant to § 400-5B, no person shall operate or cause to be operated on public or private property any source of sound in such a manner as to create a sound level which exceeds the limits set forth in the receiving land use category in Table 1 when measured at or within the property boundary of the receiving land use. Any noise source that produces sound in excess of those levels shall constitute a noise disturbance.

Table 1		
Permissible Maximum Sound Levels by Receiving Land Use		
Receiving Land Use	Sound Level Limit 7:00 a.m. to 10:00 p.m.	Sound Level Limit 10:00 p.m. to 7:00 a.m.
Neighborhood (Zones NX, N1, N2, N3, N4, N5)	57	52
Mixed-Use Neighborhood (Zones MX-N, GX-N)	57	52
Public-Institutional (Zones P1, P2)	67	62
Mixed-Use (Zones MX-D, MX-C, MX-S, GX-D, GX-C) Not on Mixed-Use Corridors (as defined in Chapter 660, Zoning)	62	57
Mixed-Use (Zones MX-D, MX-C, MX-S, GX-D, GX-C) on Mixed-Use Corridors	67	62
Industrial (Zones IX, IG, IM)	77	77

B. Excessive neighborhood residual sound levels. In the event that the background sound levels in an area of suspected noise disturbance exceed the levels set forth in Table 1 above, an intrusive noise source which causes a 10 dB(A) increase in sound level above that background level shall constitute a noise disturbance.

C. Correction for character of sound. For any source of sound which emits a pure tone or impulsive sound, the maximum sound level limits set forth in §400-6A shall be reduced 5 dB(A).

D. Continuously operating noise sources:

- (1) All continuously operating noise sources must comply with Chapter 400-6 and also must meet a C–A differential limit, where the difference between the C-weighted sound level (dBC) and the A-weighted sound level (dBA) does not exceed 15 dBC (dBC – dBA ≤ 15 dB).
- (2) All new continuously operating uses must complete a pre-construction and post-construction (including interior conversions) full spectrum sound study. If the pre-existing baseline ambient noise level is in excess of the maximum sound level permitted under this ordinance or elsewhere in the city's municipal ordinances, the post-construction study must demonstrate that operations of the proposed use do not materially increase the baseline ambient noise level as measured at the property line.

SECTION TWO: That Chapter 400 Noise, Section 400-7 Regulations be amended as follows:

§ 400-7 Regulations and Compliance Verification.

A. The Director of Community and Economic Development or designee may publish regulations governing the procedures and enforcement of any provisions of this chapter.

B. The following independent verification option is available as a compliance verification and enforcement tool:

- (1) Prior to the issuance of a Certificate of Occupancy, an applicant may be required to submit a sound study prepared by a qualified acoustical consultant demonstrating compliance with all applicable sound standards, including both A-weighted (dBA) and C-weighted (dBC) limits, where applicable.
- (2) Upon receipt of a documented noise complaint, the City may require the property owner/operator to conduct sound measurements to verify compliance with applicable standards. Such measurements shall:
 - (a) Be performed by an independent, qualified third-party acoustical consultant;
 - (b) Utilize ANSI Type 1 calibrated sound level meters capable of measuring both dBA and dBC;
 - (c) Be conducted at the property line of the receiving land use;
 - (d) Follow generally accepted acoustic measurement practices, including appropriate duration, daytime/nighttime, number of measurements/ day/ year, weather conditions, and calibration procedures.
 - (e) A written report shall be submitted to the City within 30 days of notification.
 - (f) If the measurements taken by the third-party acoustical consultant demonstrate non-compliance, the property owner/operator shall, within a reasonable period specified by the City, implement mitigation measures and provide follow-up testing to confirm compliance.

- (g) All costs associated with required sound studies and measurements shall be borne by the property owner and/or operator.
- (3) The City reserves the right to require verification testing at any time to confirm ongoing compliance, particularly for uses operating continuously or generating mechanical noise.
- (4) The third-party acoustical consultant shall have no financial interest in the project other than payment for the preparation of the sound study.
- (5) The acoustical consultant shall demonstrate:
 - (a) Relevant experience in environmental noise analysis;
 - (b) Appropriate education or professional credentials in acoustics, engineering, or a related field, such as professional licensed engineer specializing in acoustics or an engineer Board Certified by the Institute of Noise Control Engineers;
 - (c) Prior completion of comparable sound studies.
- (6) The City reserves the right to review and approve the qualifications of the acoustical consultant and may require the selection of an alternative consultant if independence or qualifications are deemed insufficient.

SECTION THREE: That this Ordinance will take effect ten (10) days after final passage.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

Legislative Template

- What department or bureau is this bill originating from? Where did the initiative for the bill originate?
 - City Council/ CED. The bill will add standards to address continuously operating noise sources, and to provide a system for independent verification of noise sources.
- Summary and facts of the bill.
 - The purpose of this amendment is to be able to address the full spectrum of sound for continuously operating noise sources and to also provide independent verification of noise sources, to help address sound noses without exhausting staff resources.
- Purpose – Please include the following in your explanation:
 - a. What does the bill do? What are the specific goals or tasks the bill seeks to accomplish?
 - Add standards to address continuously operating noise sources,.
 - Provide additional methods of verification of noise violations
 - b. What are the benefits of doing this?

The C–A differential is basically a simple way to catch the low-frequency “hum” that some continuously operating noise courses produce. dBA (what the City’s ordinance currently uses) reflects what people hear best, but it filters out a lot of low-frequency sounds. So, a facility can meet dBA limits and still create that noticeable rumble people complain about. dBC, on the other hand, includes that low-frequency energy. When you compare the two (C minus A), you get a quick read on how much low-frequency noise is present. The C–A limit works by helping flag problem noises, even if a project technically meets dBA, without overregulating typical sources.
 - c. How does this bill relate to the City’s vision/mission/priorities?
 - This ordinance aligns with the city’s mission by promoting safety and compliance, fostering transparency, and driving operational efficiency.
- Financial Impact – Please include the following in your explanation:
 - a. Cost (initial and ongoing)
 - There will be no changes to the current budget.
 - b. Benefits (initial and ongoing)
 - Staff will be better equipped to handle noise complaints accurately.
 - The city’s overall noise ordinance can address low frequency noises
- Funding Sources – Please include the following in your explanation:

- a. If transferring funds, please make sure to give specific account names and numbers. If appropriating funds from a grant, please list the agency awarding the grant.
 - There will be no transfer of funds related to this amendment.
- Priority status – Are there any deadlines to be aware of?
 - There are no deadlines for this ordinance.
- Why should Council unanimously support this bill?
 - Council should unanimously support this bill in order to maintain consistency in our ordinances, ensure transparency, efficiency and the ability to enforce the Noise ordinance accurately.