

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 8 - 2026

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February 4, 2026

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AN ORDINANCE

Amending Part II General Legislation, Chapter 400 Noise, Section 400-1 Definitions, revising the definition of Zoning Classifications, and Section 400-6 Sound levels by receiving land use, revising Table 1 Receiving Land Use, to be consistent with the zoning classifications within Chapter 660 Zoning, adopted October 15, 2025, effective January 1, 2026.

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

SECTION ONE: That Chapter 400 Noise, Section 400-1 Definitions be amended as follows:

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).]**

**§ 400-1 Definitions. [Amended 3-25-1996 by Ord. No. 13388]**

The following words, terms and phrases when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

**A-WEIGHTED SOUND LEVEL**

The sound-pressure level in decibels as measured on a sound-level meter using the A-weighting network. The level so read is designated dB(A).

**CONSTRUCTION OPERATION**

The erection, repair, renovation, demolition, or removal of any building or structure; and the excavation, filling, grading and regulation of lots in connection therewith.

**DECIBEL (dB)**

A unit for measuring the sound-pressure level, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals per square meter.

**EMERGENCY**

Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage.

**EMERGENCY WORK**

Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

**EXTRANEOUS SOUND**

A sound which is neither part of the neighborhood residual sound nor comes from the source under investigation.

**IMPULSIVE SOUND**

Sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of impulsive sound include explosions, drop forge impacts, and the discharge of firearms.

**MOTOR VEHICLE**

Any vehicle which is propelled or drawn on land by a motor, such as, but not limited to, passenger cars, trucks, truck trailers, semitrailers, campers, go-carts, snowmobiles, amphibious crafts on land, dune buggies, racing vehicles, or motorcycles.

**MUFFLER or SOUND DISSIPATIVE DEVICE**

A device designed or used for abating the sound of escaping fluids from an engine or machinery system.

**NEIGHBORHOOD RESIDUAL SOUND LEVEL**

That measured value which represents the summation of the sound from all of the discrete sources affecting a given site at a given time, exclusive of extraneous and transient sounds and the sound from the source of interest.

**NOISE**

Any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

**NOISE DISTURBANCE**

Any sound which:

- A. Endangers or injures the safety of health of humans or animals; or
- B. Annoys or disturbs a reasonable person of normal sensitivities; or
- C. Endangers or injures personal or real property.

**NOTICE OF VIOLATION**

A written document issued to a person in violation of a City ordinance which specifies the violation and contains a directive to take corrective action within a specified time frame or face further legal action.

[Amended 11-21-2008 by Ord. No. 14657]

**PERSON**

Any individual, association, partnership, or corporation, and includes any officer, employee, department, agency, or instrumentality of a state or any political subdivision of a state. "Person" shall include the owner or operator of the noise disturbance source, the owner, tenant or manager of real property from which the noise disturbance emanates and any other individual responsible for producing the noise disturbance or allowing said disturbance to occur.

**POWERED MODEL VEHICLE**

Any self-propelled airborne, waterborne, or landborne plane, vessel, or vehicle, which is not designed to carry persons, including, but not limited to, any model airplane, boat, car or rocket.

**PUBLIC OFFICER**

Any police officer, authorized inspector, or public official designated by the Mayor to enforce the City ordinances.

[Amended 11-21-2008 by Ord. No. 14657]

### **PUBLIC RIGHT-OF-WAY**

Any street, avenue, boulevard, highway, sidewalk, alley or similar place which is owned or controlled by a governmental entity.

### **PUBLIC SPACE**

Any real property or structures thereon which are owned or controlled by a governmental entity.

### **PURE TONE**

Any sound which can be heard as a single pitch or a set of single pitches.

### **REAL PROPERTY**

All land whether publicly or privately owned, whether improved or not improved, with or without structures, exclusive of any areas devoted to public right-of-way.

### **REAL PROPERTY BOUNDARY**

Either:

**A.** The imaginary line, including its vertical extension that separates one parcel of real property from another; or

**B.** The vertical and horizontal boundaries of a dwelling unit that is one in a multidwelling unit building.

### **SOUND**

An oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristics of such sound, including duration, intensity, and frequency.

### **SOUND LEVEL**

The weighted sound-pressure level obtained by the use of a sound-level meter and frequency weighing network, such as A, B or C.

### **SOUND-LEVEL METER**

An instrument used to measure sound level.

### **SOUND PRESSURE**

The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space, as produced by sound energy.

### **SOUND-PRESSURE LEVEL**

The level of a sound measured in dB units with a sound-level meter which has a uniform ("flat") response over the band of frequencies measured.

### **TRANSIENT SOUND**

A sound whose level does not remain constant during measurement.

### **VIBRATION**

An oscillatory motion of solid bodies of deterministic or random nature described by displacement, velocity or acceleration with respect to a given reference point.

## **VIOLATION TICKET**

Issued by a police officer or public officer to a person who violates a provision of this chapter.

[Amended 11-21-2008 by Ord. No. 14657; 6-6-2012 by Ord. No. 14998]

## **WEEKDAY**

Any day, Monday through Friday, which is not a legal holiday.

## **ZONING CLASSIFICATIONS**

Storefront Mix Downtown Core MX-D, Storefront Mix Corridors MX-C, Storefront Mix Suburban Centers MX-S, Storefront Mix Neighborhood Centers MX-N, Residential-Office Mix Downtown GX-D, Residential-Office Mix Corridor GX-C, Residential-Office Mix Neighborhood Centers GX-N, Residential Mix Neighborhood NX, Urban Neighborhood N1, Town Neighborhood N2, Twinhouse-House Neighborhood 1 N3, Twinhouse-House Neighborhood 2 N4, House Neighborhood N5, Industrial-Commercial Mix IX, Industrial General IG, Industrial Manufacturing IM, Parks and Open Space P1, Civic and Institutional Buildings and Sites P2; High Density Residential Zone R-H, Medium High Density Residential Zone R-MH, Medium Density Residential Zone R-M, Medium Low and Low Density Residential Zone R-ML and R-L, Low Density Residential Conservation Zone R-LC, Parks P-1, Institutional and Governmental I-G, Neighborhood Business Zone B-1, Major Business Zone B-2, Highway Business Zone B-3, Shopping Center Business Zone, B-4, Air Park Industrial Zone I-1, Limited Industrial Zone I-2, and General Industrial Zone I-3; as specified in Chapter 660, Zoning, and its revisions and amendments.

SECTION TWO: 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) Residential (Zones R-H, R-MH, R-M, R-ML, R-L, R-LC)	57	52
Mixed-Use Neighborhood (Zones MX-N, GX-N) Parks and Institutional and Governmental (Zone P-1 and I-G)	<u>57</u> 67	<u>52</u> 62
Public-Institutional (Zones P1, P2) Institutional and Governmental (Zone I and G)	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)	<u>62</u>	<u>57</u>

<u>Mixed-Use (Zones MX-D, MX-C, MX-S, GX-D, GX-C)</u> <u>on Mixed-Use Corridors</u> <u>Business (Zones B-1, B-2, B-3, B-4)</u>	67	62
<u>Industrial (Zones IX, IG, IM)</u> <u>Industrial (Zones I-1, I-2, I-3)</u>	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).

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?
  - CED/Bureau of Health. The bill will revise the definition of Zoning Classification and Table 1, Sound level by receiving land use to be consistent with the newly adopted Chapter 660 Zoning (effective January 1, 2026.)
- Summary and facts of the bill.
  - The purpose of this amendment is to be consistent with the zones within the newly adopted Chapter 660 Zoning (effective January 1, 2026.)
- 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?
    - This amendment is proposed to ensure consistency between Chapter 400 Noise and Chapter 660 Zoning.
    - To reduce any confusion the changes in the naming of zoning districts between the previous and newly adopted Chapter 660 Zoning (effective January 1, 2026) may cause if this amendment is not made.
  - b. What are the benefits of doing this?
    - This amendment is proposed to ensure consistency between Chapter 400 Noise and Chapter 660 Zoning.
    - To reduce any confusion the changes in the naming of zoning districts between the previous and newly adopted Chapter 660 Zoning (effective January 1, 2026) may cause if this amendment is not made.
  - 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. Making these amendments will ensure consistency across ordinances and reduce any confusion there could be because of the changes in the naming of zoning districts.
- 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 without having to reference previous zoning ordinances in an attempt to determine where the new zoning districts fall under the table of receiving land uses and which sound levels would be enforced.

- 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.