

# CITY OF WILLIAMSPORT, PA RESOLUTION

RESOLUTION # 9675

DATE 7-6-23

TITLE

A RESOLUTION AUTHORIZING THE PETITION FOR EXEMPTION UNDER THE PENNSYLVANIA LIQUOR CONTROL BOARDS LIQUOR CODE FOR NOISE REGULATION

Be it resolved by the City Council of the City of Williamsport that the petition for exemption is hereby authorized and approved for the following:

WHEREAS, the City of Williamsport, Lycoming County, Pennsylvania recognizes that the Commonwealth of Pennsylvania, Liquor Control Board, has adopted and has in effect, as part of its regulations, regulations regarding noise levels at licensed establishments; and

WHEREAS, the City of Williamsport, Lycoming County, has adopted a noise ordinance within the boundaries of the entertainment districts of the City of Williamsport; and

WHEREAS, the City of Williamsport further recognizes that the City of Williamsport may file an application with the Pennsylvania Liquor Control Board under section 4-493.1 of the Liquor Code to consider exemption from the Board's regulation regarding amplified music heard off the licensed premises within the entertainment districts; and

WHEREAS, City Council has resolved to submit such application to the Pennsylvania Liquor Control Board.

Now, THEREFORE, being it resolved, that City Council of the City of Williamsport duly adopt this resolution supporting the application of the City of Williamsport to the Pennsylvania Liquor Control Board to consider the exemption from the Board's regulation regarding amplified music heard off licensed premises within the Entertainment Districts of the City of Williamsport, and that the Noise ordinance of the City of Williamsport will be applied to those circumstances.

Approved

  
\_\_\_\_\_  
City Clerk


  
\_\_\_\_\_  
President

Duly adopted at the regular meeting of City Council of the City of Williamsport, Lycoming County, Pennsylvania, on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.


IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year of the above written.

ATTEST:

CITY OF WILLIAMSPORT,  
PENNSYLVANIA

By:   
Janice Frank, City Clerk

\_\_\_\_\_  
Derek Slaughter, Mayor

  
~~Adam Yoder,~~ **Controller**  
~~President, Williamsport~~  
~~City Council~~



**ZONING ADMINISTRATOR  
BUREAU OF CODES  
CITY OF WILLIAMSPORT**

## Memorandum

**To:** Adam Yoder, Council President and members of City Council  
**CC:** Derek Slaughter, Mayor,  
**From:** Gary Knarr, Zoning Administrator  
**Date:** June 21, 2023  
**Re:** Entertainment Ordinance

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Attached is a proposed Resolution request from the City of Williamsport to request an extension of PLCB's Noise waiver. The resolution would allow the City to request an extension that was granted July 15, 2018 and expiring on Aug 3, 2023 of the noise exemption from the PLCB to permit outside amplified music. Attached are the following:

- a) Copy of the City's Noise & entertainment Ordinances
- b) City's resolution
- c) Written description of boundaries line for exempting the noise
- d) Copy of geographical map

Please review for your City Council meeting on July 6, 2023.

**CITY OF WILLIAMSPORT, PA**  
**FILE OF CITY COUNCIL**

BILL No. 1614-13

SESSION OF 2013

Approved on first reading

Members of City Council:

Approved on final reading

This day 21<sup>st</sup> of NOV 2013

This day 23<sup>rd</sup> of Jan 2014

HALL WILLIAMSON ALLISON  
SMITH MIELE KATZ NOVIELLO

**AN ORDINANCE**

6252

AN ORDINANCE AMENDING ARTICLE 709  
DISTURBING THE PEACE TO ADD RESTRICTIONS ON AMPLIFIED MUSIC  
AND PROVIDING FOR ENFORCEMENT AND PENALTIES

Be it ordained by the City Council of the City of  
Williamsport, Lycoming County, Pennsylvania as follows:

SECTION 1: Section 709.04 Amplified Music Prohibited  
Acts is hereby added to read as follows:

- (a) Amplified music, (as defined in Article 711.01(f)) within the Entertainment Districts, which is plainly audible based on 67 dBA at a distance of 50 feet from the property line of a business licensed by the Liquor Control Board in a residential zoned district is prohibited.
- (b) Amplified music, (as defined in Article 711.01(f)) within the Entertainment Districts, which is plainly audible based on 67 dBA at a distance of 75 feet from the property line of a business licensed by the Liquor Control Board in any other zoned district is prohibited.
- (c) dBA means weighted decibel measurement.

SECTION 2: Section 709.05 Enforcement is hereby added  
to read as follows:

Violations of 709.01 through 709.03 shall be enforced  
by the Williamsport Bureau of Police, violations of 709.04  
shall be enforced by the Williamsport Bureau of Police and  
the Bureau of Codes.

Exhibit "C"

SECTION 3: Section 709.99 is amended to read as follows:

Whoever violates any provision of this Article shall be fined a minimum of \$250.00 and not more than \$1,000.00 or imprisoned not more than 90 days or both.

SECTION 4: Effective Date

This Ordinance shall become effective 20 days after final enactment.

This Ordinance approved/vetoes this 23<sup>rd</sup> day of January, 2014.

ATTEST:

Janice M. Frank  
Janice Frank,  
City Clerk

William J. Hall  
William J. Hall,  
President, Williamsport  
City Council

Gabriel J. Campana  
Gabriel J. Campana,  
Mayor, City of  
Williamsport, PA

Ordinance No. 6252

Date 1-23-14

# CITY OF WILLIAMSPORT, PA

## FILE OF CITY COUNCIL

BILL No. 1613-13

SESSION OF 2013

Approved on first reading

Members of City Council:

Approved on final reading

This day 21<sup>st</sup> of NOV 2013

This day 23<sup>rd</sup> of Jan 2014

HALL WILLIAMSON ALLISON  
SMITH MIELE KATZ NOVIELLO

### AN ORDINANCE

6251

AN ORDINANCE ARTICLE 711 ESTABLISHING THE ENTERTAINMENT DISTRICTS WITHIN THE CITY OF WILLIAMSPORT FOR REGULATING AMPLIFIED MUSIC

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLIAMSPORT as follows:

Article 711 hereby read as follows:

Establishing Entertainment Districts within the City of Williamsport for the regulation of amplified music at PLCB licensed establishments.

711.01 Definitions	711.05 Penalties
711.02 Entertainment Zones	711.06 Inconsistent provisions
711.03 Permit Requirements	711.07 Effective dates
711.04 Specified Prohibited Acts	

#### 711.01 DEFINITIONS

As used in this article, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

- (a) "Noise Nuisance" means to make noise, to specifically include amplified music, which disturbs, injures, or endangers the comfort, repose, health or safety of individuals who reside or operate businesses adjacent or in proximity to said Entertainment district location.
- (b) "Liquor Control Board exempted area": the area within the City of Williamsport which, as approved by the

Pennsylvania Liquor Control Board and the City of Williamsport, is exempted from the enforcement of Pennsylvania Liquor Control Regulation regarding amplified music.

- (c) "Decibel" means a logarithmic unit of measure used in describing the amplitude of sound. Decibel is noted as dB.
- (d) "Entertainment District" means the land use zones established to create approved amplified music and arts locations.
- (a) "Entertainment" means amplified music which is a band, musician, disc jockey, vocalist or speakers etc.
- (b) "Amplified Music" means to make noise by displaying speakers, a band, musician, DJ or vocalist, where an amplifier is used, both inside and outside of a PLCB licensed establishment.
- (c) "Alcoholic Beverages" means any beverage with an alcohol content sufficient to cause it to be regulated by the Pennsylvania Liquor Control Board

#### 711.02 ENTERTAINMENT DISTRICTS

The City of Williamsport hereby creates 3 separate Entertainment Districts, all of which shall be considered "Liquor Control Board exempted areas" within which public safety officers of the city shall enforce all noise nuisance violations related to amplified music at PLCB licensed establishments. The districts shall be as follows:

- (a) Area 1 as defined in the attached Map of the City of Williamsport.
- (b) Area 2 as defined in the attached Map of the City of Williamsport.
- (c) Area 3 as defined in the attached Map of the City of Williamsport.

#### 711.03 PERMIT REQUIREMENTS AND FEES

1. Permit Required for Outdoor Entertainment: to define and abate a nuisance, and to regulate or prohibit any amusement which tends to annoy persons on a street or public ground, and to use the authority provided under Article 711 to preserve peace and order within the city:

- (a) Persons desiring to sponsor, promote or put on any sort of event which includes amplified outdoor Entertainment of any kind which is open to the public and located within the premises of a PLCB licensed establishment shall, not less than 72 hour prior to the planned event, make application to the

Bureau of Codes for approval of a permit allowing the Entertainment.

(b) Such application shall be on a form provided by Bureau of Codes and shall include:

- (i) the date of the event;
- (ii) the beginning and ending times of the event, which shall fall between the hours of 12 noon-10 pm on weekdays, and 12 noon-11 pm on weekends and holidays;
- (iii) the location of the event (esp. in relation to residential areas and commercial establishments);
- (iv) the size of the event (number of participants and/or spectators expected);
- (v) the purpose of the event;
- (vi) a description of the event or entertainment to be provided
- (vii) a diagram of the premises showing the location of activities, emergency access and a description of how access to the event is to be controlled and in accordance to the Entertainment Ordinance shall be provided.
- (viii) other factors associated with public health and welfare, security and safety of the event participants and the general public.

(c) The applicant may be required to consult with the Bureau of Codes Administrator, Zoning Official, Fire Chief and/or Police Chief after submitting an application, regarding appropriate plans for the event.

(d) Permitted outside areas for Entertainment MUST be blocked off with barriers (tape, plastic fencing and other like material is NOT permitted.)

(e) Fees shall be as set forth in Article 117.

2. Appeal: If the Codes Administrator denies a permit application, the applicant may appeal the decision to the City Council. Such an appeal hearing shall be held at the next regular City Council meeting. The failure of City Council to act shall be a deemed denial of the application.

3. Standards: Each special event shall meet the following standards:



- (a) Compliance with Other Regulations: All special events must meet all other applicable Federal, State and Local Codes and Ordinances.
- (b) Cleanup of Area: The person obtaining the permit for an outdoor special event shall be responsible for the cleanup of the area used by the event, plus the public rights-of-way within 150 feet of that area, within 24 hours of the close of the event.

#### 711.04 SPECIFIED PROHIBITED ACTS-VIOLATIONS

Violations of noise regulations will be enforced by the City of Williamsport Police Department using the criteria established in Article 709 regarding noise nuisances.

#### 711.05 PENALTIES

Penalties: Should a permit applicant fail substantially to adhere to the plan on which permit approval was based, the City, through the Williamsport Police Department and/or the Bureau of Codes, may order the event or function terminated immediately on notice to the permittee. Any person who violates this Ordinance or fails to follow the plan upon which the permit is based shall be subject to a fine with the minimum fine amount of \$250.00 to maximum fine amount of \$500.00 for first offense and second or additional offenses minimum of \$250.00 with a maximum of \$600.00.

#### 711.06 INCONSISTENT PROVISIONS

In the event any ordinance or part thereof is inconsistent with this ordinance, the provisions of this ordinance shall prevail.

#### 711.07 EFFECTIVE DATES:

This Ordinance shall become effective 20 days after final enactment. This Ordinance approved/vetoed this \_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
Janice Frank,

\_\_\_\_\_  
William J. Hall,

City Clerk

*James M. Frank*

President, Williamsport  
City Council

~~*Gabriel J. Campana*~~  
Gabriel J. Campana,  
Mayor, City of  
Williamsport, PA

Ordinance No. 6251

Date 1-23-14

**CITY OF WILLIAMSPORT, PA  
RESOLUTION**

RESOLUTION # 8781

DATE 5-24-18

TITLE

A RESOLUTION AUTHORIZING THE PETITION FOR RENEWAL UNDER THE PENNSYLVANIA LIQUOR CONTROL BOARDS LIQUOR CODE FOR NOISE REGULATION, APPROVED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD ON JULY 15, 2015.

Be it resolved by the City Council of the City of Williamsport that the petition for renewal is hereby authorized and approved for the following:

WHEREAS, the City of Williamsport, Lycoming County, Pennsylvania recognize that the Commonwealth of Pennsylvania, Liquor Control Board, has adopted and has in effect, as part of its regulations, regulations regarding noise levels at licensed establishments; and

WHEREAS, the City of Williamsport, Lycoming County, has adopted a noise ordinance within the boundaries of the entertainment districts of the City of Williamsport; and

WHEREAS, the City of Williamsport further recognizes that the City of Williamsport is requesting to file an extension of approval with the Pennsylvania Liquor Control Board under section 4-493.1 of the Liquor Code to consider exemption from Section 493(34) of the Liquor Code; and

WHEREAS, the Commonwealth of PA Liquor Control Board granted a one year exemption to case numbers: 15-NE-07, 15-NE-08 and 15-NE-09 which expires on July 15, 2018, and

WHEREAS, City Council has resolved to submit such application to the Pennsylvania Liquor Control Board.

Now, THEREFORE, being it resolved, that City Council of the City of Williamsport duly adopt this resolution supporting the application of the City of Williamsport to the Pennsylvania Liquor Control Board to consider the renewal from the Board's regulation regarding amplified music heard off licensed premises within the Entertainment Districts of the City of Williamsport, and that the Noise ordinance of the City of Williamsport will be applied to those circumstances.

James M. Frank  
City Clerk

Approved

Anthony J. Albino  
President

Exhibit "B"