

ORDINANCE NO. 288

AN ORDINANCE OF THE TOWNSHIP OF PARADISE, MONROE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 160, ZONING, ADOPTED BY THE BOARD OF SUPERVISORS OF PARADISE TOWNSHIP ON JUNE 5, 2007, BY ORDINANCE NO. 159 AND SUBSEQUENT AMENDMENTS BY: 1) DELETING EXISTING §160-19.E VIBRATION IN ITS ENTIRETY AND REPLACING IT WITH NEW §160-19.E VIBRATION WHICH CONTAINS PROVISIONS FOR VIBRATION LEVELS AT SPECIFIC TIMES, ESTABLISHING PARAMETERS FOR VIBRATION LEVEL TESTING INCLUDING REQUIRED TESTING, AND ADDITIONAL REQUIREMENTS FOR GENERAL INDUSTRIAL USES; AND 2) ADDING PROVISIONS FOR SEVERABILITY, REPEALER AND AN EFFECTIVE DATE.

WHEREAS, Paradise Township is a Second Class Township, organized under the Second Class Township Code, 53 P.S. §65101, et seq. (the “Township”); and

WHEREAS, the Township has the authority to pass ordinances, pursuant to 53 P.S. §66601 of the Second Class Township Code; and

WHEREAS, the Township is vested with corporate powers to provide for the peace, good government, health, and welfare of the Township, its citizens, trade, commerce, and manufacturers, pursuant to 53 P.S. §66506.

AND NOW, the Board of Supervisors of Township hereby enacts and ordains, and it is hereby ENACTED and ORDAINED, as follows:

SECTION 1. Ordinance Amendments. Existing Chapter 160 Zoning is amended by deleting and replacing the provisions of the enumerated sections set forth below, to wit:

§ 160-19. Nuisance control.

- E. Vibration. No use shall produce physical vibrations in excess of the maximum safe levels established by the PADEP or the United States Bureau of Mines, including the criteria published in the November of 1980 USBM Report of Investigation RI-8507.

The applicant shall supply information to the Township, including the type of equipment to be used, operating times and parameters, etc., to verify proposed compliance with this requirement.

Additional requirements for General Industrial Uses. It shall be demonstrated through a series of vibration studies conducted by a professional acoustical expert, and reviewed and accepted by the Township professional acoustical expert, that the vibration generated by a General Industrial Use during normal operations and testing and maintenance operations (e.g., all standby emergency equipment, including but not limited to generators) will comply with the vibration limits cited above. The vibration studies shall be conducted at the following phases. The preparation of such studies, and the review of such studies by the Township, shall be at the expense of the applicant.

- (a) A preliminary vibration study for the General Industrial Use shall be conducted as part of the Conditional Use process. The preliminary vibration study shall recommend any vibration reducing materials or systems needed to meet the aforesaid vibration limits.
- (b) An interim vibration study shall be conducted during the building permit process based upon the proposed user or users of the General Industrial Use depicted on the building plans. Any vibration reducing materials or systems recommended by the interim vibration study shall be incorporated into the construction plans for the General Industrial Use.
- (c) An as-built vibration study shall be conducted six (6) months after issuance of the certificate of habitability for any General Industrial Use prior to the final escrow release for any General Industrial Use land development phase.
- (d) The Township may require additional vibration studies upon documentation of noncompliance with the previously provided study or upon documentation of detrimental effect to adjoining property and its occupants.
- (e) If it is determined by an as-built vibration study or any subsequent vibration study that there is a violation of the aforesaid vibration limits, then the owner or occupant of the General Industrial Use shall promptly remediate the violation within 90 days of notification of the violation.
- (f) In the event of a failure by the owner or occupant to remediate a vibration violation within 90 days of notification of the violation, the Township may revoke any zoning permit(s) previously issued for the General Industrial Use.

SECTION 2. Severability. The provisions of this Ordinance shall be severable. If any of the provisions hereof shall be invalid or unenforceable, the remaining provisions of the Ordinance shall remain in full force and effect.

SECTION 3. Repealer. All ordinances or parts of ordinance conflicting with or inconsistent with the provisions of this Ordinance are hereby repealed, but only insofar as the same are in direct conflict or directly inconsistent with this Ordinance.

SECTION 4. Effective Date. This Ordinance shall be effective five (5) days after enactment.

ORDAINED AND ENACTED into an ordinance at the regular meeting of the Paradise Township Board of Supervisors, Monroe County, this _____ day of _____, 2026.

ATTEST:

PARADISE TOWNSHIP

(Assistant) Secretary

By: _____
Chair

By: _____
(Vice) Chair

By: _____
Supervisor

SECRETARY’S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by a majority vote of the Paradise Township Board of Supervisors at a meeting of said Board duly held on _____, 2026. Present at the meeting were and a record of their vote was as follows:

	Present	Aye	Nay
Peter Gonze	_____	_____	_____
Reda Briglia	_____	_____	_____
Michael Stein	_____	_____	_____

Further be it certified that public notice of said meeting was given in the manner provided by law; that said Ordinance shall be duly recorded upon the Minutes of the Board, has not been amended or rescinded, and is in full force and effect this _____ day of _____, 2026.

Tina Transue, Secretary

(Township Seal)