

CHAPTER 12-1100. MISCELLANEOUS REGULATIONS AND PENALTIES

§12-1127. Excessive Idling of and Noise from Motor Vehicles. [61]

(1) No person shall cause or permit the engine of a motor vehicle to idle for longer than three minutes while parking, stopping or standing, except this prohibition shall not apply to:

- (a) any vehicle if the ambient outside temperature is less than twenty degrees Fahrenheit (20°F);
- (b) an Authorized Emergency Vehicle, including Public Utility vehicles engaged in emergency repair work and maintenance;
- (c) vehicles engaged in road repairs performed by or on behalf of a governmental entity;
- (d) vehicles which are being serviced; for which idling is part of that service;
- (e) vehicles that must idle to operate auxiliary equipment, including, but not limited to, pumps, compressors and refrigeration units, but excluding vehicle heaters and air conditioners;
- (f) vehicles enroute to a destination but stopped by traffic congestion; or
- (g) a bus or truck idling at any terminal point along an established route (such a bus or truck is subject to the provisions of subsection 12-1127(2)).

(2) No person shall cause or permit the engine of a bus or truck to idle for longer than five (5) minutes while parking, stopping or standing at any terminal point along an established route, except that this prohibition shall not apply to;

- (a) any bus or truck when the ambient temperature is forty degrees Fahrenheit (40°F) or less;
- (b) a bus or truck enroute to a destination but stopped by traffic congestion; or
- (c) a bus that pursuant to law must maintain a specific temperature for passenger comfort, provided that such a bus may idle in excess of five (5) minutes only to the minimum extent necessary to comply with such law.

(3) No person, while driving, parked or in control of a motor vehicle within any of the areas listed below, shall cause or allow noise, produced in any manner or form, to come from the motor vehicle at a sound level that is greater than eighty (80) decibels, unless such noise is being created in connection with the holding of a public assembly, parade or procession for which a permit or license has been issued by the City. This prohibition shall apply within the following areas:^[62]

- (a) "South Street District," which for purposes of this section is defined as the area bounded by Lombard street on the north, Front street on the east, Bainbridge street on the south, and Eleventh street on the west.
- (b) The "Delaware River Entertainment District," which for purposes of this section is defined as the area bounded by Berks street on the north, the Delaware River on the east, Oregon avenue on the south, and Second street on the west.

(4) Any person who violates subsection 12-1127(3), after having received notice of a prior violation, shall be guilty of a separate offense of Repeat Violation. Notwithstanding anything to the contrary in § 12-1128, the penalty for committing the offense of Repeat Violation shall be a fine of not more than three hundred dollars (\$300.00), or imprisonment for not more than ninety (90) days, or both. A person shall be guilty of a Repeat Violation regardless of whether the second or subsequent violation occurs before or after a judicial finding of a first or previous violation. Each violation, after the first, shall constitute a separate Repeat Violation offense.^[63]