

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held September 19, 2013

Silvan B. Lutkewitte, III, Chairman
George D. Bedwick, Vice Chairman
John F. Mizner, Esq.
Lawrence J. Tabas, Esq., abstained
Dennis A. Watson, Esq.

Regulation No. 54-75 (#3018)
Pennsylvania Liquor Control Board
Municipal Noise Ordinances

On August 9, 2013, the Independent Regulatory Review Commission (Commission) received this regulation from the Pennsylvania Liquor Control Board (Board). This rulemaking amends 40 Pa. Code (§ 5.36). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

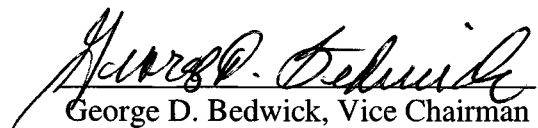
Act 113 of 2011 amended the Liquor Code and created a new unlawful act within section 493 titled "Noise," which specifically states that it supersedes the Board's regulations related to noise. As a result, the Board is promulgating this final-omitted rulemaking to replace references to the Board's noise regulation with references to section 493 of the Liquor Code.

We have determined this regulation is consistent with the statutory authority of the Board (47 P.S. § 2-207(i)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.




George D. Bedwick, Vice Chairman