

## Prince George's County Council Agenda Item Summary

---

**Meeting Date:** 11/15/2011  
**Reference No.:** CB-021-2011  
**Draft No.:** 4  
**Proposer(s):** Olson, Turner, Toles  
**Sponsor(s):** Olson, Turner, Toles, Franklin, Patterson, Johnson, Lehman, Campos  
**Item Title:** An Act authorizing the Director of Environmental Resources to administer and enforce the County's noise control program, adopting by reference certain provisions of the Maryland Department of Environment Noise Regulations, providing a standard of measurement of permissible noise levels in a residential area under certain conditions, and providing civil penalties for violations of this section.

---

**Drafter:** Carmen Jackson-Brown, Legislative Officer  
**Resource Personnel:** Thomas S. Mayah, Citizens Services Specialist  
Dannielle M. Glaros, Legislative Aide

---

### LEGISLATIVE HISTORY:

<b>Date Presented:</b>	5/17/2011	<b>Executive Action:</b>	12/7/2011 S
<b>Committee Referral:</b>	5/17/2011 - THE	<b>Effective Date:</b>	1/23/2012

**Committee Action:** 10/13/2011 - FAV(A)

**Date Introduced:** 10/18/2011  
**Public Hearing:** 11/15/2011 - 10:00 AM

**Council Action (1)** 11/15/2011 - ENACTED  
**Council Votes:** WC:A, DLD:A, MRF:A, AH:A, LJ:-, ML:A, EO:A, OP:A, IT:A, KT:A  
**Pass/Fail:** P  
**Remarks:**

---

### AFFECTED CODE SECTIONS:

19-120, 19-121, 19-122, 19-123, 19-124, 19-125, 19-126

---

### COMMITTEE REPORTS:

#### Transportation, Housing and Environment

**Date 10/13/2011**

October 13th, 2011

Committee Vote: Favorable 4-0 with amendments (In favor: Council Members Olson, Toles, Lehman, and Turner)

The Legislative Officer provided a summary of the Proposed Draft 2 of the bill and referral comments that were received. CB-21-2011 is an act concerning Noise Control for the purpose of authorizing the Director of Environmental Resources and Police Department to administer and enforce the County's Noise Control Program and providing for civil citations and penalties for violations of this section.

Edward Kalie, Asst. Associate Director, Department of Environmental Resources, License and Inspection Division provided additional information to the Committee in response to Committee member questions.

Brad Frome, Deputy Chief of Staff, Office of the County Executive, offered support of the legislation with the amendments in Proposed Draft 2. He also sought an amendment to define “unreasonably disturb” and offered sample language.

Several constituents, from Riverdale, Beacon Heights and Oxon Hill, testified in support of the need for additional legislation.

The bill was further amended in Committee with minor technical changes. All amendments are reflected in Draft 2 of CB-21-2011.

The Office of Law determined that CB-21-2011 was in proper legislative form.

---

### **BACKGROUND INFORMATION/FISCAL IMPACT:**

(Includes reason for proposal, as well as any unique statutory requirements)

10/18/2011: Prior to introduction, CB-21-2011 (DR-2) was amended as follows:

1. On Page 3, starting at line 11, strike “household”, after “produces”, strike “or” and after “reproduces”, add “or amplifies”;
2. On Page 3, line 26, after “Code”, add “, including residential areas abutting mixed-use, commercial and industrial areas as defined in Subtitle 27”;
3. On Page 3, starting at line 27, add “(8) Recreational or Entertainment Establishment is an establishment as defined in Section 27-107.1(a)(192) of this Code.”
4. On Page 4, line 7, after “operation of”, delete “farm equipment or”;
5. On Page 4, line 8, after “for which a”, add “valid”
6. On Page 4, line 9, after “entertainment” strike “events” and replace with “establishment”;
7. On Page 4, starting at line 16, add “(g) lawn care, snow removal equipment and other household tools or equipment when used and maintained in accordance with the manufacturer’s specifications between the hours of 7:00 am to 9:00 pm.”

CB-21-2011 (DR-3) was introduced.

11/15/2011: CB-21-2011 (DR-3) was amended on the floor as follows:

1. On Page 4, line 23, after “person”, add “,”;
2. On Page 5, line 1, after “from”, add “which”;
3. On Page 5, line 2, after “emanates”, add “,” and after “filed”, add “against an occupant”.

CB-21-2011 (DR-4) was subsequently enacted.

---

### **CODE INDEX TOPICS:**

---

### **INCLUSION FILES:**

---