

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 3/26/2002

Reference No.: CB-3-2002

Proposer: County Executive

Draft No.: 1

Sponsors: Hendershot

Item Title: An Act repealing obsolete provisions of the Prince
George's County noise control ordinance

Drafter: Karen T. Zavakos
Office of Law

Resource Arthur G. Thacher
Personnel: Health Officer

LEGISLATIVE HISTORY:

Date Presented: 1/29/2002

Executive Action: 4/16/2002 S

Committee Referral: 1/29/2002 HEHS

Effective Date: 6/3/2002

Committee Action: 2/20/2002 FAV

Date Introduced: 3/5/2002

Public Hearing: 3/26/2002 1:30 P.M.

Council Action: 3/26/2002 ENACTED

Council Votes: PS:A, DB:A, TD:A, JE:A, TH:A, RVR:A, AS:A, MW:A

Pass/Fail: P

Remarks: _____

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE DATE: 2/20/02

Committee Vote: Favorable, 4-0 (In favor: Council Members Hendershot, Gourdine, Bailey and Scott)

Staff summarized the legislation indicating that it deletes certain outdated Noise Control sections in the Prince George's County Code. The sections recommended for deletion are: Subtitle 19, Pollution, Division 2, Noise Control, Sections 120 through 125.

The Health Officer indicated that the State implemented a noise control program during the 1970s. Due to the cost to administer a County noise control program and duplication of effort, the Health Department's noise regulations drafted in the late 1970s were never implemented.

The Health Officer addressed the Committee explaining that the deletion of the noise control program language does not affect the nuisance citation that is monitored by the police. It was further stated that the deletion of this language would not impact any conditions placed on

developments.

The Environmental Health Officer indicated that constituent's concerns may be forwarded to their office and they would make the appropriate referrals to the State. The State has noise measuring and monitoring equipment for the effective enforcement of a noise control program.

The Health Officer indicated that public consultants are available to conduct a noise study if deemed necessary.

The County Executive supports.

The Legislative Officer and the Office of Law determined that CB-3-2002 is in proper legislative form. The Office of Audits and Investigations determined that there should not be any negative fiscal impact on the County as a result of enacting CB-3-2002.

BACKGROUND INFORMATION/FISCAL IMPACT

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

This bill deletes certain outdated provisions of the County noise control. During the 1970s, the State implemented a noise control program. Considering the significant expenditure required for personnel, testing equipment and vehicles to administer a County program and the resulting duplication of effort, the noise regulations drafted by the Health Department in the late 1970s were never implemented.

CODE INDEX TOPICS: