

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
1998 Legislative Session

Bill No. CB-45-1998
 Chapter No. 50
 Proposed and Presented by Council Member Hendershot
 Introduced by Council Member Hendershot
 Co-Sponsors _____
 Date of Introduction July 7, 1998

BILL

1 AN ACT concerning

2 Noise Control

3 For the purpose of amending the hours restricting audible noise in a residential area.

4 BY repealing and reenacting with amendments:

5 SUBTITLE 19. POLLUTION.

6 Section 19-126,

7 The Prince George's County Code

8 (1995 Edition, 1996 Supplement).

9 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 10 Maryland, that Section 19-126 of the Prince George's County Code be and the same is hereby
 11 repealed and reenacted with the following amendments:

12 SUBTITLE 19. POLLUTION.

13 DIVISION 2. NOISE CONTROL.

14 **Sec. 19-126. Noise in a residential area.**

15 (a) No person, who has been ordered by a police officer to cease using, operating, or
 16 permitting to be played or operated any radio, television set, tape or disk recorder, phonograph,
 17 musical instrument, or any other machine, equipment, or tool which produces or reproduces any
 18 sound or noise which is audible more than fifty (50) feet from the source of the sound or noise,
 19 shall continue to use, operate, or permit to play or operate the device causing the sound or noise.

20 (b) This Section shall apply only to a sound or noise which is audible in a residential area
 21 between the hours of [11:00] 9:00 P.M. and 7:00 A.M. of the next day. Residential area is an area

located within a residential zone listed in Section 27-109(a)(1) of this Code.

(c) This Section shall not apply:

(1) To any sound resulting from the emergency operation of a public service company as defined in Article 78, Section 2(o), Annotated Code of Maryland;

(2) To any sound resulting from the operations of an instrumentality of the Federal, State, or County government, or of a municipality; [or]

(3) To a sound resulting from the operation of farm equipment or aircraft;

(4) On private property for which a use and occupancy permit has been issued for purposes of sporting, recreational, entertainment events or for any other event to which the public is invited; or

(5) To an event or activity which takes place on property owned by the United States, the State, the County, the Board of Education, a bi-county agency, or a municipality.

(d) Any person who violates any provision of this Section shall, upon conviction, be guilty of a misdemeanor and subject to a fine not exceeding \$250 for a first offense, and \$500 for each subsequent offense or imprisonment not exceeding thirty (30) days, or both such fine and imprisonment.

SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 28th day of July, 1998.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Ronald V. Russell
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

The County Executive having failed to return this Bill within ten (10) days after the date of its presentation to him with either his approval or veto, this Bill became law on 8/17/98.

To become effective: 10/2/98