



Angela D. Alsobrooks  
County Executive

# Department of Permitting, Inspections and Enforcement



Dawit Abraham, P.E.  
*Director*

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## DPIE'S ROLE IN NOISE POLLUTION CONTROL

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November 2023



# PRINCE GEORGE'S COUNTY POLICY



The Prince George's County Council declared it to be the public policy that every resident of the County is entitled to noise levels that are not detrimental to health, safety, or welfare and the use, enjoyment, and protection of property.

The County's Noise Control Ordinance (Subtitle 19. Pollution, Division 2. Noise Control) is intended to control noise levels throughout the County to promote public health, safety, welfare, the peace and quiet of the inhabitants of the County.





# WHERE DOES NOISE POLLUTION COME FROM



Noise pollution occurs when unwanted sounds enter the environment. The potential health effects of noise pollution include increased stress levels, sleep disturbance, or hearing damage. Some examples of noise pollution sources include:

- Construction
- Motorized Vehicles
- Crowds
- Concerts
- Aircraft







# NOISE POLLUTION IS DETRIMENTAL TO EVERYONE'S HEALTH



Long-term exposure to noise can cause a variety of health effects including annoyance, sleep disturbance, negative effects on the cardiovascular and metabolic system, as well as cognitive impairment in children.



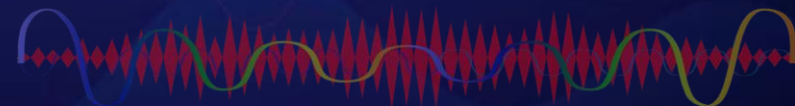
The World Health Organization (WHO) defines noise above 65 decibels (dB) as noise pollution. To be precise, noise becomes harmful when it exceeds 75 dB and is painful above 120 dB.



# WHAT IS NOISE DISTURBANCE?



- Sound that crosses between residential and non-residential areas must not exceed the level set for RESIDENTIAL areas.
- DPIE only investigates COMMERCIAL entities that generate noise levels that disturb residential areas including:
  - Truck deliveries late at night with loud back-up signals beeping;
  - Loud music from night clubs, skating rinks, etc. that exceeds levels set for residential areas; or
  - Construction noises late at night or very early morning.







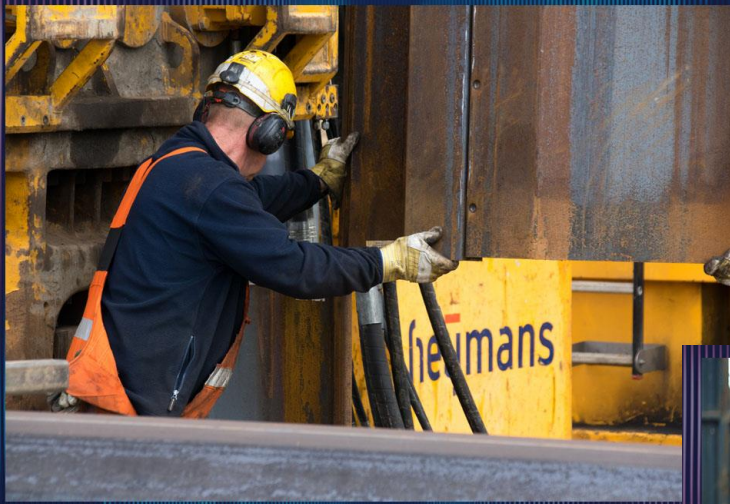
# WHO HANDLES THAT?



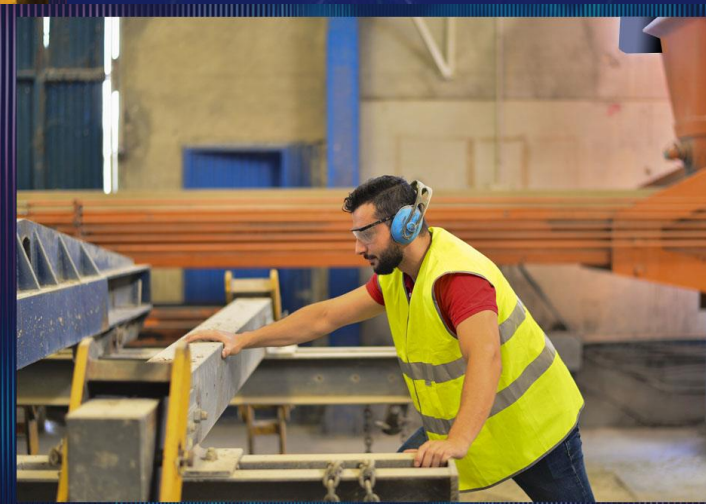
DPIE	Police Department	DoE
<ul style="list-style-type: none"><li>■ DPIE investigates noise complaints at:<ul style="list-style-type: none"><li>• Businesses and industrial sites;</li><li>• Construction sites.</li></ul></li><li>■ DPIE may be included in Loud Party Complaints &amp; Pop-up Events IF a Nuisance Property Is Established (Investigation is often initiated by JAG [Joint Agency Group]).</li></ul>	<ul style="list-style-type: none"><li>■ The Police Department responds to noise complaints at:<ul style="list-style-type: none"><li>• Loud parties and other events at private residences;</li><li>• Construction sites;</li><li>• Or in regard to loud vehicles and those with unlawfully modified exhaust systems.</li></ul></li></ul>	<ul style="list-style-type: none"><li>■ The Department of the Environment's Animal Control Division responds to noise complaints originating from an animal source.</li></ul>



# NOISE LEVEL AND NOISE DISTURBANCE STANDARDS FOR INDUSTRIAL ACTIVITY



- The maximum allowable noise level in an industrial area between 7 a.m. and 9 p.m. is:
  - 75 dBA if the Department has not approved a noise-suppression plan for the activity



- The maximum decibel level for noise in an industrial area between 9 p.m. to 7 a.m. is:

- 75 dBA for industrial receiving land use areas





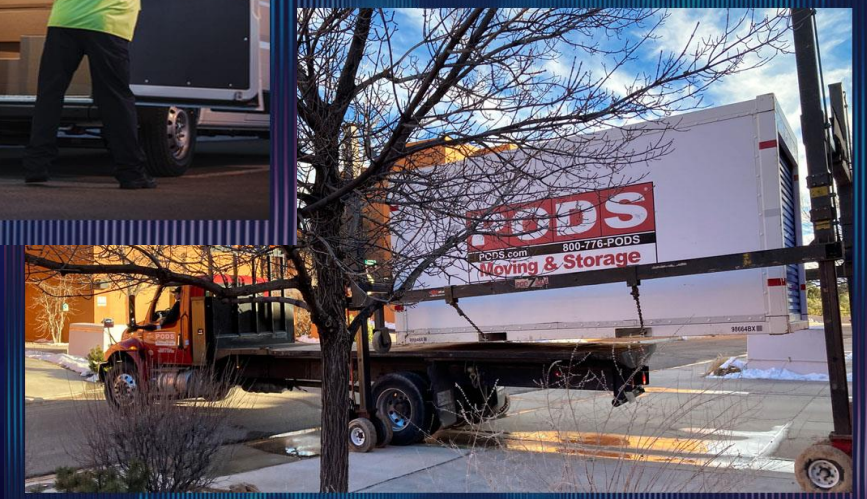


# NOISE LEVEL AND NOISE DISTURBANCE STANDARDS FOR COMMERCIAL ACTIVITY



- The maximum allowable noise level in a commercial area between 7 a.m. and 9 p.m. is:
  - 67 dBA if the Department has not approved a noise-suppression plan for the activity

- The maximum decibel level for noise in a commercial area between 9 p.m. to 7 a.m. is:
  - 62 dBA for commercial receiving land use areas







# NOISE LEVEL AND NOISE DISTURBANCE STANDARDS FOR RESIDENTIAL ACTIVITY



- The maximum allowable noise level in a residential area between 7 a.m. and 9 p.m. is:
  - 65 dBA if the Department has not approved a noise-suppression plan for the activity



- The maximum decibel level for noise in a residential area between 9 p.m. to 7 a.m. is:
  - 55 dBA for residential receiving land use areas







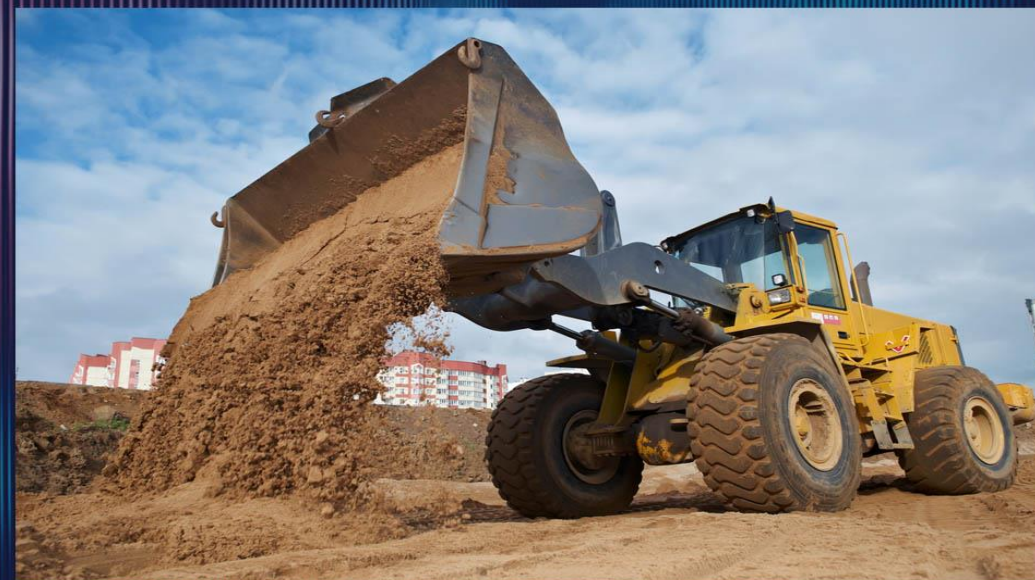
# NOISE LEVEL AND NOISE DISTURBANCE STANDARDS FOR CONSTRUCTION ACTIVITY



- The maximum allowable noise levels for construction at a construction site between 7 a.m. and 9 p.m. are:
  - 75 dBA if the Department has not approved a noise-suppression plan for the activity
  - 85 dBA if the Department has approved a noise-suppression plan for the activity

- The maximum decibel level for construction between 9 p.m. to 7 a.m. differs according to the zoning level of the location:

- Industrial: 75 dBA
- Commercial: 62 dBA
- Residential: 55 dBA







# EXCEPTIONS TO NOISE DISTURBANCES



The following noise generating activities that are exempt from enforcement under the noise control ordinance include:

- Any sound resulting from the emergency operations by a public service company or their contractors or fire, rescue, and police agencies.
- Any sound resulting from the operations of an instrumentality of the Federal, State, or County government, the Board of Education, a bi-county agency, or of a municipality,
- Sound resulting from the operation of an aircraft.
- Outdoor event on private property for which a valid use and occupancy permit has been issued for purposes of sporting, recreational, entertainment establishment, or for any other event to which the public is invited.
- An event or activity with a validly issued permit, license or other written authority 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.
- Farm equipment being used on more than five (5) acres or outside of one hundred (100) feet of the property line.
- 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.





# WHO CAN ISSUE A CITATION?



- The DPIE Director, Chief of Police, police officer, code enforcement officer, or a designee may issue a civil citation to the owner or landlord of the building or premises from which excess noise exists in violation of the Noise Control Ordinance, if more than three civil citations have been filed against an occupant, at one address, within a 60-day period.
- The DPIE Director, Chief of Police, police officer, code enforcement office, or a designee may issue additional civil citations for each subsequent violation within 6 months after the initial citation of the owner or landlord.
- Before issuing a citation, the Director, Chief of Police, police officer, code enforcement officer, or a designee shall send by certified mail or deliver written notice to the owner or landlord that two citations have been filed within a 60-day period.

A template for a civil citation form is shown on the right side of the slide. The form is titled "Citation Number:" in red. It includes the DPIE logo and the text "Prince George's County Department of Permitting, Inspection and Enforcement vs.". Below this, there are fields for "Owner's Last Name", "First Name", "Owner's Address", "City", "State", "ZIP Code", "Telephone Number", and "Email". The form is set against a background of a stylized mountain range.





# COUNTY CODES AND THE NOISE CONTROL PROCESS



- The County Codes on noise pollution control are written into the following zoning codes:
  - Subtitle 27 Subtitle — Zoning
  - Subtitle 5 Business Licensing code — Enforcement
  - Subtitle 4 Building Code — Construction
  - Subtitle 11 fire Code — Fire
  - Subtitle 19 is the Noise Pollution
  - CB18-2018 (based on subtitle 19) is the Noise Ordinance (decibel levels, hours)
- The process of inspections and enforcement regarding the noise ordinance is to go to the site of the disturbance. In most cases, enforcement staff will need to issue a violation notice. If there is no compliance, the offender will also receive a citation. In extreme instances, the enforcement officer will issue both to enforce the noise ordinance. If there is still no compliance, the case is elevated and submitted to the Nuisance Abatement Board (NAB). It can also be moved into court.
- DPIE issues more violations than citations.



# CHALLENGES IN REDUCING NOISE POLLUTION



- Challenges DPIE has had in reducing noise pollution within our jurisdiction includes current and anticipated departmental resources needed for inspections and enforcement of noise issues:
  - Need for additional noise meters: DPIE currently has 8 noise meters, which are used to schedule noise meter tests.
  - There already aren't enough meters for the current contingent, and with much needed additional staff being hired, the sharing will have to increase. The probable result is staff will not have a noise meter when needed to investigate calls on noise violations.
  - Time away from demands for inspections for employees to attend trainings on noise meters.
  - Limited funding (overtime) to respond to evening and weekend complaints.
- **Regarding the last bullet, DPIE management's strategic plan to enhance enforcement of future noise and nuisance incidents is proposing that all new hires for DPIE's Enforcement Division will extend Enforcement coverage during evenings and weekends.**





# SUCCESSSES IN REDUCING NOISE POLLUTION



- The Department has developed partnerships with other departments, agencies, and with the State in enforcement of the noise ordinance through the Joint Agency Group (JAG).
- JAG consists of members of DPIE, the Prince George's County Police Department, Health Department, Fire Department, Comptroller's Office, Liquor Board, County Attorney's Office, and the Office of the State's Attorney. JAG Meetings are held the second Wednesday of every month. JAG is funded by M-NCPPC.
- DPIE Zoning & Property Maintenance Inspectors work closely with the JAG interagency group and enforce the zoning cases. JAG members work collectively to address concerns that often cause noise pollution, such as:
  - Adult entertainment facilities
  - Illegal adult entertainment
  - Illegal pay-to-attend parties in residential homes
  - Illegal auto repair shops
- JAG agents are able to work undercover and learn of illegal events and research posts on social media platforms. They purchase tickets, meaning if they are able to purchase a ticket, it can no longer be considered a private event.
- This collaboration results in closing illegal entertainment, padlocking facilities, and cases going to NAB where JAG agents testify at hearings.



# RECENT NOISE POLLUTION CASES ADDRESSED BY DPIE



- Most noise complaints reported have been due to party houses. DPIE staff usually eliminates the party houses, and the noise concerns disappear. Recent properties of commercial/Industrial properties include:
  - 2001 Kenilworth Avenue, Capitol Heights, Joseph Smith and Sons. Obtained new U&O, no further complaints.
  - 13401 Old Annapolis Road, Bowie. Meeting is being set up with the store manager and district manager.
  - 9901 Lanham Severn Road, Lanham, Lanham Skating Rink. DPIE staff met with property owner and their attorney, no recent complaints.
  - 3705 Longfellow Street, Hyattsville, Orthodox Church. They obtained a new U&O and we have not had any recent noise complaints.
  - National Harbor Events. Citizen complaints regarding loud noise during events. DPIE contacted National Harbor staff to advise them of the previous noise concerns.





# PGC311 NOISE COMPLAINTS: CONSTRUCTION

Status ↑	Service Request Number	Subject	Opened Date	Address	Question	Answer	Applied Outcome
Closed	22-00008214	DPIE - Construction Issues	3/4/2022	9509 DASHIA DR	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	22-00016164	DPIE - Construction Issues	4/1/2022	12207 OLD COLONY DR N	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	22-00038073	DPIE - Construction Issues	6/16/2022	9730 GLASSY CREEK WAY	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	22-00068046	DPIE - Construction Issues	9/28/2022	SAINT JOSEPHS DR	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	22-00013319	DPIE - Construction Issues	3/23/2022	LIRA DR	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	22-00074789	DPIE - Construction Issues	10/31/2022	7006 ROSECRANS DR	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	22-00074669	DPIE - Construction Issues	10/31/2022	15401 BERRY RD	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	22-00081084	DPIE - Construction Issues	12/1/2022	12000 GREEN CT	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	22-00081391	DPIE - Construction Issues	12/2/2022	12108 HICKORY DR	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	22-00084991	DPIE - Construction Issues	12/21/2022	6401 DUBLIN PL	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	23-00031158	DPIE - Construction Issues	5/16/2023	5920 PRINCESS GARDEN PKWY	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	23-00032941	DPIE - Construction Issues	5/22/2023	9154 DARCY RD	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	23-00025313	DPIE - Construction Issues	4/21/2023	831 NEPTUNE AVE	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	23-00026875	DPIE - Construction Issues	4/27/2023	7121 E SPRING ST	What is the nature of your request?	Excessive Construction Noise	
	22-00017581	DPIE - Construction Issues	4/7/2022	821 FALCON DR	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	23-00007160	DPIE - Construction Issues	2/1/2023	4410 OGLETHORPE ST	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	22-00086421	DPIE - Construction Issues	12/29/2022	12004 FAIRWAY CT	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	23-00016783	DPIE - Construction Issues	3/17/2023	6602 SUITLAND RD	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	23-00009875	DPIE - Construction Issues	2/14/2023	12511 MORANO DR	What is the nature of your request?	Excessive Construction Noise	No Problem Found
Subtotal / Count		20					
Open	22-00033158	DPIE - Construction Issues	5/31/2022	5508 BEND ST	What is the nature of your request?	Excessive Construction Noise	No Problem Found
	22-00041029	DPIE - Construction Issues	6/28/2022	6162 INWOOD ST	What is the nature of your request?	Excessive Construction Noise	
	22-00049407	DPIE - Construction Issues	7/26/2022	3006 BERRYWOOD LN	What is the nature of your request?	Excessive Construction Noise	
	22-00049573	DPIE - Construction Issues	7/27/2022	2587 IVERSON ST	What is the nature of your request?	Excessive Construction Noise	
	22-00082941	DPIE - Construction Issues	12/9/2022	4210 KNOX RD	What is the nature of your request?	Excessive Construction Noise	
	22-00082936	DPIE - Construction Issues	12/9/2022	4205 KNOX RD	What is the nature of your request?	Excessive Construction Noise	
	22-00072742	DPIE - Construction Issues	10/20/2022	HOLLY HILL DR & ACCOKEEK RD	What is the nature of your request?	Excessive Construction Noise	
	22-00082939	DPIE - Construction Issues	12/9/2022	4206 KNOX RD	What is the nature of your request?	Excessive Construction Noise	
	23-00031762	DPIE - Construction Issues	5/17/2023	14300 NEALE DR	What is the nature of your request?	Excessive Construction Noise	
	23-00034285	DPIE - Construction Issues	5/28/2023	1217 QUO AVE	What is the nature of your request?	Excessive Construction Noise	
	22-00068500	DPIE - Construction Issues	9/29/2022	7826 ALLENDALE DR	What is the nature of your request?	Excessive Construction Noise	
	23-00010579	DPIE - Construction Issues	2/16/2023	8504 NORMAL SCHOOL RD	What is the nature of your request?	Excessive Construction Noise	
	23-00016728	DPIE - Construction Issues	3/17/2023	1207 ADDISON RD S	What is the nature of your request?	Excessive Construction Noise	
Subtotal / Count		13					
Open (Duplicate)	23-00032483	DPIE - Construction Issues	5/20/2023	2017 EVANSDALE DR	What is the nature of your request?	Excessive Construction Noise	
Open (Duplicate)	23-00021970	DPIE - Construction Issues	4/8/2023	812 GLACIER AVE	What is the nature of your request?	Excessive Construction Noise	
Subtotal / Count		2					
Total / Count		35					



# ENFORCEMENT AND PENALTIES



- Any person, after instructed to cease the noise, who allows or causes a continued violation of the Noise Control Ordinance shall, upon conviction, be guilty of a misdemeanor and subject to a fine not exceeding \$500 for a first offense, and \$1,000 for each subsequent offense or imprisonment not exceeding thirty (30) days, or both such fine and imprisonment, whereby each day a violation continues is a separate offense.
- As an alternative to criminal action, the DPIE Director, Police Chief, code enforcement officer, or police officer may issue a civil citation for any violation of the Noise Control Ordinance not exceeding \$500 for a first offense, and \$1,000 for each subsequent offense.
- Violations of the Noise Control Ordinance may be reviewed by the Administrative Court.





# WHO CAN BE CITED?



- The DPIE Director, Chief of Police, police officer, code enforcement officer, or a designee may issue a civil citation to the owner or landlord of the building or premises if more than three civil citations have been filed against an occupant, at one address, within a 60-day period.
- They may also issue additional civil citations for each subsequent violation within 6 months after the initial citation given to the owner or landlord.



# WHAT IS THE NUISANCE ABATEMENT BOARD'S ROLE?



- The Nuisance Abatement Board (NAB), working with the Enforcement Zoning Division and the Joint Agency Group (JAG), can also hear noise violation cases.

## ■ Loud Noise Nuisance Complaint Information

### **2021:**

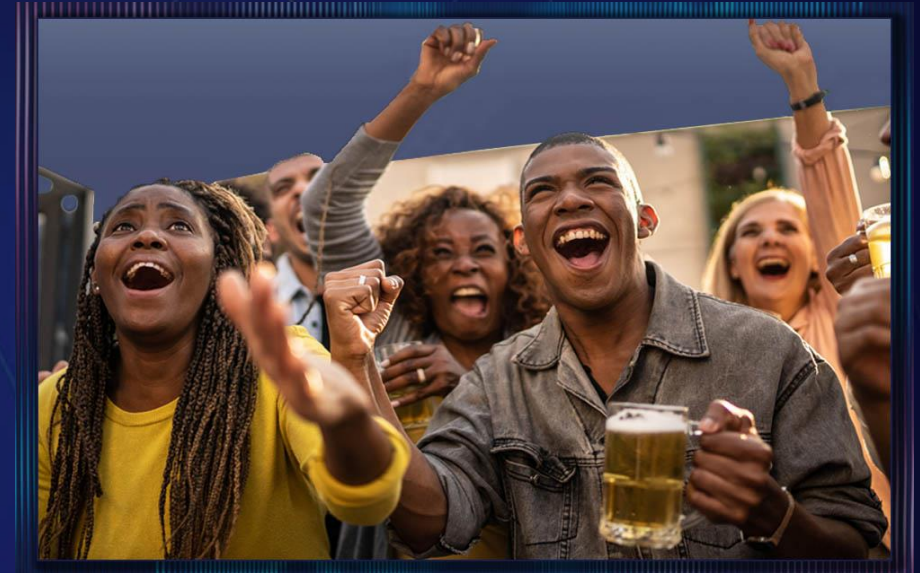
- \$15,500 in fines assessed during the 2021 calendar year related to loud noise and/or music
- 4 cases with \$0 issued in fines
- 11% of fines issued for loud noise and/or music have been paid (2/18)

### **2022:**

- \$13,500 in fines assessed during the 2022 calendar year related to loud noise and/or music
- 3 cases with \$0 issued in fines
- 1 case withdrawn related to loud noise and/or music
- 26% of fines issued for loud noise and/or music has been paid (5/19)

### **2023 (to date):**

- \$19,000 in fines assessed during the 2023 calendar year related to loud noise and/or music
- 5 cases with \$0 issued in fines
- 2 cases withdrawn related to loud noise and/or music
- 21% of fines issued for loud noise and/or music has been paid (4/19)



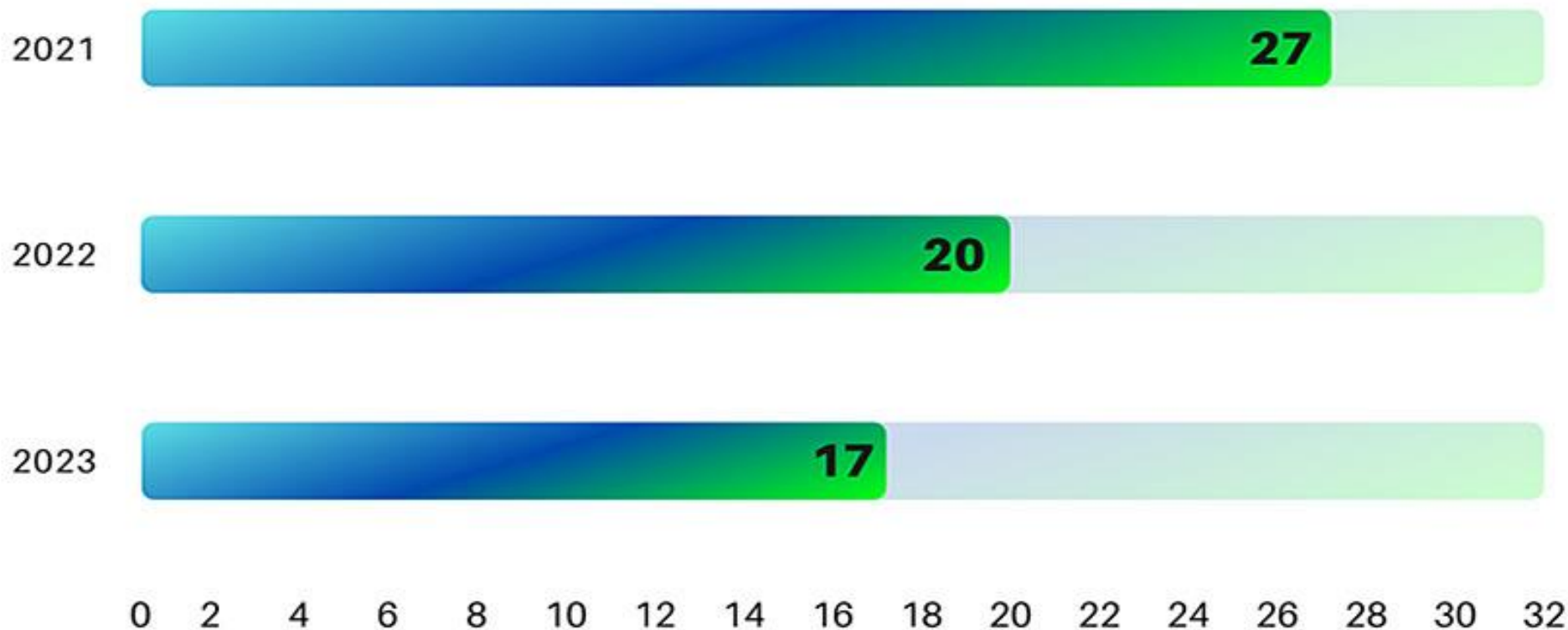




# NUMBER OF LOUD NOISE AND/OR MUSIC NUISANCE COMPLAINTS, JAN. 2021–PRESENT



Year Complaints Occurred



Frequency of Loud Noise &/or Music Complaints



# PUBLIC OUTREACH AND PREVENTIVE MEASURES



- In addition to collaboration efforts with the Prince George's County Police Department, NAB, and the Joint Agency Group (JAG), DPIE also works with civic and homeowner association groups.
- DPIE increases visibility and awareness of topics by educating the public, so they not only understand the importance of issues, but they also know the avenues of support to get issues, like noise pollution, addressed and resolved. To increase public outreach efforts, DPIE regularly:
  - Offers Community Information Sessions to the public
  - Conducts Community Partners' Meetings with other agencies
  - Attends Civic Association and other community meetings
  - Attends community events
  - Utilizes the agency website
  - Utilizes the Department's newsletters
  - Utilizes social media platforms on Facebook, X.com (Twitter), Instagram, and YouTube





# WHO HAS BEEN TRAINED?



- DPIE's last training on noise was August 2019.
- 13 DPIE staff have been trained.
  - Enforcement — 10
  - Inspections — 2
  - Permit Office — 1
  - The current number of those trained that are still working at DPIE is 13 (18% of the staff).
- Moving forward, stabilized trainings will be scheduled as part of the process.
  - New Hire trainings for the upcoming fiscal year will be held in January 2024.
  - The next training is tentatively scheduled for March 2024.





# DPIE'S VISION AND PLANS TO REDUCE NOISE VIOLATIONS



- Volunteer requests for a second shift are crucial to improving DPIE enforcement services in County communities.
- This critical objective implementation goal is March 2024.
- Issues to resolve include:
  - A training plan for employees
  - A dedicated weekend work schedule for employees
  - Developing an employee cross-training matrix
  - Establishing a “Supervisor Matrix” for weekends





Angela D. Alsobrooks  
County Executive

Department of Permitting, Inspections and Enforcement

# DPIE'S ROLE IN NOISE POLLUTION CONTROL



Jared M. McCarthy  
Acting Director

# Thank you!