



THE PRINCE GEORGE'S COUNTY GOVERNMENT


Office of Audits and Investigations


June 7, 2018

MEMORANDUM

TO: Robert J. Williams, Jr.
Council Administrator

William M. Hunt
Deputy Council Administrator

THRU: David H. Van Dyke 
County Auditor

FROM: Inez N. Claggett 
Senior Legislative Auditor

RE: Fiscal Impact Statement
CB-018-2018 DR-1 Noise Control

Legislative Summary

CB-018-2018 seeks to enhance the County's noise control law, set maximum allowable noise levels, and provide temporary and general waivers from the law.

Background/Current Law

Subtitle 19, Division 2, Sections 120 through 125 of the Prince Georges County Code (the "Code") authorize the Director of the Department of Permitting, Inspections, and Enforcement (DPIE) to administer and enforce the County's noise control program, adopts by reference certain provisions of the Maryland Department of Environment Noise Regulations, provides a standard of measurement of permissible noise levels in a residential area under certain conditions, and provides authority for the issuance of civil citations to violators of the noise control law by the Director of DPIE, Chief of Police, Police Officer, or a designee.

Resource Personnel

No resource personnel were contacted.

Assumptions and Methodology

CB-018-2018 defines certain terms to increase understanding of the County's noise control law and exempts the enforcement of the noise law upon contractors of a public service company, fire, rescue services, and police agencies within the County. The Bill also sets the maximum allowable noise levels for non-residential and residential areas, sets noise level and noise disturbance standards for construction, and extends authority to an enforcement officer to issue civil citations to violators. A provision is also added to allow each day of violation of the noise control law to be considered as a separate offense, for repeat violators who have been instructed to cease the noise. A waiver from adherence to the noise control law may be extended by the Director of DPIE for temporary events after an application for waiver has been received, and no less than ten (10) days after a majority of households that may be affected by the noise level anticipated for the event have been notified. General waivers may also be extended for a period of up to three (3) years for a case of which compliance with the noise control law is not practical or would cause undue hardship. General waivers may only be granted after a hearing has been held.

The Director of DPIE must also promulgate regulations to set the procedures and fees to apply for a waiver, as outlined within the proposed legislation, and to establish the equipment and techniques to be used to measure sound levels.

Fiscal Impact

- Direct Impact

Enactment of CB-018-2018 may have a positive fiscal impact on the County related to the increase in the fine for a violation, the ability to recover costs when issuing a violation, and the ability of an enforcement officer to issue a civil citation to violators. An amount, if any, cannot be estimated at this time.

- Indirect Impact

Enactment of CB-018-2018 may have a positive fiscal impact by increasing the public health, safety, welfare, and peace and quiet of County residents thereby encouraging a desire to remain a County resident, or to become a County resident.

Appropriated in the Current Fiscal Year Budget

The fiscal year 2019 approved current expense budget includes \$25,000 in operating expenses for the purchase of noise meters and related staff training in the Department of Permitting, Inspections, and Enforcement's budget.

Effective Date

The proposed Bill shall be effective forty-five (45) calendar days after it becomes law.

If you require additional information, or have questions about this fiscal impact statement, please call me.