

ENROLLED BILL

-- Environmental Matters/Education, Health, and Environmental Affairs --

Introduced by **Garrett County Delegation, Allegany County Delegation, and Washington County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Allegany, Anne Arundel, Garrett, and Washington Counties - Sound Level**
3 **Limits and Noise Control - Shooting Sports Clubs**

4 FOR the purpose of prohibiting ~~political subdivisions in Allegany, Garrett, and~~
5 ~~Washington counties~~ Allegany, Anne Arundel, Garrett, or Washington counties
6 or political subdivisions of Allegany, Anne Arundel, Garrett, or Washington
7 counties from adopting certain noise control ordinances, rules, or regulations
8 that prohibit certain target shooting between certain hours by shooting sports
9 clubs that are chartered and in operation by a certain date; authorizing ~~political~~
10 ~~subdivisions in Allegany, Garrett, and Washington counties~~ Allegany, Anne
11 Arundel, Garrett, or Washington counties or political subdivisions of Allegany,
12 Anne Arundel, Garrett, or Washington counties to adopt certain noise control
13 ordinances, rules, or regulations that prohibit certain target shooting between
14 certain hours by shooting sports clubs that the Department of the Environment
15 determines are not in compliance as of a certain date with certain standards,
16 limits, or rules or regulations; requiring ordinances, rules, and regulations

1 adopted under this Act to allow certain target shooting between certain hours by
2 shooting sports clubs that the Department determines have become compliant
3 with certain standards, limits, or rules; prohibiting the Department from
4 adopting certain sound level limits and noise control rules and regulations
5 prohibiting certain target shooting between certain hours in Allegany, Anne
6 Arundel, Garrett, and Washington counties at shooting sports clubs that are
7 chartered and in operation by a certain date; authorizing the Department to
8 adopt certain sound level limits and noise control rules and regulations that
9 prohibit certain target shooting between certain hours by shooting sports clubs
10 that the Department determines are not in compliance as of a certain date with
11 certain standards, limits, or rules; requiring sound level limits and noise control
12 rules and regulations adopted under this Act to allow certain target shooting
13 between certain hours by shooting sports clubs that the Department determines
14 have become compliant with certain standards, limits, or rules; making certain
15 conforming changes; and generally relating to sound level limits and noise
16 controls at shooting sports clubs.

17 BY repealing and reenacting, with amendments,
18 Article - Environment
19 Section 3-105(a) and 3-401(c)
20 Annotated Code of Maryland
21 (1996 Replacement Volume and 2004 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article - Environment**

25 3-105.

26 (a) (1) Except as provided in this section, this title does not limit the power
27 of a political subdivision to adopt noise control ordinances, rules, or regulations.

28 (2) A political subdivision may not adopt any noise control ordinance,
29 rule, or regulation that is less stringent than the environmental noise standards,
30 sound level limits, and noise control rules and regulations adopted under this title.

31 (3) (i) A political subdivision may not adopt any noise control
32 ordinance, rule, or regulation, including the environmental noise standards, sound
33 level limits, and noise control rules and regulations adopted under this title, that
34 prohibits trapshooting, skeetshooting, or other target shooting between the hours of 9
35 a.m. and 10 p.m. by a shooting sports club that is chartered and in operation as of
36 January 1, 2001.

37 (ii) This paragraph does not apply in Allegany, ANNE ARUNDEL,
38 Baltimore City, Calvert, Charles, Garrett, Howard, Montgomery, St. Mary's, and
39 Washington counties.

1 (4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
 2 PARAGRAPH, ~~A POLITICAL SUBDIVISION IN ALLEGANY COUNTY, GARRETT COUNTY,~~
 3 ~~OR WASHINGTON COUNTY~~ ALLEGANY COUNTY, ANNE ARUNDEL COUNTY, GARRETT
 4 COUNTY, WASHINGTON COUNTY, OR A POLITICAL SUBDIVISION OF ALLEGANY
 5 COUNTY, ANNE ARUNDEL COUNTY, GARRETT COUNTY, OR WASHINGTON COUNTY
 6 MAY NOT ADOPT ANY NOISE CONTROL ORDINANCE, RULE, OR REGULATION,
 7 INCLUDING THE ENVIRONMENTAL NOISE STANDARDS, SOUND LEVEL LIMITS, AND
 8 NOISE CONTROL RULES AND REGULATIONS ADOPTED UNDER THIS TITLE, THAT
 9 PROHIBITS TRAPSHOOTING, SKEETSHOOTING, OR OTHER TARGET SHOOTING
 10 BETWEEN THE HOURS OF 9 A.M. AND 10 P.M. BY A SHOOTING SPORTS CLUB THAT IS
 11 CHARTERED AND IN OPERATION AS OF JANUARY 1, 2005.

12 (II) 1. SUBJECT TO THE PROVISIONS OF SUBSUBPARAGRAPH 2
 13 OF THIS SUBPARAGRAPH, ~~A POLITICAL SUBDIVISION IN ALLEGANY COUNTY,~~
 14 ~~GARRETT COUNTY, OR WASHINGTON COUNTY~~ ALLEGANY COUNTY, ANNE ARUNDEL
 15 COUNTY, GARRETT COUNTY, WASHINGTON COUNTY, OR A POLITICAL SUBDIVISION OF
 16 ALLEGANY COUNTY, ANNE ARUNDEL COUNTY, GARRETT COUNTY, OR WASHINGTON
 17 COUNTY MAY ADOPT ANY NOISE CONTROL ORDINANCE, RULE, OR REGULATION,
 18 INCLUDING THE ENVIRONMENTAL NOISE STANDARDS, SOUND LEVEL LIMITS, AND
 19 NOISE CONTROL RULES AND REGULATIONS ADOPTED UNDER THIS TITLE, THAT
 20 PROHIBITS TRAPSHOOTING, SKEETSHOOTING, OR OTHER TARGET SHOOTING
 21 BETWEEN THE HOURS OF 9 A.M. AND 10 P.M. BY A SHOOTING SPORTS CLUB THAT THE
 22 DEPARTMENT DETERMINES IS NOT IN COMPLIANCE AS OF JANUARY 1, 2005 WITH
 23 ~~ANY OTHER~~ ENVIRONMENTAL NOISE STANDARDS, SOUND LEVEL LIMITS, OR NOISE
 24 CONTROL RULES OR REGULATIONS ADOPTED UNDER THIS TITLE.

25 2. A NOISE CONTROL ORDINANCE, RULE, OR REGULATION
 26 ADOPTED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL ALLOW
 27 TRAPSHOOTING, SKEETSHOOTING, AND OTHER TARGET SHOOTING BETWEEN THE
 28 HOURS OF 9 A.M. AND 10 P.M. BY A SHOOTING SPORTS CLUB THAT THE DEPARTMENT
 29 DETERMINES HAS BECOME COMPLIANT WITH ~~ALL OTHER~~ ENVIRONMENTAL NOISE
 30 STANDARDS, SOUND LEVEL LIMITS, AND NOISE CONTROL RULES AND REGULATIONS
 31 ADOPTED UNDER THIS TITLE.

32 3-401.

33 (c) (1) In adopting sound level limits and noise control rules and
 34 regulations, the Department shall consider, among other things:

35 (i) The residential, commercial, or industrial nature of the area
 36 affected;

37 (ii) Zoning;

38 (iii) The nature and source of various kinds of noise;

39 (iv) The degree of noise reduction that may be attained and
 40 maintained using the best available technology;

1 (v) Accepted scientific and professional methods for measurement
2 of sound levels; and

3 (vi) The cost of compliance with the sound level limits.

4 (2) The sound level limits adopted under this subsection shall be
5 consistent with the environmental noise standards adopted by the Department.

6 (3) The sound level limits and noise control rules and regulations
7 adopted under this subsection may not prohibit trapshooting or other target shooting
8 on any range or other property in Frederick County that the Frederick County
9 Department of Planning and Zoning has approved as a place for those sporting
10 events.

11 (4) The sound level limits and noise control rules and regulations
12 adopted under this subsection shall be as follows for residential heat pumps and air
13 conditioning units:

14 (i) Residential heat pumps 75dba.

15 (ii) Residential air conditioning units 70dba.

16 (5) (i) The sound level limits and noise control rules and regulations
17 adopted under this subsection may not prohibit trapshooting, skeetshooting, or other
18 target shooting between the hours of 9 a.m. and 10 p.m. on any range or other
19 property of a shooting sports club that is chartered and in operation as of January 1,
20 2001.

21 (ii) This paragraph does not apply in Allegany, Anne Arundel,
22 Baltimore City, Calvert, Charles, Garrett, Howard, Montgomery, St. Mary's, and
23 Washington counties.

24 (6) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
25 PARAGRAPH, THE DEPARTMENT MAY NOT ADOPT SOUND LEVEL LIMITS AND NOISE
26 CONTROL RULES AND REGULATIONS UNDER THIS SUBSECTION THAT PROHIBIT
27 TRAPSHOOTING, SKEETSHOOTING, OR OTHER TARGET SHOOTING BETWEEN THE
28 HOURS OF 9 A.M. AND 10 P.M. IN ALLEGANY COUNTY, ANNE ARUNDEL COUNTY,
29 GARRETT COUNTY, OR WASHINGTON COUNTY ON ANY RANGE OR OTHER PROPERTY
30 OF A SHOOTING SPORTS CLUB THAT IS CHARTERED AND IN OPERATION AS OF
31 JANUARY 1, 2005.

32 (II) 1. SUBJECT TO THE PROVISIONS OF SUBSUBPARAGRAPH 2
33 OF THIS SUBPARAGRAPH, THE DEPARTMENT MAY ADOPT SOUND LEVEL LIMITS AND
34 NOISE CONTROL RULES AND REGULATIONS UNDER THIS SUBSECTION THAT
35 PROHIBIT TRAPSHOOTING, SKEETSHOOTING, OR OTHER TARGET SHOOTING
36 BETWEEN THE HOURS OF 9 A.M. AND 10 P.M. IN ALLEGANY COUNTY, ANNE ARUNDEL
37 COUNTY, GARRETT COUNTY, OR WASHINGTON COUNTY ON ANY RANGE OR OTHER
38 PROPERTY OF A SHOOTING CLUB THAT THE DEPARTMENT DETERMINES IS NOT IN
39 COMPLIANCE AS OF JANUARY 1, 2005 WITH ~~ANY OTHER~~ ENVIRONMENTAL NOISE

