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By: **Garrett County Delegation, Allegany County Delegation, and  
Washington County Delegation**

Introduced and read first time: February 9, 2005

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of prohibiting political subdivisions in Allegany, Garrett, and  
5 Washington counties from adopting certain noise control ordinances, rules, or  
6 regulations that prohibit certain target shooting between certain hours by  
7 shooting sports clubs that are chartered and in operation by a certain date;  
8 authorizing political subdivisions in Allegany, Garrett, and Washington counties  
9 to adopt certain noise control ordinances, rules, or regulations that prohibit  
10 certain target shooting between certain hours by shooting sports clubs that the  
11 Department of the Environment determines are not in compliance as of a  
12 certain date with certain standards, limits, or rules or regulations; requiring  
13 ordinances, rules, and regulations adopted under this Act to allow certain target  
14 shooting between certain hours by shooting sports clubs that the Department  
15 determines have become compliant with certain standards, limits, or rules;  
16 prohibiting the Department from adopting certain sound level limits and noise  
17 control rules and regulations prohibiting certain target shooting between  
18 certain hours in Allegany, Garrett, and Washington counties at shooting sports  
19 clubs that are chartered and in operation by a certain date; authorizing the  
20 Department to adopt certain sound level limits and noise control rules and  
21 regulations that prohibit certain target shooting between certain hours by  
22 shooting sports clubs that the Department determines are not in compliance as  
23 of a certain date with certain standards, limits, or rules; requiring sound level  
24 limits and noise control rules and regulations adopted under this Act to allow  
25 certain target shooting between certain hours by shooting sports clubs that the  
26 Department determines have become compliant with certain standards, limits,  
27 or rules; and generally relating to sound level limits and noise controls at  
28 shooting sports clubs.

29 BY repealing and reenacting, with amendments,  
30 Article - Environment  
31 Section 3-105(a) and 3-401(c)  
32 Annotated Code of Maryland  
33 (1996 Replacement Volume and 2004 Supplement)

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

3 **Article - Environment**

4 3-105.

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

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

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

16 (ii) This paragraph does not apply in Allegany, Baltimore City,  
17 Calvert, Charles, Garrett, Howard, Montgomery, St. Mary's, and Washington  
18 counties.

19 (4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
20 PARAGRAPH, A POLITICAL SUBDIVISION IN ALLEGANY COUNTY, GARRETT COUNTY,  
21 OR WASHINGTON COUNTY MAY NOT ADOPT ANY NOISE CONTROL ORDINANCE, RULE,  
22 OR REGULATION, INCLUDING THE ENVIRONMENTAL NOISE STANDARDS, SOUND  
23 LEVEL LIMITS, AND NOISE CONTROL RULES AND REGULATIONS ADOPTED UNDER  
24 THIS TITLE, THAT PROHIBITS TRAPSHOOTING, SKEETSHOOTING, OR OTHER TARGET  
25 SHOOTING BETWEEN THE HOURS OF 9 A.M. AND 10 P.M. BY A SHOOTING SPORTS  
26 CLUB THAT IS CHARTERED AND IN OPERATION AS OF JANUARY 1, 2005.

27 (II) 1. SUBJECT TO THE PROVISIONS OF SUBSUBPARAGRAPH 2  
28 OF THIS SUBPARAGRAPH, A POLITICAL SUBDIVISION IN ALLEGANY COUNTY,  
29 GARRETT COUNTY, OR WASHINGTON COUNTY MAY ADOPT ANY NOISE CONTROL  
30 ORDINANCE, RULE, OR REGULATION, INCLUDING THE ENVIRONMENTAL NOISE  
31 STANDARDS, SOUND LEVEL LIMITS, AND NOISE CONTROL RULES AND REGULATIONS  
32 ADOPTED UNDER THIS TITLE, THAT PROHIBITS TRAPSHOOTING, SKEETSHOOTING,  
33 OR OTHER TARGET SHOOTING BETWEEN THE HOURS OF 9 A.M. AND 10 P.M. BY A  
34 SHOOTING SPORTS CLUB THAT THE DEPARTMENT DETERMINES IS NOT IN  
35 COMPLIANCE AS OF JANUARY 1, 2005 WITH ANY OTHER ENVIRONMENTAL NOISE  
36 STANDARDS, SOUND LEVEL LIMITS, OR NOISE CONTROL RULES OR REGULATIONS  
37 ADOPTED UNDER THIS TITLE.

38 2. A NOISE CONTROL ORDINANCE, RULE, OR REGULATION  
39 ADOPTED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL ALLOW  
40 TRAPSHOOTING, SKEETSHOOTING, AND OTHER TARGET SHOOTING BETWEEN THE

1 HOURS OF 9 A.M. AND 10 P.M. BY A SHOOTING SPORTS CLUB THAT THE DEPARTMENT  
2 DETERMINES HAS BECOME COMPLIANT WITH ALL OTHER ENVIRONMENTAL NOISE  
3 STANDARDS, SOUND LEVEL LIMITS, AND NOISE CONTROL RULES AND REGULATIONS  
4 ADOPTED UNDER THIS TITLE.

5 3-401.

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

8 (i) The residential, commercial, or industrial nature of the area  
9 affected;

10 (ii) Zoning;

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

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

14 (v) Accepted scientific and professional methods for measurement  
15 of sound levels; and

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

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

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

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

27 (i) Residential heat pumps 75dba.

28 (ii) Residential air conditioning units 70dba.

29 (5) (i) The sound level limits and noise control rules and regulations  
30 adopted under this subsection may not prohibit trapshooting, skeetshooting, or other  
31 target shooting between the hours of 9 a.m. and 10 p.m. on any range or other  
32 property of a shooting sports club that is chartered and in operation as of January 1,  
33 2001.

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

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

8                    (II)    1.    SUBJECT TO THE PROVISIONS OF SUBSUBPARAGRAPH 2  
9 OF THIS SUBPARAGRAPH, THE DEPARTMENT MAY ADOPT SOUND LEVEL LIMITS AND  
10 NOISE CONTROL RULES AND REGULATIONS UNDER THIS SUBSECTION THAT  
11 PROHIBIT TRAPSHOOTING, SKEETSHOOTING, OR OTHER TARGET SHOOTING  
12 BETWEEN THE HOURS OF 9 A.M. AND 10 P.M. IN ALLEGANY COUNTY, GARRETT  
13 COUNTY, OR WASHINGTON COUNTY ON ANY RANGE OR OTHER PROPERTY OF A  
14 SHOOTING CLUB THAT THE DEPARTMENT DETERMINES IS NOT IN COMPLIANCE AS  
15 OF JANUARY 1, 2005 WITH ANY OTHER ENVIRONMENTAL NOISE STANDARDS, SOUND  
16 LEVEL LIMITS, OR NOISE CONTROL RULES AND REGULATIONS ADOPTED UNDER THIS  
17 TITLE.

18                            2.    A SOUND LEVEL LIMIT OR NOISE CONTROL RULE OR  
19 REGULATION ADOPTED UNDER THIS SUBSECTION SHALL ALLOW TRAPSHOOTING,  
20 SKEETSHOOTING, AND OTHER TARGET SHOOTING BETWEEN THE HOURS OF 9 A.M.  
21 AND 10 P.M. BY A SHOOTING SPORTS CLUB THAT THE DEPARTMENT DETERMINES  
22 HAS BECOME COMPLIANT WITH ALL OTHER SOUND LEVEL LIMITS AND NOISE  
23 CONTROL RULES AND REGULATIONS ADOPTED UNDER THIS TITLE.

24    SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 July 1, 2005.