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

Introduced and read first time: February 9, 2005

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2005

CHAPTER _____

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

1 certain target shooting between certain hours by shooting sports clubs that the
 2 Department determines have become compliant with certain standards, limits,
 3 or rules; and generally relating to sound level limits and noise controls at
 4 shooting sports clubs.

5 BY repealing and reenacting, with amendments,
 6 Article - Environment
 7 Section 3-105(a) and 3-401(c)
 8 Annotated Code of Maryland
 9 (1996 Replacement Volume and 2004 Supplement)

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

12 **Article - Environment**

13 3-105.

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

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

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

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

28 (4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
 29 PARAGRAPH, ~~A POLITICAL SUBDIVISION IN ALLEGANY COUNTY, GARRETT COUNTY,~~
 30 ~~OR WASHINGTON COUNTY~~ ALLEGANY COUNTY, GARRETT COUNTY, WASHINGTON
 31 COUNTY, OR A POLITICAL SUBDIVISION OF ALLEGANY COUNTY, GARRETT COUNTY,
 32 OR WASHINGTON COUNTY MAY NOT ADOPT ANY NOISE CONTROL ORDINANCE, RULE,
 33 OR REGULATION, INCLUDING THE ENVIRONMENTAL NOISE STANDARDS, SOUND
 34 LEVEL LIMITS, AND NOISE CONTROL RULES AND REGULATIONS ADOPTED UNDER
 35 THIS TITLE, THAT PROHIBITS TRAPSHOOTING, SKEETSHOOTING, OR OTHER TARGET
 36 SHOOTING BETWEEN THE HOURS OF 9 A.M. AND 10 P.M. BY A SHOOTING SPORTS
 37 CLUB THAT IS CHARTERED AND IN OPERATION AS OF JANUARY 1, 2005.

38 (II) 1. SUBJECT TO THE PROVISIONS OF SUBSUBPARAGRAPH 2
 39 OF THIS SUBPARAGRAPH, ~~A POLITICAL SUBDIVISION IN ALLEGANY COUNTY,~~

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

12 2. A NOISE CONTROL ORDINANCE, RULE, OR REGULATION
 13 ADOPTED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL ALLOW
 14 TRAPSHOOTING, SKEETSHOOTING, AND OTHER TARGET SHOOTING BETWEEN THE
 15 HOURS OF 9 A.M. AND 10 P.M. BY A SHOOTING SPORTS CLUB THAT THE DEPARTMENT
 16 DETERMINES HAS BECOME COMPLIANT WITH ~~ALL OTHER~~ ENVIRONMENTAL NOISE
 17 STANDARDS, SOUND LEVEL LIMITS, AND NOISE CONTROL RULES AND REGULATIONS
 18 ADOPTED UNDER THIS TITLE.

19 3-401.

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

22 (i) The residential, commercial, or industrial nature of the area
 23 affected;

24 (ii) Zoning;

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

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

28 (v) Accepted scientific and professional methods for measurement
 29 of sound levels; and

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

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

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

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

4 (i) Residential heat pumps 75dba.

5 (ii) Residential air conditioning units 70dba.

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

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

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

21 (II) 1. SUBJECT TO THE PROVISIONS OF SUBSUBPARAGRAPH 2
22 OF THIS SUBPARAGRAPH, THE DEPARTMENT MAY ADOPT SOUND LEVEL LIMITS AND
23 NOISE CONTROL RULES AND REGULATIONS UNDER THIS SUBSECTION THAT
24 PROHIBIT TRAPSHOOTING, SKEETSHOOTING, OR OTHER TARGET SHOOTING
25 BETWEEN THE HOURS OF 9 A.M. AND 10 P.M. IN ALLEGANY COUNTY, GARRETT
26 COUNTY, OR WASHINGTON COUNTY ON ANY RANGE OR OTHER PROPERTY OF A
27 SHOOTING CLUB THAT THE DEPARTMENT DETERMINES IS NOT IN COMPLIANCE AS
28 OF JANUARY 1, 2005 WITH ~~ANY OTHER~~ ENVIRONMENTAL NOISE STANDARDS, SOUND
29 LEVEL LIMITS, OR NOISE CONTROL RULES AND REGULATIONS ADOPTED UNDER THIS
30 TITLE.

31 2. A SOUND LEVEL LIMIT OR NOISE CONTROL RULE OR
32 REGULATION ADOPTED UNDER THIS SUBSECTION SHALL ALLOW TRAPSHOOTING,
33 SKEETSHOOTING, AND OTHER TARGET SHOOTING BETWEEN THE HOURS OF 9 A.M.
34 AND 10 P.M. BY A SHOOTING SPORTS CLUB THAT THE DEPARTMENT DETERMINES
35 HAS BECOME COMPLIANT WITH ~~ALL OTHER~~ SOUND LEVEL LIMITS AND NOISE
36 CONTROL RULES AND REGULATIONS ADOPTED UNDER THIS TITLE.

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

