

ENROLLED BILL

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

Introduced by **Senator Hafer**

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.

President.

CHAPTER _____

1 AN ACT concerning

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

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

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

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

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

23 **Article - Environment**

24 3-105.

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

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

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

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

39 (4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
 40 PARAGRAPH, ~~A POLITICAL SUBDIVISION IN ALLEGANY COUNTY OR GARRETT COUNTY~~

1 ALLEGANY COUNTY, ANNE ARUNDEL COUNTY, GARRETT COUNTY, WASHINGTON
 2 COUNTY, OR A POLITICAL SUBDIVISION OF ALLEGANY COUNTY, ANNE ARUNDEL
 3 COUNTY, GARRETT COUNTY, OR WASHINGTON COUNTY MAY NOT 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 IS CHARTERED AND IN OPERATION
 9 AS OF JANUARY 1, 2005.

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

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

30 3-401.

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

- 33 (i) The residential, commercial, or industrial nature of the area
 34 affected;
- 35 (ii) Zoning;
- 36 (iii) The nature and source of various kinds of noise;
- 37 (iv) The degree of noise reduction that may be attained and
 38 maintained using the best available technology;
- 39 (v) Accepted scientific and professional methods for measurement
 40 of sound levels; and

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

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

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

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

12 (i) Residential heat pumps 75dba.

13 (ii) Residential air conditioning units 70dba.

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

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

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

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

