
By: **Senator Hafer**

Introduced and read first time: February 4, 2005

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 24, 2005

CHAPTER _____

1 AN ACT concerning

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

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

1 with certain standards, limits, or rules; and generally relating to sound level
2 limits and noise controls at shooting sports clubs.

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

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

10 **Article - Environment**

11 3-105.

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

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

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

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

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

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

1 (i) Residential heat pumps 75dba.

2 (ii) Residential air conditioning units 70dba.

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

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

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

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

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

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 ~~October~~ July 1, 2005.

