

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 677

(Howard County Delegation)

Environment and Transportation

Education, Health, and Environmental Affairs

Howard County - Noise Control - Outdoor Concert Venues
Ho. Co. 18-17

This bill establishes more stringent noise control rules, regulations, and sound level limits regarding the electronic amplification of sound up to specified levels, at specified times, at an outdoor concert venue with a capacity of more than 15,000 individuals in Howard County. The bill also establishes additional control areas and sound restrictions for the areas surrounding the concert venue. The bill's provisions apply even if the concert venue uses satellite stages for an event at the venue.

The bill takes effect June 1, 2017.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances.

Local Effect: The bill is not anticipated to materially affect Howard County operations or finances.

Small Business Effect: Minimal.

Analysis

Bill Summary: The bill reduces the allowed decibels (dba) within the area that is included in a 0.25-mile radius of the "main stage" of the venue from 95 dba to 85 dba (at a residential property line) between 9 a.m. and 11 p.m.; specifies that existing decibel limits (at a residential property line) outside a 0.25-mile radius of the venue apply to the area between a 0.25-mile radius and a 0.75-mile radius of the main stage; and establishes a new limit for

the area that is outside a 0.75-mile radius of the main stage of the venue of 65 dba or lower (at a residential property line) between 9 a.m. and 11 p.m., and 55 dba or lower (at a residential property line) between 11 p.m. and 11:30 p.m. “Main stage” means the primary and usual performance space used by artists or other persons at an outdoor concert venue with a fixed-seat capacity for 4,000 or more individuals.

Current Law/Background:

Howard County Noise Control Law at an Outdoor Concert Venue

State noise control rules, regulations, and sound level limits may not prohibit the electronic amplification of sound in Howard County at an outdoor concert venue with a capacity of more than 15,000 individuals that produces sound (1) between 9 a.m. and 11 p.m. of 95 dba or lower within a quarter-mile radius of the venue, or 72.5 dba or lower outside of this area and (2) between 11 p.m. and 11:30 p.m., of 55 dba or lower from any distance from the venue. An outdoor concert venue with a capacity of more than 15,000 individuals may not produce any electronic amplification of sound between 11:30 p.m. and 9 a.m., except if the sound is due to an activity sponsored or authorized by the Howard County Public School System between 8 a.m. and 9 a.m.

State Noise Control Law

Because noise can have negative impacts on quality of life, the Maryland Department of the Environment’s (MDE) noise control program was established to handle noise complaints throughout the State. However, in 2005, MDE’s noise control program was defunded. According to MDE, noise violations are often a result of local land use decisions, which may be most appropriately handled at the local level. Thus, Chapter 360 of 2012 (House Bill 190) repealed the requirements for MDE to enforce noise control standards and implement a coordinated statewide noise control program. Instead, environmental noise standards, sound level limits, and noise control units are to be adopted and enforced by local governments. The law did not repeal the requirement for MDE to adopt noise control standards, limits, or rules, and maintained the requirement for MDE to revise such standards and limits as necessary or appropriate.

MDE continues to work with local jurisdictions to create local noise ordinances and delegate enforcement via memoranda of understanding. Currently, jurisdictions without a noise ordinance can incorporate the minimum State standard by reference and may continue to do so under Chapter 360. A local government may also develop rules specific to its jurisdiction.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of the Environment; Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2017
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