

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION 2021-16**

BILL NO. 2021-12

Title of Bill: Residential Noise Ordinance

Synopsis: An Act to add new Chapter 250, Noise in Residential Areas, of the Code of Cecil County; to prohibit certain noises in certain areas during specified hours; to establish certain exceptions to this prohibition; to establish fines for violating this prohibition; and generally relating to noise.

Introduced by: Council President on behalf of Council Members

Introduced and order posted on: August 17, 2021

Public hearing scheduled on: September 21, 2021 at 7:00 p.m.

Consideration scheduled on: October 5, 2021

By: _____
Council Manager

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by (date) at the County Administration Building, 200 Chesapeake Blvd., Elkton, and having been published according to the Charter on (date), a public hearing was held on (date) and concluded on (date).

By: _____
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment.

NOW THEREFORE, BE IT HEREBY ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND, that a new chapter of the Code of Cecil County to be titled "250. Noise in Residential Areas", under Part II: General Legislation, is hereby enacted to read as follows:

CHAPTER 250. NOISE IN RESIDENTIAL AREAS

A. A PERSON SHALL NOT MAKE OR CAUSE TO BE MADE BETWEEN THE HOURS OF 11:00 P.M. AND 6:00 A.M. ANY NOISE PRODUCED VOCALLY, WITH ANY RADIO RECEIVING SET, MUSICAL INSTRUMENT, PHONOGRAPHY, ANY DEVICE INTENDED FOR THE PRODUCTION OR REPRODUCTION OF SOUND, OR ANY HOUSEHOLD TOOL OR OTHER HOUSEHOLD EQUIPMENT, IF THE NOISE IS AUDIBLE ON ANY PROPERTY THAT IS USED FOR RESIDENTIAL PURPOSES AND IS LOCATED MORE THAN 50 FEET FROM THE SOURCE OF THE NOISE.

B. A PERSON SHALL NOT MAKE OR CAUSE TO BE MADE BETWEEN THE HOURS OF 6:00 AM. AND 11 P.M. ANY NOISE PRODUCED VOCALLY, WITH ANY RADIO RECEIVING SET, MUSICAL INSTRUMENT, PHONOGRAPHY, ANY DEVICE INTENDED FOR THE PRODUCTION OR REPRODUCTION OF SOUND, OR ANY HOUSEHOLD TOOL OR OTHER HOUSEHOLD EQUIPMENT, IF THE NOISE IS AUDIBLE ON ANY PROPERTY THAT IS USED FOR RESIDENTIAL PURPOSES AND IS LOCATED MORE THAN 100 FEET FROM THE SOURCE OF THE NOISE.

C. THIS SECTION DOES NOT APPLY TO NOISE RESULTING FROM:

(1) THE OPERATIONS OF A PUBLIC SERVICE COMPANY AS DEFINED IN THE PUBLIC UTILITIES ARTICLE, DIVISION I. PUBLIC SERVICES AND UTILITIES; TITLE 1. DEFINITIONS, SECTION 1-02(X) OF THE ANNOTATED CODE OF MARYLAND

(2) THE OPERATIONS OF AN INSTRUMENTALITY OF THE FEDERAL GOVERNMENT, STATE GOVERNMENT, OR COUNTY GOVERNMENT

(3) THE OPERATIONS OF A VOLUNTEER FIRE AND AMBULANCE COMPANY

(4) THE OPERATION OF FARM EQUIPMENT; OR

(5) THE OPERATIONS OF A BUSINESS OR INDUSTRIAL FACILITY, PROVIDED THAT THE NOISE IS NOT PRODUCED FROM A SOURCE AS DEFINED IN SUBSECTION A OF THIS SECTION.

D. A PERSON WHO FAILS TO STOP MAKING OR CAUSING TO BE MADE ANY NOISE THAT VIOLATES THE PROVISIONS OF THIS SECTION AFTER HAVING BEEN ORDERED TO DO SO BY A LAW ENFORCEMENT OFFICER, SHALL BE SUBJECT TO A CIVIL FINE.

30 E. A PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE LIABLE FOR A CIVIL FINE
31 IN THE FOLLOWING AMOUNT:

32 (1) \$250 FOR THE FIRST VIOLATION

33 (2) \$500 FOR THE SECOND VIOLATION; AND

34 (3) \$1,000 FOR THE THIRD VIOLATION AND EACH SUBSEQUENT VIOLATION.

35 BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND, that this Bill
36 shall take effect 60 calendar days from the date that it becomes law.

CERTIFICATION

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.

BY Council Manager