

1 **..Title**

2 **City Noise Prohibitions and Enforcement** – For the purpose of updating the Annapolis City  
3 Code noise prohibition section by adding a ban on certain noise in residential areas; expanding  
4 enforcement; and generally related to noise prohibitions.

5 **..Body**

6 **CITY COUNCIL OF THE**  
7 **City of Annapolis**

8  
9 **Ordinance 28-23**

10  
11 **Introduced by: Alderwoman Tierney**  
12 **Co-sponsored by: Aids. Savidge, O'Neill, Arnett**

13  
14 **Referred to:**

15 Public Safety Committee  
16 Environmental Matters Committee  
17 Rules & City Government Committee

18  
19 **AN ORDINANCE** concerning  
20 gran

21 **City Noise Prohibitions and Enforcement**

22  
23 **FOR** the purpose of updating the Annapolis City Code noise prohibition section by adding a ban  
24 on certain noise in residential areas; expanding enforcement; and generally related to noise  
25 prohibitions.

26  
27 **BY** repealing and reenacting with amendments the following portions of the Code of the City  
28 of Annapolis, 2023 Edition  
29 **11.12.020**

30  
31 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
32 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

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34 **Title 11 - PUBLIC PEACE, MORALS AND WELFARE**  
35 **Chapter 11.12 - Public Peace and Order**  
36 **Section 11.12.020 Noise prohibition.**

37  
38 A. Code of Maryland Regulations 26.02.03.01 and 26.02.03.02, as amended from time to time, are hereby  
39 adopted as the Environmental Noise Standards of the City of Annapolis except that the maximum decibel  
40 levels allowed within the City of Annapolis are set forth in the following table, which table shall supersede  
41 Code of Maryland Regulation 26.02.03.02 Table 1:

Area or activity	Maximum decibel level may not exceed:	
	Daytime hours of 7 a.m. to 10 p.m.	Nighttime hours of 10 p.m. to 7 a.m.
Residential zoning districts as identified in Chapter 21.40	65 dBA	55 dBA

Office and mixed use districts as identified in Chapter 21.44	67 dBA	62 dBA
Commercial and industrial zoning districts as identified in Chapter 21.42	75 dBA	75 dBA

B. ~~Code of Maryland Regulations 11.14.07.02 through 11.14.07.12 , as amended from time to time, are hereby adopted as the Motor Vehicle Noise Standards of the City of Annapolis.~~

C. ~~A violation of this section is subject to penalty pursuant to Section 11.12.120.~~

**A. Additional Definitions.** For the purposes of this section, the following terms have the following meanings:

1. "Residential district" means resident district zones per Title 21 § 06.010(A) and as shown on the zoning map entitled "City of Annapolis Zoning District Map".

**B. Generally.**

1. Code of Maryland Regulations 26.02.03.01 (Definitions) and 26.02.03.02 (Environmental Noise Standards) are adopted as the Environmental Noise Standards of the City of Annapolis.

2. In addition to state standards, the City of Annapolis noise standards shall include:

a. Sound levels. The maximum allowable decibel noise levels shall follow the Code of Maryland Regulations 26.02.03.02 (Environmental Noise Standards). The following chart shows sound levels allowed in specific City of Annapolis zoning districts.

<u>City Zoning Districts</u>	Maximum decibel level may not exceed:	
	Daytime hours of 7 a.m. to 10 p.m.	Nighttime hours of 10 p.m. to 7 a.m.
Residential zoning districts, as identified in Chapter 21.40	65 dBA	55 dBA
Office and mixed use districts, as identified in Chapter 21.44	67 dBA	62 dBA
Commercial and industrial zoning districts as identified in Chapter 21.42	75 dBA	75 dBA

b. Sound levels from water.

i. The noise levels from a boat on the water shall be measured at any point on land.

**Explanation:**

~~Strikethrough~~ indicates matter stricken from existing law.  
Underlining & black indicate copyediting or reformatting of existing law  
Underlining & red indicate new matter added to code.

1 ii. Allowable levels shall be the same decibel levels and during the  
2 hours allowed, in Maryland Regulations 26.02.03.02  
3 (Environmental Noise Standards).

4 3. Motor vehicle noise. Code of Maryland Regulations 11.14.07.02 through  
5 11.14.07.12 are hereby adopted as the Motor Vehicle Noise Standards of the City  
6 of Annapolis.

7 C. Prohibited. The following are prohibited in residential districts:

8 1. Gas Powered Leaf Blowers. The use of gasoline-powered leaf blowers in  
9 residential districts within the City of Annapolis is prohibited.

10 2. High Frequency Sound.

11 a. Except as may be permitted for special events or activities or  
12 governmental activities, any activity resulting in high-frequency sound in  
13 a residential area as set forth in the Maryland Code of Regulations  
14 26.02.03.02(B)(4) is prohibited.

15 b. Permits issued by the Department of Public Works may be granted to  
16 individuals, groups or organizations for specific events or activities that  
17 may result in the occurrence of high-frequency sound in residential areas,  
18 including but not limited to scientific research, medical purposes or  
19 industrial applications.

20 D. Fines. A violation of this section shall subject violators to fines in accordance with  
21 Section 11.12.120 of this title and the annual Fines Schedule found in the City Code  
22 appendices.

23 **Title 11 - PUBLIC PEACE, MORALS AND WELFARE**

24 **Chapter 11 - Public Peace and Order.**

25 **Section - 11.12.120 Public peace and order.**

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27  
28 A. Generally. A violation of any provision of this chapter is declared a municipal infraction,  
29 and for each violation the violator shall be subject to a fine as established by resolution of  
30 the City Council.

31 B. Noise. Violations of the City's noise ordinance, Title 11 § 12.020, shall be subject to  
32 enforcement by the Director of Planning and Zoning, the Police Chief, or their designees  
33 ("Enforcement Official").

34 1. The Enforcement Official is not required to issue a warning notice.

35 2. Each subsequent offense by the same individual, group or property owner(s) shall  
36 be cited at the next highest fine.

37 3. In consultation with the City Attorney or their designee, the Enforcement Official  
38 may seek additional legal remedies as appropriate under the circumstances.

39 **Explanation:**

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1 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
2 **ANNAPOLIS CITY COUNCIL** that Subsection C(1) shall take effect six months after adoption,  
3 and all other sections of this ordinance, as amended, shall take effect upon adoption.

**Explanation:**

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Underlining & red indicate new matter added to code.