

 <p>BEL AIR POLICE DEPARTMENT</p> <p>MANUAL OF OPERATIONS POLICIES AND PROCEDURES</p> <p>LEO F. MATRANGOLA CHIEF OF POLICE</p>	CHAPTER 20
	TITLE: NOISE ENFORCEMENT
	EFFECTIVE DATE: January 16,2013
	NO. PAGES: 3
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Purpose

In accordance with Section 345-2 through Section 345-7 (Noise Prohibitions) of the Bel Air Town Code, the Police Department is charged with the responsibility of investigating noise complaints and taking enforcement action where appropriate. The Department will use calibrated electronic sound meters to measure reported violations of the noise ordinance.

20:101- Policy

- Only those officers who have been made familiar with the department’s sound meter device by an officer trained by the Department of the Environment.
- Officers using sound meters will conduct calibration and testing with available equipment in a manner commensurate with the training received. The use of any sound meter that is not properly calibrated, or otherwise fails to function as required, is strictly prohibited. Monitoring noise levels for enforcement purposes will be done in accordance with training received and all applicable laws.
- Officers will make themselves aware of Chapter 345 of the Town Code.
- Upon notification of a noise complaint by dispatch, the duty officer shall assign an officer to respond to the BAPD Office to procure a noise decibel meter. The Officer shall then respond to the complaint to determine if there is a violation of Town Ordinance.

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- If the Officer determines that field noise level monitoring is necessary, he/she will take a reading from the appropriate location, generally at the border of the complainant's property closest to the noise source. If it is determined that a violation is occurring, the violator will be contacted, advised of the violation, warned to cease immediately, and that if the activity persists, further action will be instituted. The violator will be provided with an explanation of the Town Noise Ordinance restrictions. An application for a variance may be obtained in specified cases outlined in §345-4 of the Town Code.
- If upon follow-up, the complainant advises that the violations are continuing, the officer will conduct a second field test. If the noise measurement is above the maximum allowable levels established in the Town Code, a civil citation/municipal infraction shall be issued to the responsible party for the second, third and subsequent violations. The provisions of the noise ordinance imposes a penalty of \$100 for the first offense, \$500 for the second offense occurring within a twelve month period and a \$1,000 fine for the third offense within a twelve month period.
- If an officer is dispatched to a noise complaint and confirms that a violation of the vibration statute is being committed, the officer will handle the complaint in the same manner as if a violation of the noise level was being committed.

20:102- Noise Regulations

Maximum Allowable Noise Levels (dBA) for Receiving Zoning Districts

Day/ Night	Industrial	Commercial	Residential
DAY	75	67	65
NIGHT	75	62	55

1. A person may not cause or permit noise levels emanating from construction or demolition site activities which exceed:
 - During daytime hours: 90 dBA.
 - During nighttime hours: the levels specified above.
2. It is unlawful for any person or persons to play, use or operate or permit to be played, used or operated any radio, tape recorder, cassette player or other machine or device for reproducing sound if the sound generated is audible at a distance of 50 feet from the device producing the sound and if the device is located in or on either of the following:

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- Any public property, including any public street, highway, sidewalk, park, parking lot or thoroughfare; or
- Any motor vehicle on a public street, highway or public space.
- 3. Possession by a person or persons of any of the machines or devices or instruments enumerated in section 20:102 (2) shall be prima facie evidence that the person operates, or those persons operate, the machine or device.
- 4. It is unlawful for any person to cause or permit, beyond the property line of a source, vibration of such direct intensity to cause another person to be aware of the vibration by such direct means as sensation of touch or visual observation of moving objects. The observer shall be located at or within the property line of the receiving property when vibration determinations are made.

20:103-Equipment

- The Administrative Sergeant will ensure that the Department's sound meter(s) are secured in the Patrol Supervisor's Office and are accessible to all qualified operators. The Administrative Sergeant will ensure that the instruments are calibrated and tested as required by Maryland Law.