

**Amendment No. 4 to Bill 1403**

Proposed by: Ms. Price  
Introduced by: Mr. Bartlett, Ms. Price  
Date: August 14, 2018

**A BILL TO ADOPT THE TALBOT COUNTY NOISE ORDINANCE PURSUANT TO ENVIRONMENT ARTICLE § 3-105 AND § 3-401, ET SEQ., MARYLAND CODE ANN. AND TO AMEND SECTIONS OF CHAPTER 11 (ALCOHOLIC BEVERAGES) AND CHAPTER 15 (ANIMALS) TO MAKE SUCH CHAPTERS CONSISTENT WITH THE TALBOT COUNTY NOISE ORDINACNE**

**KEY**

**Boldface**.....Heading or defined term  
Underlining.....Added by amendment  
~~Strikethrough~~.....Deleted by amendment  
\* \* \* ..... Existing Bill unaffected

Proposed Amendments: The amendments proposed to the text of the Bill are as follows:

\* \* \*

**Section 92-4 NOISE STANDARDS**

A. It shall be unlawful within the county to make, continue to make, permit, or cause to be made or continued a Noise Disturbance or a Noise Level in excess of 65 dBA during the Daytime or 55 dBA during the Nighttime, except as specifically stated herein.

\* \* \*

**Section 92-10 TERMS DEFINED**

\* \* \*

DAYTIME

For the purposes of this chapter, Daytime shall mean from 7:00 a.m. to ~~10:00~~ 8:00 p.m. Sunday through Thursday and 7:00 a.m. to 10:00 p.m. Friday and Saturday.

\* \* \*

NIGHTTIME

For the purposes of this chapter, Nighttime shall mean all times outside of Daytime. ~~from 10:00 p.m. to 7:00 a.m.~~

\* \* \*

Purpose: The purpose of this new language is to adjust the definition of daytime and nighttime in the Bill.

Amendment not substantive: An amended ordinance cannot be deemed to be a new or different one unless it enlarges or narrows the scope of the original ordinance to such an extent that the ordinance as enacted can be said to be misleading in a substantial manner in its final form. Amendments that do not defeat the original purpose of the ordinance are not so substantial as to become a new ordinance. *Ajamian v. Montgomery County*, 99 Md. App. 665, 684-685 (1994). This amendment does not meet the test and therefore is non-substantive.