

§ 9-1-706. Noise in residential districts.

(a) **Definition.** In this section, "residential district" means those districts identified as residential in § [18-2-105](#) of this Code.

(b) **Scope.** This section does not apply to the use or operation of a device:

- (1) in the performance of a governmental function by an agency or instrumentality of federal, State, County, or municipal government;
- (2) in the performance of a public service function by a public service company as defined in the Public Utilities Article, § 1-101, of the State Code;
- (3) under a valid federal, State, County, or municipal license or permit;
- (4) in the activities of an educational institution or a bond fide nonprofit charitable or philanthropic organization or civic association; or
- (5) in farming activities.

(c) **Prohibitions.** A person may not: (1) at any time use, operate, or permit the use or operation of a radio, tape player, disc player, boom box, phonograph, or similar sound device at an unreasonably loud volume in a residential district; (2) between the hours of 11:00 p.m. and 7:00 a.m., use, operate, or permit the use or operation of a musical instrument or a machine, tool, or similar device at an unreasonably loud volume in a residential district; or (3) at any time use, operate, or permit the use or operation of an amplified musical instrument at an unreasonably loud volume at a residence. It is prima facie evidence of a violation of item (1) if the sound generated by the device can be heard at a distance of 50 feet from the device.

(d) **Sanctions for violation.** A person who violates subsection (c) is subject to a civil fine as provided in § [9-2-101](#), and a police officer may issue a citation, as provided in § [9-2-101](#), for a violation of subsection (c). A police officer is not required to issue a warning before charging a violation of subsection (c). Any person who has been ordered by a police officer to cease using, operating, or permitting the use or operation of a device in violation of subsection (c) and refuses or fails to comply with the order is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding 30 days or both, and a violation may be tried on a citation prepared in accordance with the rules of the District Court of Maryland.

(1985 Code, Art. 11, § 5-105) (Bill No. 87-93; Bill No. 60-97; Bill No. 23-04; Bill No. 4-05)