

**ORDINANCE**  
**OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK AMENDING**  
**CITY CODE CHAPTER 138 “NOISE”, §§138-2, “DEFINITIONS” TO REVISE THE**  
**DEFINITIONS OF DAY AND NIGHT TO SHORTEN THE HOURS DURING WHICH**  
**CERTAIN NOISE GENERATING ACTIVITIES MAY TAKE PLACE ON**  
**SATURDAYS, SUNDAYS AND HOLIDAYS**

**WHEREAS**, the Local Government Article of the Annotated Code of Maryland provides that the Mayor and Council of the City of College Park, Maryland have the authority to pass such ordinances as it deems necessary to preserve peace and good order, and to protect the health, comfort and convenience of the citizens of the municipality; and

**WHEREAS**, the Mayor and Council determined that the residents of the City have a right to an environment that is free from noise that may jeopardize their health, general welfare or property and as a result adopted Chapter 138, “Noise”; and

**WHEREAS**, the Mayor and Council have determined that it is in the public interest to amend Chapter 138 to further limit the hours during which certain noise generating activities, such as yard maintenance, can take place on Saturdays, Sundays and holidays.

**Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED**, by the Mayor and Council of the City of College Park, Maryland that Chapter138 “Noise”, §138-5, “Prohibited acts” be, and is hereby, repealed, re-enacted and amended to read as follows:

§138-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

\* \* \* \*

DAY- FROM MONDAY THROUGH FRIDAY, THE period between 7:00 a.m. and 8:00 pm.  
ON SATURDAYS, SUNDAYS AND HOLIDAYS, THE PERIOD BETWEEN 8:00 A.M.  
AND 8:00 P.M.

\* \* \* \*

NIGHT- FROM MONDAY THROUGH FRIDAY, THE period between 8:00 p.m. and 7:00

---

CAPS : Indicate matter added to existing law.  
[Brackets] : Indicate matter deleted from law.  
Asterisks \* \* \* : Indicate matter remaining unchanged in existing law but not set forth in Ordinance.

a.m. ON SATURDAYS, SUNDAYS AND HOLIDAYS, THE PERIOD BETWEEN 8:00 P.M. AND 8:00 A.M.

\* \* \* \*

**Section 2. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall publish this proposed ordinance or a fair summary thereof in a newspaper having a general circulation in the City of College Park together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for **7:30 P.M.** on the **12<sup>th</sup>** day of **July, 2016**, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. As soon as practicable after adoption, the City Clerk shall have a fair summary of the Ordinance and notice of its adoption published in a newspaper having a general circulation in the City of College Park and available at the City's offices. This Ordinance shall become effective on \_\_\_\_\_, 2015 provided that a fair summary of this Ordinance is published at least once prior to the date of passage and once as soon as practical after the date of passage in a newspaper having general circulation in the City.

**INTRODUCED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_ day of \_\_\_\_\_ 2016.

**ADOPTED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_ day of \_\_\_\_\_ 2016.

**EFFECTIVE** the \_\_\_\_ day of \_\_\_\_\_, 2016.

**ATTEST:**

**CITY OF COLLEGE PARK**

\_\_\_\_\_  
Janeen S. Miller, CMC, City Clerk

\_\_\_\_\_  
Patrick L. Wojahn, Mayor

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**

\_\_\_\_\_  
Suellen M. Ferguson, City Attorney