



# TOWN OF BERWYN HEIGHTS

5700 Berwyn Road  
Berwyn Heights, MD 20740  
(301) 474-5000  
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MAYOR  
Cheye M. Calvo

COUNCIL MEMBERS  
James T. Wilkinson (Mayor Pro Tem)  
Richard A. Ahrens  
Patricia D. Dennison  
Jodie A. Kulpa-Eddy

## ***Resolution 01-2011*** ***Ordinance No. 153 – Noise Ordinance Fine Schedule***

**WHEREAS**, Section 401– General Powers and Section 402 – Specific Powers of the Town Charter of the Town of Berwyn Heights vests the Mayor and Town Council with the authority to establish and enact a fine schedule; and

**WHEREAS**, the Mayor and Town Council adopted *Ordinance 153 – Noise* at its Town Meeting of March 9, 2011; and

**WHEREAS**, the Mayor and Town Council established Wednesday, March 30, 2011 as the date that *Ordinance 153 – Noise* shall become effective; and

**WHEREAS**, the Mayor and Town Council desire to establish a fine schedule as authorized by *Ordinance 153 – Noise*.

**NOW, THEREFORE, BE IT RESOLVED AND, IT HEREBY IS RESOLVED**, that the Mayor and Town Council this 13<sup>th</sup> day of April 2011 does hereby adopt the following *Ordinance 153 – Noise* fine schedule.

**BE IT FURTHER RESOLVED** that the fine schedule for *Ordinance 153 – Noise* adopted at the Town Meeting of the Town Council of the Town of Berwyn Heights on the 13<sup>th</sup> day of April 2011 shall become effective on Thursday, April 14, 2011.

### **Section 1.**

Any person or persons found violating *Section 5 - General Violations* of the Noise Ordinance and exceeding the maximum allowable decibel levels set forth in *Section 6 - Maximum Allowable Sound levels* of the Noise Ordinance, or the prohibited times set forth in *Section 7 - Exceptions Enumerated* will receive a warning for the first violation.

Any person or persons found to have violated any of the aforementioned sections for the second time may receive a warning notice or be fined at the discretion of the code compliance official or designated employee. The fine schedule is as follows:

	First Fine	Second Fine	Third & Subsequent Fines
10 Decibels or Less over Noise Limit	<b>\$25.00</b>	<b>\$50.00</b>	<b>\$100.00</b>
More than 10 Decibels over Noise Limit	<b>\$50.00</b>	<b>\$100.00</b>	<b>\$100.00</b>
Noise Violations at Prohibited Times	<b>\$50.00</b>	<b>\$100.00</b>	<b>\$150.00</b>
Frequent and Sustained Noise by Domestic Animals	<b>\$15.00</b>	<b>\$30.00</b>	<b>\$45.00</b>

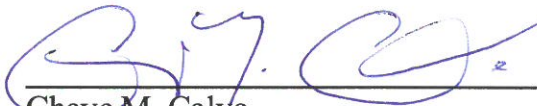
## Section 2.

If after a warning notice has been issued for a second documented violation, or a violation continues for an extended period of time, or a person has received multiple warnings or written citations, the code compliance official shall issue an immediate fine of \$100.00 and for each succeeding violation of a similar nature.

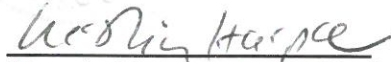
## Section 3.

Failure of an owner to pay a noise violation fine or fines will result in the amount of any fine being recorded as a lien against the property and collected in the same manner as delinquent Town taxes.

By Order of the Mayor and Town Council

  
 Cheye M. Calvo  
 Mayor, Town of Berwyn Heights

ATTEST:

  
 Kerstin Harper, Town Clerk

Adopted: April 13, 2011  
 Effective: April 14, 2011