

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2017, Legislative Day No. 14

Bill No. 55-17

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Councilmembers Bevins & Marks

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By the County Council, September 5, 2017

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A BILL  
ENTITLED

AN ACT concerning

Zoning Regulations – Agricultural Operations – Air Cannons

FOR the purpose of limiting the time period during which an air cannon may be fired or discharged as part of the agricultural operations in certain Resource Conservation (R.C.) Zones; and generally relating to agricultural operations in R.C. Zones.

BY repealing and re-enacting, with amendments  
Article 1A – Resource Conservation Zones  
Sections 1A01.5, 1A03.8, 1A05.6, 1A08.7, and 1A09.8  
Baltimore County Zoning Regulations

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
~~Strike out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

1 ARTICLE 1A – Resource Conservation Zones

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3 SECTION 1A01. R.C.2 (Agricultural) Zone.

4 § 1A01.5. Inconveniences arising from agricultural operations.

5 Any dwelling, business or use in or near an R.C. 2 Zone may be subject to inconveniences or  
6 discomforts arising from agricultural operations, including but not limited to noise, odors, fumes,  
7 dust, the operations of machinery of any kind during any twenty-four-hour period (including  
8 aircraft), the storage and disposal of manure and the application, by spraying or otherwise, of  
9 chemical fertilizers, soil amendments, herbicides and pesticides. The County shall not consider  
10 an agricultural operation to be a public or private nuisance if the operation complies with these  
11 regulations and all federal, state or County health or environmental requirements; EXCEPT THAT  
12 AN AGRICULTURAL OPERATION MAY NOT FIRE OR OTHERWISE DISCHARGE AN  
13 AIR CANNON OR SIMILAR DEVICE THAT RELEASES A LOUD SHOTGUN-LIKE BLAST  
14 BETWEEN THE HOURS OF 10:00 PM AND 7:00 AM.

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16 SECTION 1A03. R.C.4 (Watershed Protection) Zone.

17 § 1A03.8. Inconveniences arising from agricultural operations.

18 Any dwelling in an R.C. 4 Zone may be subject to inconveniences or discomforts arising from  
19 agricultural operations, including but not limited to noise, odors, fumes, dust, the operations of  
20 machinery of any kind during any twenty-four-hour period (including aircraft), the storage and  
21 disposal of manure and the application by spraying or otherwise of chemical fertilizers, soil  
22 amendments, herbicides and pesticides. The county shall not consider an agricultural operation  
23 to be a public or private nuisance if the operation complies with these regulations and all federal,

1 state or county health or environmental requirements; EXCEPT THAT AN AGRICULTURAL  
2 OPERATION MAY NOT FIRE OR OTHERWISE DISCHARGE AN AIR CANNON OR  
3 SIMILAR DEVICE THAT RELEASES A LOUD SHOTGUN-LIKE BLAST BETWEEN THE  
4 HOURS OF 10:00 PM AND 7:00 AM.

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6 SECTION 1A05. R.C.20 (Critical Area) and R.C.50 ((Critical Area, Agricultural) Zones.

7 § 1A05.6. Inconveniences arising from agricultural operations.

8 Any dwelling, business or use in or near an R.C. 50 Zone may be subject to inconveniences or  
9 discomforts arising from agricultural operations, including but not limited to noise, odors, fumes,  
10 dust, the operations of machinery of any kind during any twenty-four-hour period (including  
11 aircraft), the storage and disposal of manure and the application, by spraying or otherwise, of  
12 chemical fertilizers, soil amendments, herbicides and pesticides. The County shall not consider  
13 an agricultural operation to be a public or private nuisance if the operation complies with these  
14 regulations and all federal, state or County health or environmental requirements; EXCEPT THAT  
15 AN AGRICULTURAL OPERATION MAY NOT FIRE OR OTHERWISE DISCHARGE AN  
16 AIR CANNON OR SIMILAR DEVICE THAT RELEASES A LOUD SHOTGUN-LIKE BLAST  
17 BETWEEN THE HOURS OF 10:00 PM AND 7:00 AM.

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19 SECTION 1A08. R.C.7 (Resource Preservation) Zone.

20 § 1A08.7. Inconveniences arising from agricultural operations.

21 Any dwelling in an R.C.7 Zone may be subject to inconveniences or discomforts arising from  
22 agricultural operations, including noise, odors, fumes, dust, the operation of machinery or aircraft  
23 of any kind during any twenty-four-hour period, the storage and disposal of manure and the

1 application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and  
2 pesticides; EXCEPT THAT AN AGRICULTURAL OPERATION MAY NOT FIRE OR  
3 OTHERWISE DISCHARGE AN AIR CANNON OR SIMILAR DEVICE THAT RELEASES A  
4 LOUD SHOTGUN-LIKE BLAST BETWEEN THE HOURS OF 10:00 PM AND 7:00 AM.

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6 SECTION 1A09. R.C.8 (Environmental Enhancement) Zone.

7 § 1A09.8. Inconveniences arising from agricultural operations.

8 Any dwelling in an R.C. 8 or adjacent zone may be subject to inconveniences or discomforts  
9 arising from agricultural operations. These may include noise, odors, fumes, dust, the operation  
10 of machinery during any twenty-four-hour period, the storage and disposal of manure and the  
11 application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and  
12 pesticides. The County shall not consider an agricultural operation to be a public or private  
13 nuisance if the operation complies with these regulations and all federal, state or county health or  
14 environmental requirements; EXCEPT THAT AN AGRICULTURAL OPERATION MAY NOT  
15 FIRE OR OTHERWISE DISCHARGE AN AIR CANNON OR SIMILAR DEVICE THAT  
16 RELEASES A LOUD SHOTGUN-LIKE BLAST BETWEEN THE HOURS OF 10:00 PM AND  
17 7:00 AM.

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19 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by  
20 the affirmative vote of five members of the County Council, shall take effect on October 16, 2017.