



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich
County Executive

Adriana Hochberg
Acting Director

DIVISION OF ENVIRONMENTAL POLICY AND COMPLIANCE

☒ NOTICE OF VIOLATION

☐ ORDER TO CORRECT

☐ SITE OBSERVATION

☐ SITE ADVISORY

January 3, 2023

Date

Olney Boys & Girls Club Inc.

Owner/Company Name

c/o Brad Scott, Resident Agent
4501 Olney-Laytonsville Rd, Olney, MD 20832

Address

On December 28, 2022, the Montgomery County Department of Environmental Protection received a Citizen's Two Party Noise Disturbance Complaint concerning loud amplified sound coming from 4501 Olney-Laytonsville Rd, Olney. The complaints alleged that the noise created a noise disturbance on December 28, 2022 during quiet hours. The Maryland Department of Assessment and Taxation lists Olney Boys & Girls Club Inc. as the owner of 4501 Olney-Laytonsville Rd, Olney. As a result, Olney Boys & Girls Club Inc. is being issued a Notice of Violation for causing a noise disturbance:

Section 31B-5(b) of the Ordinance provides that "a person may not cause or permit noise that creates a noise disturbance." A noise disturbance is defined by the Montgomery County Code, Chapter 31B-2(m) as a sound that is:

- 1) unpleasant, annoying, offensive, loud or obnoxious
- 2) unusual for the time of day or location when it is produced or heard; or
- 3) detrimental to the health, comfort, or safety of any individual or the reasonable enjoyment of property or the lawful conduct of business because of the loudness, duration or character of the noise.

Failure to comply with this Notice of Violation (NOV) will result in the issuance of Civil Citations of \$500 per offense. Olney Boys & Girls Club Inc. is required to come into compliance with the Montgomery County Noise Ordinance, Chapter 31B. Under Chapter 31B-12(d), Olney Boys & Girls Club Inc. must submit a Compliance Plan detailing steps that will be taken during the 2023 events to ensure that the noise level does not exceed 55 dBA at the receiving property line during quiet hours. The Compliance Plan must be submitted by February 17, 2023. If you have questions or concerns, please contact me at (240) 832-8010 or Gretchen.Ekstrom@MontgomeryCountyMD.gov.

Code Used: COMAR _____ MCC _____ Chapter 31B _____ Reference(s) _____ 31B-5(b)

Gretchen F. Ekstrom

DEP Representative Name

DEP Representative Signature

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ID #

Case # 20222605

Case Type Code N4

Permit Granted? N/A

Sent via Certified Mail: 7020 1810 0001 5360 5380

Signature of person receiving notice

Energy, Climate and Compliance Division

2425 Reddie Drive, 4th Floor ☐ Wheaton, Maryland 20902 ☐ 240/777-0311, Fax 240/777-7752

Exhibit 72 - S2385