

ORDINANCE NUMBER 34-10

**AMENDMENT TO TITLE 9, SECTION 9.36 (NOISE CONTROL)
OF THE MASON COUNTY CODE**

ORDINANCE amending Title 9, Section 9.36 of the Mason County Code to remove the word "existing" from Subsection 9.36.100(8).

WHEREAS, Mason County received a request from the Mason County Economic Development Council for consideration of a revision to Title 9, Section 9.36 removing the word "existing" from Subsection 9.36.100(8); and

WHEREAS, the proposed revisions are intended to provide future growth opportunities in Mason County for motor vehicle racing events and facilities; and

WHEREAS, pursuant to RCW 70.107.060(3) proposed revisions were submitted to the Governor's Office of Regulatory Assistance for a ninety (90) review period by the Department of Ecology to be completed on June 29, 2010.

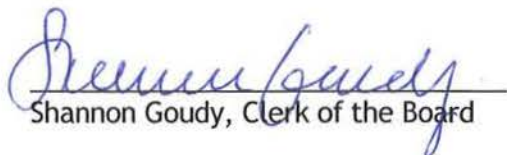
NOW THEREFORE, BE IT HEREBY ORDAINED, the Mason County Board of Commissioners hereby approves and ADOPTS amendments Title 9, Section 9.36 of the Mason County Code to remove the word "existing" from Subsection 9.36.100(8) as described by ATTACHMENT A effective July 1, 2010.

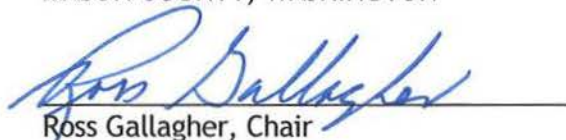
DATED this 4th day of May 2010.

Board of Commissioners
Mason County, Washington

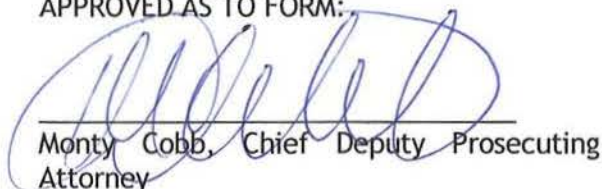
BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

ATTEST:


Shannon Goudy, Clerk of the Board


Ross Gallagher, Chair

APPROVED AS TO FORM:


Monty Cobb, Chief Deputy Prosecuting
Attorney


Lynda Ring Erickson, Commissioner


Tim Sheldon, Commissioner

ATTACHMENT "A"

**Chapter 9.36
NOISE CONTROL**

9.36.100 Other exemptions.

The following shall be exempt from the maximum permissible noise levels set forth in Section 9.36.060:

- (1) Sounds created by the normal operation of motor vehicles while upon public highways. Such motor vehicles are nevertheless subject to the provisions of Sections 9.36.130 through 9.36.150, pertaining to motor vehicle noise standards;
- (2) Sounds originating from aircraft in flight and sounds that originate at airports which are directly related to flight operations;
- (3) Sounds created by surface carriers engaged in interstate commerce by railroad;
- (4) Sounds created by warning devices not operating continuously for more than five minutes, or bells, chimes, and carillons;
- (5) Sounds created by fire alarms used as such;
- (6) Sounds created by safety and protective devices, such as relief valves, where noise suppression would defeat the intent of the device or is not economically feasible;
- (7) Sounds created by emergency equipment and work or training necessary in the interests of law enforcement or for health, safety, or welfare of the community;
- (8) Sounds originating from motor vehicle racing events at ~~existing~~, authorized facilities;
- (9) Sounds originating from officially sanctioned parades and other public events;
- (10) Sounds emitted from petroleum refinery boilers during start-up of said boilers; provided, that the start-up operation is performed during the daytime hours whenever possible;
- (11) Sounds created by watercraft; provided, that such watercraft shall comply with Mason County Ord. 83-88 (Motorboats) and Sections 9.36.160 through 9.36.180;
- (12) Subject to Ord. 438 Subsection 2, 1975 (Fire Arms), sounds created by the discharge of firearms in the course of hunting at all times;
- (13) Sounds caused by natural phenomena and unamplified human voices;
- (14) Sounds caused by motor vehicles over ten thousand pounds GVW, licensed or unlicensed, when operated off public highways;
- (15) Sounds caused by pigs, cattle, horses, sheep, goats, and poultry whether by commercial or noncommercial activities.