

**South Carolina
Noise Related Statutes**

TITLE 12: CHAPTER 36

SECTION 12-36-2120. Exemptions from sales tax.

Exempted from the taxes imposed by this chapter are the gross proceeds of sales, or sales price of:

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(17) machines used in manufacturing, processing, recycling, compounding, mining, or quarrying tangible personal property for sale. "Machines" include the parts of machines, attachments, and replacements used, or manufactured for use, on or in the operation of the machines and which (a) are necessary to the operation of the machines and are customarily so used, or (b) are necessary to comply with the order of an agency of the United States or of this State for the prevention or abatement of pollution of air, water, or **noise** that is caused or threatened by any machine used as provided in this section. This exemption does not include automobiles or trucks. As used in this item "recycling" means a process by which materials that otherwise would become solid waste are collected, separated, or processed and reused, or returned to use in the form of raw materials or products, including composting, for sale. In applying this exemption to machines used in recycling, the following percentage of the gross proceeds of sale, or sales price of, machines used in recycling are exempt from the taxes imposed by this chapter:

TITLE 12: CHAPTER 37

SECTION 12-37-220. General exemption from taxes.

(8) all facilities or equipment of industrial plants which are designed for the elimination, mitigation, prevention, treatment, abatement, or control of water, air, or **noise** pollution, both internal and external, required by the state or federal government and used in the conduct of their business. At the request of the Department of Revenue, the Department of Health and Environmental Control shall investigate the property of any manufacturer or company, eligible for the exemption to determine the portion of the property that qualifies as pollution control property. Upon investigation of the property, the Department of Health and Environmental Control shall furnish the Department of Revenue with a detailed listing of the property that qualifies as pollution control property. For equipment that serves a dual purpose of production and pollution control, the value eligible for the ad valorem exemption is the difference in cost between this equipment and equipment of similar production capacity or capability without the ability to control pollution. For the purposes of this item, twenty percent of the cost of any piece of machinery and equipment placed in service in a greige mill qualifies as internal air and **noise** pollution control property and is exempt from property taxes. "Greige mill" means all textile processes from opening through fabric formation before dyeing and finishing;

TITLE 31: CHAPTER 18

SECTION 31-18-10. Chapter title.

This chapter may be cited as the "South Carolina Shooting Range Protection Act of 2000".

SECTION 31-18-20. Definitions.

As used in this chapter:

(1) "shooting range" or "range" means an area that is:

(a) designated, utilized, and operated by a person for the firing of firearms; where
(b) the firing of firearms is the usual, regular, and primary activity occurring in the area; and where

(c) the improvements, size, geography, and vegetation of the area are such that a projectile discharged from a firearm at a target would not reasonably be expected to escape its boundaries by virtue of the trajectory of the projectile, or by virtue of a backstop, berm, bullet trap, impact barrier, or similar device designed to prevent the escape of such projectiles.

(2) "person" means an individual, partnership, limited liability company, corporation, club, association, governmental entity, or other legal entity.

(3) "substantial change in use" or "substantial change in the use" means that the current primary use of the range no longer represents the activity previously engaged in at the range.

SECTION 31-18-30. Nuisance action.

(A) Except as provided in this subsection, a person may not maintain a nuisance action for **noise** against a shooting range, or the owners, operators, or users of the range, located in the vicinity of that person's property if the shooting range was established as of the date the person acquired the property. If there is a substantial change in the use of the range after the person acquires the property, the person may maintain a nuisance action if the action is brought within three years from the beginning of the substantial change.

(B) A person who owns property in the vicinity of a shooting range that was established after the person acquired the property may maintain a nuisance action for **noise** against that shooting range, or the owners, operators, or users of the range, only if the action is brought within five years after establishment of the range or three years after a substantial change in use of the range.

(C) If there has been no shooting activity at a range for a period of three years, resumption of shooting is considered establishment of a new shooting range for purposes of this section. The three-year period shall be tolled if shooting activity ceases due to legal action against the shooting range or the owners, operators, or users of the shooting range.

SECTION 31-18-40. Application of noise control ordinance.

(A) A county, municipal, or state noise control ordinance, rule, or regulation may not require or be applied to require a shooting range to limit or eliminate shooting activities that have occurred on a regular basis before January 1, 2000.

(B) A county, municipal, or state noise control ordinance, rule, or regulation may not be applied to a shooting range that was in compliance with a noise control ordinance as of the date of its establishment, provided there is no substantial change in the use of the range subsequent to its initial compliance.

(C) A county, municipal, or state noise control ordinance, rule, or regulation may not be applied to a shooting range that was in existence prior to the enactment of a noise control ordinance, rule, or regulation, provided there is no substantial change in the use of the range.

SECTION 31-18-50. Local regulation of location and construction of new shooting range

Except as otherwise provided in this chapter or the law of this State, this chapter does not prohibit a local government from regulating the location and construction of a new shooting range after the effective date of this chapter.

SECTION 31-18-60. Notification of proximity of shooting range.

Each county in this State in which there is an existing shooting range or in which a shooting range is established must prominently display a sign at a one-mile radius of each shooting range on all primary highways to notify the public that they are entering the area of a shooting range which shall bear the following inscription:

"SHOOTING RANGE--NOISE AREA"

The sign must conform to the Manual of Uniform Traffic Control Devices and the policies of the Department of Transportation. The cost of fabricating the sign must be paid by the shooting range. Any shooting range in existence prior to January 1, 2000, must have a sign installed by January 1, 2001.

TITLE 50: CHAPTER 11

SECTION 50-11-2200. Establishment, operation, and maintenance of wildlife management areas; prohibited conduct; penalties.

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(C) The following acts or conduct are prohibited and shall be unlawful on all wildlife management areas, heritage preserves, and all other lands owned by the department; provided, however, the department may promulgate regulations allowing any of the acts or conduct by prescribing acceptable times, locations, means, and other appropriate restrictions not inconsistent with the protection, preservation, operation, maintenance, and use of such lands:

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(16) acting in a disorderly manner or creating any **noise** which would result in annoyance to others and no person shall operate or use a public address system;

TITLE 50: CHAPTER 25

SECTION 50-25-1110. Noise control requirements.

Any motorboat operating upon waters on Lake Wylie shall comply with the following noise control requirements:

- (1) Motorboats with inboard-outboard propulsion machinery shall exhaust through the propeller.
- (2) Inboard motorboats with "V"--drives--jets or propeller propulsion machinery with exhaust through the transom shall be water cooled with a steady stream of water or exhaust underwater while under way or exhaust through an automotive type sealed (baffle) muffler for each exhaust stack, with exhaust openings not to exceed two inches in diameter. Boats with original propulsion machinery made before 1970 are exempt from the requirements of this item.

(3) Motorboats and their propulsion machinery which exhaust over the transom shall exhaust through an automotive sealed (baffle) type muffler for each exhaust stack, with exhaust openings not to exceed two inches in diameter. Glass pack mufflers, resonators and above water open exhausts are prohibited for such motorboats. Baffle inserts are prohibited on all inboard boats.

(4) Motorboats with outboard propulsion machinery shall exhaust under water at all times unless designed or modified to exhaust above water and comply with the provisions of item (3) of this section.

SECTION 50-25-1120. Exemptions and exceptions.

The motorboats competing in a regatta, boat race, marine parade, tournament or exhibition approved as provided in Section 50-21-1010 shall be exempted from the provisions of this article. Exceptions may also be granted during designated hours for pretrial runs and for trial runs for speed records immediately following the event.

SECTION 50-25-1130. Violation of article; penalty.

The operator of any motorboat who violates any of the provisions of this article is guilty of a misdemeanor and upon conviction shall be fined for a first offense not less than fifty-dollars nor more than two hundred dollars or imprisoned for not more than thirty days. For a conviction of a second offense the punishment shall be by a fine of not less than one hundred dollars nor more than two hundred or by imprisonment for not more than thirty days. For the conviction of third or subsequent offense the punishment shall be by a fine of not less than two hundred dollars nor more than five hundred dollars or by imprisonment for not more than six months or both such fine and imprisonment.

SECTION 50-25-1210. Noise control requirements.

A motorboat operating upon waters on Lake Wateree shall comply with the following noise control requirements:

(1) Motorboats with inboard-outboard propulsion machinery shall exhaust through the propeller.

(2) Inboard motorboats with "V"-drives-jets or propeller propulsion machinery with exhaust through the transom must be water-cooled with a steady stream of water or exhaust underwater while under way or exhaust through an automotive sealed, baffle-type muffler for each exhaust stack, with exhaust openings not to exceed two inches in diameter. Boats with original propulsion machinery made before 1970 are exempt from the requirements of this item.

(3) Motorboats and their propulsion machinery which exhaust over the transom shall exhaust through an automotive sealed, baffle-type muffler for each exhaust stack, with exhaust openings not to exceed two inches in diameter. Glass pack mufflers, resonators, and above-water open exhausts are prohibited for the motorboats. Baffle inserts are prohibited on all inboard boats.

(4) Motorboats with outboard propulsion machinery shall exhaust underwater at all times unless designed or modified to exhaust above water and comply with the provisions of item (3).

SECTION 50-25-1220. Exemption for regatta, boat race, marine parade, tournament, or exhibition.

The motorboats competing in a regatta, boat race, marine parade, tournament, or exhibition approved as provided in Section 50-21-1210 are exempted from the provisions of this article. Exceptions also may be granted during designated hours for pretrial runs and for trial runs for speed records immediately following the event.

SECTION 50-25-1230. Violations.

The operator of a motorboat who violates any of the provisions of this article is guilty of a misdemeanor and, upon conviction, must be fined for a:

- (1) first offense not less than fifty nor more than two hundred dollars or imprisoned not more than thirty days;
- (2) second offense not less than one hundred nor more than two hundred dollars or imprisoned not more than thirty days;
- (3) third or subsequent offense not less than two hundred nor more than five hundred dollars or imprisoned not more than six months, or both.

TITLE 51. CHAPTER 3

SECTION 51-3-145. Certain acts unlawful at state parks.

It shall be unlawful for any person to commit any of the following acts at any park or facility under the jurisdiction of the Department of Parks, Recreation and Tourism:

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(H) Operating vehicles in a reckless manner, or in excess of posted speed limits, or in areas other than those specifically intended for vehicular traffic. A violation of the following provisions shall constitute the unlawful operating of vehicles:

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(4) No motorized vehicle of any kind shall be operated at any time without a muffler in good working order, or in such a manner as to create excessive or unusual **noise**, or annoying smoke, or using a muffler cut-off, by-pass, or similar device.

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(K) Acting in a disorderly manner or creating any **noise** which would result in annoyance to others. Acting in a disorderly manner shall include inciting or participating in riots, or indulging in boisterous, abusive, threatening, indecent, or disorderly conduct. In addition to other authorized penalty provisions anyone in violation of this subsection may be ejected from the park and shall not be entitled to a refund of any fee or rental.

(L) Entering or remaining within the limits of the park or facility while in an intoxicated or drugged condition.

(M) Operating or using audio device, including radio, television, musical instruments, or any other **noise** producing devices, such as electrical generators, and equipment driven by motor engines, in such a manner and at such times as to disturb other persons and no person shall operate or use any public address system, whether fixed, portable, or vehicle mounted, except when such use or operation has been approved by the department.

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TITLE 56: CHAPTER 5

SECTION 56-5-760. Operation of authorized emergency vehicles.

(A) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not

upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions of this section.

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(C) The exemptions in this section granted to an authorized emergency vehicle apply only when the vehicle is making use of an audible signal meeting the requirements of Section 56-5-4970 and visual signals meeting the requirements of Section 56-5-4700 of this chapter, except that an authorized emergency vehicle operated as a police vehicle need not use an **audible** signal nor display a visual signal when the vehicle is being used to:

SECTION 56-5-4950. Horns and warning devices.

Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound **audible** under normal conditions from a distance of not less than two hundred feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or whistle. No vehicle other than an authorized emergency vehicle shall be equipped with nor shall any person use upon any such vehicle any **siren, whistle or bell**.

SECTION 56-5-4960. Use of horn.

The driver of a motor vehicle shall, when reasonably necessary to insure safe operation, give audible warning with his **horn** but shall not otherwise use such horn when upon a highway.

SECTION 56-5-4970. Sirens, whistle or bell on authorized emergency vehicles.

Any authorized emergency vehicle may be equipped with a **siren, whistle or bell** capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet and of a type approved by the Department of Public Safety, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which latter event the driver of such vehicle shall sound such siren when necessary to warn pedestrians and other drivers of the approach thereof.

SECTION 56-5-4980. Theft alarm signal.

It is permissible but not required that any commercial vehicle be equipped with a **theft alarm** signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal.

SECTION 56-5-5020. Mufflers.

Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual **noise** and annoying smoke and no person shall use a muffler cutout, bypass or similar device upon a motor vehicle upon a highway. The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes and smoke.