



SUBJECT: Amendment to Nuisance and Noise By-Law No.19-2003

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-79-19

Wards Affected: All

File Numbers: 110-04-1

Date to Committee: November 5, 2019

Date to Council: November 18, 2019

Recommendation:

Approve the amendment of Nuisance and Noise By-law 19-2003, as amended, by adding that air horns are not to be used in the City of Burlington at any time, as outlined in Appendix A to department of city building report PB-79-19.

Purpose:

A Healthy and Greener City

- Healthy Lifestyles
- Environmental and Energy Leadership

An Engaging City

- Good Governance
- Community Building through Arts and Culture via Community Activities

Background and Discussion:

On September 23, 2019, Council directed the Director of City Building to amend Nuisance and Noise By-law 19-2003 to include language that prohibits the use of air horns at public events in the City of Burlington at any time.

Strategy/process

The proposed changes to the Nuisance and Noise By-law regarding non-use of air horns at any time are highlighted in Appendix A to department of city building report PB-79-19. Changes are proposed to three sections of the current by-law including Definitions, Schedule 2 - Time and Place Prohibitions and Schedule 3 - Exemptions.

The investigation and enforcement of the non-use of air horns will be done by the Municipal Law Enforcement team on a complaint basis.

Once Schedule 2 - Time and Place Prohibitions to the Nuisance and Noise By-law has been amended, approval by a Senior Regional Judge will be sought to allow the Municipal Law Enforcement Team to issue tickets for the use of air horns. The Senior Regional Judge will also set the applicable fine.

Financial Matters:

Not Applicable.

Source of Funding

Not Applicable.

Other Resource Impacts

Not Applicable.

Connections:

To assist in obtaining compliance, the Parks and Recreation Department will be adding language to Parks and Recreation Permit Agreements, to make permit holders aware of the Nuisance and Noise By-law regulations regarding the non-use of air horns by user groups in public recreational forums. The postage of signage could also be explored at recreational facilities and sports fields as a method of promoting awareness of the Nuisance and Noise By-law regarding the non-use of air horns.

This will help in obtaining voluntary compliance by customers and user groups, as well in enforcement of the By-law by the Municipal Law Enforcement Team.

Public Engagement Matters:

None.

Conclusion:

Adding the non-use of air horns at any time to the Nuisance and Noise By-law will help to control noise pollution in the City of Burlington.

Respectfully submitted,

Grant Ziliotto

Manager of Municipal Law Enforcement, Licensing and Animal Services

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Appendices:

- A. Draft amending by-law

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.