

**To:** Mayor and Members of Council

**From:** Nick Anastasopoulos, Chief Building Official

**Cc:** Tim Commisso - City Manager  
Heather MacDonald - Executive Director of Community Planning, Regulation and Mobility

**Date:** July 7, 2020

**Re:** ADR Chambers Ombuds Office – Noise Recommendations

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Over the last few months the By-law Enforcement team has been working with the ADR Chambers Ombuds Office regarding two investigations that relate to noise matters. A short summary of the recommendations for each respective investigation is noted below.

Report MUN-347-0918 (Air Conditioner Issue), Report Date: December 5, 2019

Conclusion(s) and Recommendation(s):

“I recommend that the By-law Enforcement Office conduct an appropriate sound test to evaluate the noise from the neighbour's Air Conditioner at the earliest possible opportunity; and, if necessary (i.e. if the Air Conditioner is found to be in violation of the By-law's noise provisions, which are derived from NPC-216), that the By-law Enforcement Office take the appropriate enforcement steps to rectify the situation.”

Report MUN-463-0719 (Exhaust Fan Issue), Report Date: May 29, 2020

Conclusion(s) and Recommendation(s):

“I recommend that the City of Burlington acquire the necessary sound measurement equipment, and that it properly train enough staff (which number is left to the City's discretion to determine) to use such equipment, in accordance with the standards set out in NPC-300, so that the City may properly carry out any necessary noise testing required to enforce its Noise By-law. As it was additionally noted that the City's Noise By-law is out of date and references expired Provincial guidelines, it is recommended that the City of Burlington update its Noise By-law at the earliest opportunity that the legislative agenda for City Council allows.”

Considering these recommendations, the Manager of By-law Enforcement has purchased a sound level meter which will provide the ability to accurately measure sound level readings from equipment and other sources. The By-law team currently has 3 municipal law enforcement officers trained for noise measuring but had previously registered 2 additional staff for training this fall. The Manager will also commence a review/update of the City's noise by-law with the assistance of Legal Services.

Any questions can be directed to the Chief Building Official / Director – Building & By-law Department.

A handwritten signature in dark ink, appearing to read "N. Anastopoulos". The signature is fluid and cursive, with a large initial "N" and a long, sweeping underline.

Nick Anastasopoulos, P.Eng.  
Chief Building Official / Director  
Building & By-law Department