



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Mayor and Members of Council

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: September 24, 2019

Report Number: CS-2019-25

Subject: Request for Noise By-law Exemption – Karma Wine Bar

Recommendations

That Karma Wine Bar (Karma) located at 12205 Riverside Drive, be granted an exemption from the Town's Noise By-law No. 2002-07, as amended, on Saturday, September 28, 2019, from 5:00 pm until 11:30 pm to permit musical entertainment;

And that the area residents be informed by Karma of this exemption from the Noise By-law, and Administration communicate the exemption to the OPP;

And further that concerns and/or complaints respecting the emission of sound, resulting from the entertainment, are to be monitored.

Background

A letter from Karma was received on September 3, 2019, requesting an exemption from the Town's Emissions of Sounds By-law No. 2002-07, as amended (Noise By-law). The exemption has been requested (Attachment 1) to permit outdoor entertainment in the front parking lot on Saturday, September 28, 2019.

Karma is planning a celebration of their one-year anniversary and has also applied for a temporary extension of the liquor license in conjunction with this event.

A portion of the ticket sales to the anniversary event will be donated to the Windsor Essex County Humane Society.

Comments

The Noise By-law prohibits the emission of sound resulting from:

“The sound from or created by any radio, phonograph, tape player, television, public address system, sound equipment, loud speaker, or any musical or sound producing instrument of whatever kind when the same is played or operated in such a manner or with such volume as to disturb the peace, quiet, comfort or repose of any individual in any office, dwelling house, apartment, hotel, hospital, or any other type of residence,”

The prohibition is at all times in all residential, agricultural and commercial areas (Table 4-1, Part 4).

Paragraph 6 of the Noise By-law allows for persons to make application to Council for an exemption from the By-law’s provisions with respect to any source of sound, or vibration, for which they may be prosecuted. Council may, by resolution, grant the exemption, together with any additional terms or conditions deemed appropriate.

Karma is seeking an exemption from Council to permit music entertainment during a one-night event.

It is recommended that an exemption to the Noise By-law be granted to Karma, not unlike other special community events to permit musical entertainment, until 11:30 pm for their one-year anniversary event; and that the area residents be informed by Karma of this exemption from the Noise By-law.

Complaints or concerns from area residents regarding this Noise By-law exemption will be monitored and, in particular, any concerns which may be raised **after** 11:30 pm.

Consultations

Tecumseh OPP

Financial Implications

There are no financial implications.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐

Social Media ☐

News Release ☐

Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Jennifer Alexander, MPA
Deputy Clerk & Manager Legislative Services

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Karma Wine Bar Letter dated September 3, 2019