



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Policies and Priorities Committee
From: Laura Moy, Director Corporate Services & Clerk
Date to Council: August 14, 2018
Report Number: CS-2018-29
Subject: Noise By-law Amendment

Recommendations

It is recommended:

That By-law No. 2002-07 respecting the emission of sounds (Noise By-law) **be amended** by repealing and replacing Paragraph 6 (a) and Paragraph 7 with the following paragraphs:

6. Grant of Exemptions

(a) Application to Council

Notwithstanding anything contained in this by-law, any person may make application to:

- i) Council to be granted an exemption from any of the provisions of this by-law with respect to any source of sound or vibration for which he/she might be prosecuted and Council, by resolution, may refuse to grant any exception or may grant the exemption applied for or any exemption of lesser effect and any exemption granted shall specify the time period, not in excess of six (6) months, during which it is effective and may contain such terms and conditions as Council sees fit.
- ii) The Director Parks & Recreation for special events held in compliance with the Outdoor Special Events Policy No. 85, which do not offer the sale and/or consumption of alcohol and are scheduled within the hours of 8:00 am to 11:00 pm.

7. Exemption of Traditional, Festive or Religious Activities

Notwithstanding any other provisions of this by-law, this by-law does not apply to a person who emits or causes or permits the emission of sound or vibration in connection with any of the hereinafter listed traditional, festive, religious and other activities, namely:

- (a) Corn Festival
- (b) Christmas in Tecumseh and Santa Parade
- (c) Canada Day
- (d) Any community event organized by the Town of Tecumseh, and
- (e) Ringing of Church bells or chimes.

And that amending by-law **be presented** to Council at the next Regular Meeting of Council to effect the amendments;

And that Report No. CS-2018-29 regarding Noise By-law Amendments, **be received**.

Background

At the March 27, 2018, Regular Council Meeting the Members inquired about delegating authority to administration to authorize waiving of the Noise By-law in relation to annual events that do not serve alcohol. It is noted in the minutes of the meeting that Council would continue to decide on requests to waive fees and exemptions from sign regulations for these events.

Administration was directed to review the proposal and report to the members.

Comments

Noise By-law regulates the emissions of sounds in the Town. Table 4-1 of the Noise By-law specifically restricts “at all times” and in all Residential, Agricultural and Commercial Areas:

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.

Section 6 of the Noise By-law permits any person to make application to Council for an exemption. Council has requested that consideration be given to permitting administration to approve exemption requests in relation to annual events that do not serve alcohol.

It is recommended that Section 6 be amended by adding a new subparagraph that would allow the Director Parks & Recreation to grant exemptions for special events held in compliance with

the Outdoor Special Events Policy No. 85, which do not offer the sale and/or consumption of alcohol and are scheduled within the hours of 8:00 am to 11:00 pm.

It is further recommended that the following events be added to Paragraph 7, which specifically already exempts Traditional, Festive or Religious Activities:

- Christmas in Tecumseh and Santa Parade
- Canada Day, and
- Any community event organized by the Town of Tecumseh

Consultations

Parks & Recreation Services

Financial Implications

There are no financial implications.

Link to Strategic Priorities

Applicable	2017-18 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 the Town of 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 the Town 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:

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

Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment Number	Attachment Name
None	None