



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: July 23, 2019

Report Number: CS-2019-19

Subject: Request for Noise By-Law Exemption
Beach Grove Golf and Country Club

Recommendations

It is recommended:

That Beach Grove Golf and Country Club, located at 14134 Riverside Drive, be granted an exemption from the Town's Noise By-law No. 2002-07, as amended, on Friday, July 26, 2019, and Friday, August 23, 2019, to permit music entertainment until 11:30 pm;

And that the area residents be informed by Beach Grove Golf and Country Club 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

By way of email correspondence received July 23, 2019, Beach Grove Golf and Country Club (Beach Grove) has requested an exemption from the Town's Emission of Sounds By-law No. 2002-07, as amended (Noise By-law). The exemption has been requested to permit outdoor music entertainment overlooking the water on Friday, July 26, 2019 and Friday, August 23, 2019. [Appendix 1](#).

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,”

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.

Beach Grove is seeking an exemption from Council to permit music entertainment during two special events being planned for its outside area overlooking Lake St. Clair. The exemption requested is until 11:30 pm.

Council has approved requests from Beach Grove for summer music entertainment in prior years.

The OPP and the Town have received complaints from area residents **after 11:30 pm**, resulting from outdoor music events held at Beach Grove in prior years.

It is recommended that an exemption to the Noise By-law, once again, be granted to Beach Grove to permit music entertainment until 11:30 pm for the 2019 patio entertainment events; and that the area residents be informed by Beach Grove 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:

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	Email dated July 23, 2019 Beach Grove Golf and Country Club