

# THE CORPORATION OF THE CITY OF COURTENAY

## NOTICE OF COMMITTEE OF THE WHOLE MEETING

*We respectfully acknowledge that the land on which we gather is the  
unceded traditional territory of the K'ómoks First Nation*

**DATE:** Monday, June 25, 2018  
**PLACE:** City Hall Council Chambers  
**TIME:** 4:00 p.m.

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## AGENDA

### K'OMOKS FIRST NATION ACKNOWLEDGEMENT

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#### 1.00 STAFF REPORTS/PRESENTATIONS

1. Urban Forest Strategy Presentation by Amelia Needoba and Trevor Cox, Diamond Head Consulting
2. Consideration of the Annual Municipal Report pursuant to Section 99 of the *Community Charter*

**Recommended Resolution:** “That Council consider the 2017 Annual Municipal Report.”

- 1 3. Kus Kus Sum Memorandum of Understanding (MOU)

#### 2.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

1. 2018 Union of BC Municipalities (UBCM) Convention September 10 – 14, 2018
- 11 • Provincial Appointment Book
  - 33 • Meeting Request Process for Meetings with Provincial Government Staff
  - 35 • Meeting Requests with the Minister of Municipal Affairs and Housing

**Staff Note: Deadline to submit to the Ministry of Municipal Affairs and Housing before July 13, 2018**

- 37 • Meeting Requests with Premier Horgan and Provincial Cabinet Ministers

### **3.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

- 39 1. Briefing Note - SCADA Project - Supervisory Control and Data Acquisition Project Update and Staff Demonstration

### **4.00 RESOLUTIONS OF COUNCIL**

#### **1. In Camera Meeting**

That notice is hereby given that a Special In-Camera meeting closed to the public will be held June 25<sup>th</sup>, 2018 at the conclusion of the Committee of the Whole Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (c) labour relations or other employee relations.
- 90 (1) (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.
- 90 (1) (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

### **5.00 UNFINISHED BUSINESS**

- 41 1. **June 11, 2018 Regular Council Meeting - Noise Bylaw Discussion**

Staff report from 2014 regarding “Public Nuisance Bylaw No. 1798” is attached for Council discussion Re: decibel readings

### **6.00 ADJOURNMENT**



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

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**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** Kus Kus Sum Memorandum of Understanding (MOU)

**File No.:** 3200-00  
**Date:** June 25, 2018

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### PURPOSE:

The purpose of this report is to review and approve entering into a Memorandum of Understanding (MOU) between the City of Courtenay, Comox Valley Project Watershed Society (Project Watershed), and K'ómoks First Nation, for the lease, and eventual purchase and restoration of land that was formerly the site of an old K'ómoks First Nation village. This land is currently owned by Interfor, and is zoned for industrial use and more recently was the site of the Field Sawmill.

### RECOMMENDATION:

THAT based on the June 18, 2018 staff report "Kus Kus Sum Memorandum of Understanding (MOU)", Council proceed with OPTION 1, and approve the City signing the MOU between the City, Project Watershed, and K'ómoks First Nation.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### BACKGROUND:

The following outlines a timeline of previous council resolutions and minutes related to the proposed Kus Kus Sum restoration initiative.

Additional information is available at the following website:

<https://projectwatershed.ca/estuary-stewardship/fields-sawmill-kuskussum/>

June 12, 2017

That City Council support in principle the land partnership with K'ómoks First Nations as proposed by Project Watershed to facilitate the restoration of the former Field's Sawmill (Kus Kus Sum) site.

September 18, 2017

Tim Ennis, Project Watershed made a presentation updating Council on the habitat banking and restoration project of the former Fields Sawmill (Kus Kus Sum) site supported by project partners Chief Nicole Rempel and Band Administrator Tina McLean, K'ómoks First Nations. Tim Ennis announced that

they have reached an agreement with Interfor Corporation to purchase the property. As part of the agreement they have been permitted 2 years to raise the necessary project funds estimated at \$6.3 million dollars and will enter into a net lease agreement during this period. They are requesting support from staff and Council to aid in the negotiation of a purchase and sale contract with Interfor and to consider an exemption from property taxes for the 2 year period of the net lease agreement.

Council subsequently passed the following resolution at the September 18, 2017 meeting:

That WHEREAS on June 12th, 2017, Courtenay City Council unanimously approved support in principle for a land partnership with K'omoks First Nations as proposed by Project Watershed to facilitate the restoration of the Kus Kus Sum lands, the former Field's Sawmill site; and

WHEREAS this restoration will bring significant aesthetic, recreational, environmental and economic benefit to the City in the form of flood mitigation, new park land with walking and cycling trails, and restored fish habitat; and

WHEREAS Project Watershed is about to reach agreement with Interfor and K'omoks First Nation on a two year lease for the site to facilitate a fund raising drive to purchase the lands;

THEREFORE be it resolved that, subject to a staff report and the implementation of the lease agreement, Courtenay City Council agrees to support the fund raising drive towards purchase of the lands by approving an exemption from municipal taxation during the lease period, starting in fiscal year 2018.

#### October 2, 2017

Re: Delegation from September 18, 2017 Project Watershed Kus Kus Sum (Fields Sawmill Site)

That in addition to the resolution passed at the September 18th regular council meeting that Council mandate staff to work with Project Watershed towards the progress in the land acquisition.

#### November 6, 2017

That based on the November 6, 2017 staff report, "Former Fields Sawmill (Kus Kus Sum) Site", Council approve the use of gaming funds for a one-time lump-sum contribution of up to \$135,000 to Project Watershed.

That Council request staff to explore options for recovery of funds should the project not come to fruition

#### **DISCUSSION:**

On June 6<sup>th</sup> 2018 staff received an email from Tim Ennis, the Senior Project Manager with Project Watershed, that included a copy of the executed lease between Interfor (Lessor) and Project Watershed (Lessee) for the interim use of the Interfor property in preparation for the eventual purchase of the lands for the proposed Kus Kus Sum restoration project.

On June 12<sup>th</sup> Tim Ennis sent another email to staff that included a draft MOU signed by representatives from Project Watershed and K'omoks First Nation, for review and ratification by the City of Courtenay Council. **A copy of this MOU is attached to this staff report for information.**

As noted in the Background section of this staff report, on November 6<sup>th</sup> 2017, Council passed a resolution approving the use of gaming funds for a one-time lump-sum contribution of up to \$135,000

to Project Watershed to assist in supporting the project. On June 20<sup>th</sup> 2018 these funds were provided in the form of a cheque payable to Project Watershed.

Council also requested staff to explore options for recovery of funds should the project not come to fruition.

Staff have determined that, as a legally non-binding document, the MOU is not suitable as an option to recover any of the City's contribution to the proposed project, should the project not proceed.

A separate report outlining options for cost recovery is in the process of being prepared, but is not required in order for the City to sign the MOU.

**FINANCIAL IMPLICATIONS:**

To date, Council has approved providing Project Watershed \$135,000 in Gaming Funds, as well as \$5,000 in support of the Nomadic Tempest Tall Ship fundraising event, which is taking place over four evenings from June 29 to July 1.

**ASSET MANAGEMENT IMPLICATIONS:**

Should the restoration project proceed, it is possible that there will be benefits related to flood mitigation, stormwater management, and restoring the site to a natural state.

In the last few years there has been an increasing interest in the role of natural assets in the provision of asset management and sustainable service delivery.

Municipal natural assets refers to the stock of natural resources or ecosystems that is relied upon, managed, or could be managed by a municipality, regional district, or other form of local government for the sustainable provision of one or more municipal services.

**ADMINISTRATIVE IMPLICATIONS:**

Staff have spent approximately 20 hours in meeting and preparing the MOU, and preparing Council reports.

**STRATEGIC PLAN REFERENCE:**

As outlined below the Kus Kus Sum initiative falls under two themes in the City of Courtenay's 2016-2018 Strategic Priorities, "We invest in our key relationships" and "We proactively plan and invest in our natural and built environment".

**We invest in our key relationships**

- We value and recognize the importance of our volunteers
- We will continue to engage and partner with service organizations for community benefit
- ▲ We actively engage with our K'ómoks First Nation neighbours on issues of mutual interest and concern
- ▲ We advocate and cooperate with other local governments and senior governments on regional issues affecting our city

**We proactively plan and invest in our natural and built environment**

- Continued focus on asset management for sustainable service delivery
- Focus on infrastructure renewal rather than upgrades
- Continued support for social, economic and environmental sustainability solutions
- ▲ We look for regional infrastructure solutions for shared services to our community



- **Area of Control**  
The policy, works and programming matters that fall within Council’s jurisdictional authority to act.
- ▲ **Area of Influence**  
Matters that fall within shared or agreed jurisdiction between Council and another government or party.
- **Area of Concern**  
Matters of interest outside Council’s jurisdictional authority to act.

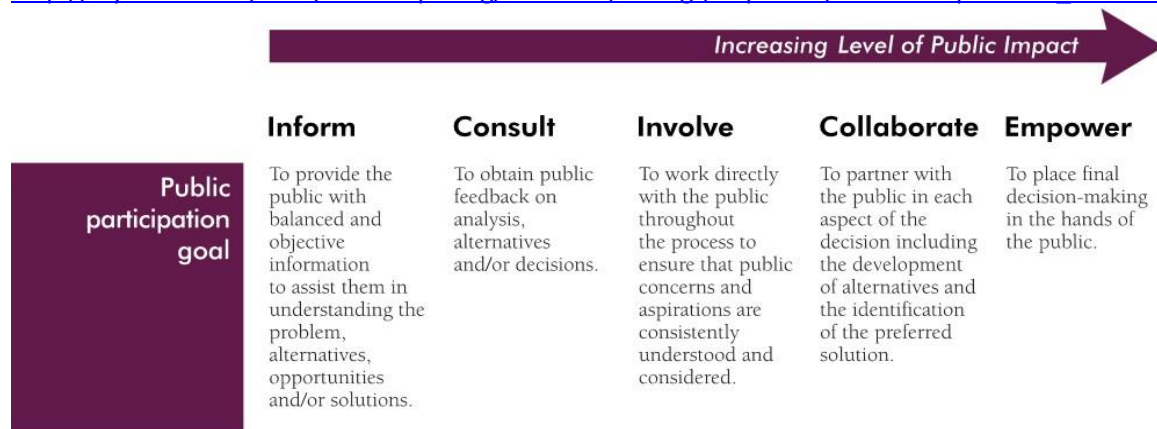
**OFFICIAL COMMUNITY PLAN REFERENCE:**

**REGIONAL GROWTH STRATEGY REFERENCE:**

**PUBLIC ENGAGEMENT:**

Staff would inform the public based on the IAP2 Spectrum of Public Participation:

[http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum\\_vertical.pdf](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf)



**OPTIONS:**

OPTION 1 – Council approve the City signing the MOU between the City, Project Watershed, and K'ómoks First Nation.

OPTION 2 – Council direct staff to work with the parties to amend the MOU between the City, Project Watershed, and K'ómoks First Nation and report back to Council.

Prepared by,

A handwritten signature in black ink, appearing to read "David Allen". The signature is fluid and cursive, with the first name "David" and last name "Allen" clearly distinguishable.

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

*Attachments: Kus Kus Sum Memorandum of Understanding, June, 2018*

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“**MoU**”) is dated \_\_\_\_\_,

AMONG:

K’ômoks First Nation (“**K’ômoks**”)

AND:

City of Courtenay (“**Courtenay**”)

AND:

Comox Valley Project Watershed Society (“**Project Watershed**”)

WHEREAS:

- A. K’ômoks, Courtenay and Project Watershed (the “**Parties**”) share a common vision of the K’ômoks Estuary as a unique environment that will benefit from collaborative efforts to sustain it for future generations;
- B. The Parties wish to enter into a co-operative relationship to secure and restore a property known as the Field Sawmill site (Kus Kus Sum) in the K’ômoks Estuary, which property is legally described in Schedule A (the “**Property**”); and
- C. The Parties wish to enter into this non-binding MoU to provide a common starting point to negotiating their relationship,

NOW THEREFORE, the Parties agree as follows:

1. This MoU is intended only to provide a common starting point in delineating the issues to be addressed by the Parties in connection with the Property. Except for sections 2, 3 and 5, this MoU is not intended to create any binding legal obligations between the Parties.
2. Nothing in this MoU will prejudice or affect Courtenay’s rights, powers, duties or obligations in the exercise of its functions pursuant to the *Community Charter*, the *Local Government Act*, the *Land Title Act*, or any other Act of the legislature of the Province of British Columbia, as amended from time to time.
3. Nothing in this MoU will prejudice or affect K’ômoks’s asserted Aboriginal title or other Aboriginal rights. In particular:



- a. The property is part of the K'ómoks traditional territory;
  - b. This MoU is not intended to abrogate or derogate from K'ómoks's asserted Aboriginal title and other Aboriginal rights. It is also not intended to support or bolster K'ómoks's asserted Aboriginal title and other Aboriginal rights. In other words, the MoU is intended to have no impact on either of these claims;
  - c. Any steps taken by K'ómoks towards working with Project Watershed and Courtenay will not be interpreted as extinguishing or consenting to the infringement of its Aboriginal title and rights; and
  - d. The Property is the site of an old K'ómoks First Nation Village, and K'ómoks's participation in the project contemplated in this MoU is without prejudice to any specific claim K'ómoks may file in relation to this site.
4. On or before **August 1, 2018**, the Parties intend to enter into a binding agreement (the "**Agreement**") in respect to the following:
- a. The purchase of the Property from Interfor;
  - b. The lease of the Property from Interfor until there are sufficient funds to acquire the Property;
  - c. Collaboration to secure the necessary funds to purchase and restore the Property;
  - d. Collaboration to restore the Property to a natural state as set forth in the Proposal to Acquire and Restore the Field Sawmill Site prepared by Project Watershed;
  - e. Management, administration and use of the Property during and after restoration; and
  - f. Limit of future use of the Property by means of either a restrictive covenant acceptable to the Parties, or another mechanism acceptable to the Parties.
5. If the Parties have not executed the Agreement on or before **August 1, 2018**, this MoU will have no further force or effect.

6. Without limiting section 4, and without being exhaustive, the Parties anticipate that the Agreement will contain the following terms:

- a. K'ómoks and Courtenay will jointly own the Property, with the shared interest to be negotiated by the Parties; K'ómoks will own 51% and Courtenay will own 49%;
- b. There will be a joint coordinating team that will carry out the necessary tasks to achieve the restoration of the Property. The coordinating team may establish the necessary committees and sub-committees as necessary;
- c. Project Watershed will take the lead in carrying out property restoration and to this end will employ a senior project manager, acceptable to the Parties;
- d. Administrative costs associated with the restoration of the Property will be realized from a fundraising campaign led by Project Watershed; and
- e. There will be a dispute resolution process to address disagreements.


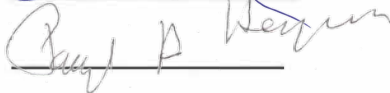
The City of Courtenay, by its authorized signatories:

\_\_\_\_\_  
\_\_\_\_\_

The K'ómoks First Nation, by its authorized signatories:

  
\_\_\_\_\_  
  
\_\_\_\_\_

Comox Valley Project Watershed Society, by its authorized signatories:

  
\_\_\_\_\_  
  
\_\_\_\_\_

**SCHEDULE A**

**THE PROPERTY**

PID: 028-006-089 LOT A, SECTIONS 11 AND 12 COMOX DISTRICT AND DL 2074  
NANAIMO DISTRICT PLAN VIP86827.

PID: 028-006-097 LOT B SECTION 11 COMOX DISTRICT AND DISTRICT LOT 2075  
NANAIMO DISTRICT PLAN VIP86827.

PID: 028-006-101 LOT C SECTIONS 10 AND 11 COMOX DISTRICT AND DISTRICT  
LOT 2076 NANAIMO DISTRICT PLAN VIP86827.

PID: 028-006-119 LOT D SECTION 10 COMOX DISTRICT AND DISTRICT LOT 2077  
NANAIMO DISTRICT PLAN VIP86827.

ASSIGNMENT OF LEASE 111455: THAT PART OF DISTRICT LOT 346 AND BLOCKS,  
A, B AND C OF DISTRICT LOT 258 ALL WITHIN NANAIMO DISTRICT CONTAINING  
0.7745 HECTARES (the "**Waterlot Lease**")



# 2018 PROVINCIAL APPOINTMENT BOOK

**Meeting Requests with  
Provincial Government Staff  
from Ministries, Agencies, Commissions and  
Corporations (MACC)**

**at the**

## 2018 UBCM CONVENTION

**September 10 – 14, 2018  
Whistler Conference Centre  
Whistler, British Columbia**



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## Introduction

The Provincial Appointment Book is provided to help schedule meetings at the 2018 UBCM Convention. All Provincial Government Ministries, Agencies, Commissions and Corporations (MACC) with staff attending the Convention and available to meet with local government delegates, are listed. Links to meeting requests forms with the Premier and Cabinet Ministers, and the Minister of Municipal Affairs and Housing are also included.

## Meeting Requests

### Honourable John Horgan, Premier and Cabinet Ministers (*except Minister of Municipal Affairs and Housing*)

Click: <https://UBCMreg.gov.bc.ca>

Invitation Code: MeetingRequest2018 (*case sensitive*)

**Deadline: Friday, July 13, 2018**

Questions: Contact the Premier's UBCM Meeting Request Coordinator, by email at: [UBCM.Meetings@gov.bc.ca](mailto:UBCM.Meetings@gov.bc.ca), or by telephone at: 250 213-3856.

### Honourable Selina Robinson, Minister of Municipal Affairs and Housing

Click: [Municipal Affairs and Housing Minister's Meeting Requests](#)

**Deadline: Friday, July 13, 2018**

Questions: Contact the Minister's UBCM Meeting Request Coordinator, Nicole Gibbings, by email at: [MAH.UBCM.MeetingRequests@gov.bc.ca](mailto:MAH.UBCM.MeetingRequests@gov.bc.ca), or by telephone at: 778 698-3203.

### Provincial Government Staff *Ministries, Agencies, Commissions and Corporations (MACC)*

Click: [Provincial Staff \(MACC\) Meeting Requests](#)

**Deadline: Friday, July 27, 2018**

Questions: Contact the UBCM MACC Meeting Request Coordinator, Laura Smith, by email at [MAH.UBCM.MeetingRequests@gov.bc.ca](mailto:MAH.UBCM.MeetingRequests@gov.bc.ca), or by telephone at: 778 698-3263.

Once Provincial Government MACC Staff meetings are scheduled, confirmation will be sent to local governments **via email**.

## Ministries, Agencies, Commissions and Corporations (MACC) Meeting Information

### **ON-SITE PROVINCIAL APPOINTMENTS DESK**

Provincial Appointments Desk staff will be available to schedule meetings with Provincial Government MACC Staff at the following locations:

**Monday, September 10, 2018**

Grand Foyer, Whistler Conference Centre  
8:30 am – 4:00 pm

**Tuesday, September 11, 2018 – Thursday, September 13, 2018**

Lobby, Cheakamus Room, Hilton Whistler Hotel  
8:30 am – 4:00 pm

### **MEETING LOCATIONS WITH PROVINCIAL GOVERNMENT MACC STAFF AT CONVENTION:**

**Tuesday, September 11, 2018 – Thursday, September 13, 2018**

Cheakamus Room, Hilton Whistler Hotel

Questions: Contact the MACC UBCM Meeting Request Coordinator, Laura Smith, by email at [MAH.UBCM.MeetingRequests@gov.bc.ca](mailto:MAH.UBCM.MeetingRequests@gov.bc.ca), or by telephone at: 778 698-3263.



## Ministry of Advanced Education, Skills and Training

DIVISION/BRANCH	TOPIC
<b>Governance, Legislation and Corporate Planning Division</b>	Post-secondary governance, legislation, sector quality assurance, private career training regulation, data support, audit, institutional accountability, corporate planning, international education, intergovernmental relations, and sector labour relations.
<b>Post-Secondary Policy and Programs and Division Responsible for Learner Supports</b>	25 public post-secondary institutions and their programs including skills and training, Aboriginal Education, Adult Basic Education, English Language Learning, strategic policy, StudentAid BC, Science, Technology, Engineering and Math (STEM), and medical and health.
<b>Finance, Technology and Management Services and Division Responsible for Student Housing</b>	Operating and capital grants to 25 public post-secondary institutions (PSIs), FTE and PSI financial health monitoring and reporting, Ministry's 10 year capital plan, PSI property acquisition and disposition, manage Ministry budget, maintain Ministry IT systems and digital information security, Administrative Service Delivery Transformation Initiative, lead Ministry's business continuity and emergency response readiness with PSIs. Leading the development of 5000 additional student housing beds on Post-Secondary campuses in B.C.
<b>Workforce Innovation and Division Responsible for Skills Training</b>	Development and management of targeted labour market programs, policies, the dissemination of labour market information, and oversight of the Industry Training Authority to help British Columbians advance their skills and employment and support employers to meet their workforce needs.

## Ministry of Agriculture

DIVISION/BRANCH	TOPIC
<b>Food Safety and Inspection Branch</b>	Establish provincial and regulatory standards along the food system (processors, packers, distributors), assess industry food safety compliance, and support industry to adopt food safety standards.
<b>Sector Development Branch</b>	Builds (agricultural) industry capacity by supporting business development, First Nations agriculture, youth participation and succession, and agroforest and range use development; provides in-depth knowledge of the challenges and needs of various sectors, and emergency preparedness and coordination required for the Agrifood sector in B.C.
<b>Business Risk Management Branch</b>	Helps producers manage risks that cause income losses and lead to financial instability, including weather hazards, natural disasters, wildlife, diseases, pests and market declines. The Branch delivers three programs to help farmers manage financial risk: Production Insurance - which offers insurance protection for agricultural crops against weather perils; Agri-Stability - which protects farm enterprises from the financial impacts of significant margin declines which can be caused by increasing input costs or reduced agricultural revenues; and Wildlife Damage Compensation - compensates farmers for losses due to wildlife.
<b>Innovation and Adaptation Service Branch</b>	Provides innovative solutions to the agriculture, food and seafood sectors as essential parts of the social and economic fabric of B.C.; facilitates competition, adaptation and innovation in response to economic, environmental, social influences and market change.

## Ministry of Attorney General

DIVISION/BRANCH	TOPIC
<b>Associate Deputy Minister's Office</b>	<p>Responsible for oversight of three Crown corporations (ICBC, BC Lottery Corporation and BC Liquor Distribution Branch) and two regulatory agencies (Gaming Policy and Enforcement Branch and Liquor Control and Licensing Branch):</p> <ul style="list-style-type: none"> <li>-ICBC provides universal auto insurance to B.C. drivers and is responsible for driver licensing and vehicle registration and licensing.</li> <li>-The BC LDB is one of two branches of government responsible for the beverage alcohol industry. It operates 195 BC Liquor Stores and is one of the largest retailers in B.C.</li> <li>-The BC Lottery Corporation conducts and manages gambling in a responsible manner while focusing on innovation, strategic partnerships and community outreach.</li> <li>-The Gaming Policy and Enforcement Branch regulates all gambling in B.C., including both commercial and charitable gambling</li> <li>-The Liquor Control and Licensing Branch regulates and monitors the liquor industry in B.C. by issuing licences for the manufacture and sale of liquor and supervising the service of liquor in licensed establishments.</li> </ul> <p>The ADMO is also the co-lead (with the Ministry of Public Safety and Solicitor General) for the current Traffic Fine Revenue Sharing agreement consultation.</p>
<b>BC Prosecution Service</b>	<p>Approving and conducting criminal and regulatory prosecutions.</p> <p>Initiating and responding to appeals.</p> <p>Providing criminal law advice to the government.</p> <p>Developing policies and procedures on the administration of criminal justice.</p> <p>Collaborating with partners and stakeholders on justice reform initiatives.</p>
<b>Justice Services Branch</b>	<p>Promoting access to justice through funding and oversight of legal aid programs, collaborative solutions to criminal justice problems through the integration of justice, health and social services, and overseeing the Province's commitment to federal/provincial/territorial criminal justice reform initiatives.</p> <p>Promoting access to justice through dispute resolution alternatives, procedural efficiencies and case management in civil courts, agencies, boards, commissions, tribunals, and government ministries.</p> <p>Facilitating resolution of family disputes and operating justice access centres, family justice centres and the Parenting After Separation program.</p> <p>Facilitating the successful payment of child and spousal support orders in the province through Maintenance Enforcement and Locate Services.</p> <p>Co-leading the partnership between the province and the BC Aboriginal Justice Council to collaboratively develop a future-focused Indigenous Justice Strategy and implement a portfolio of projects intended to realize the vision. The Indigenous Justice Strategy endeavours to reduce the overrepresentation of Indigenous people in the justice system as well as improve experiences within the justice system.</p> <p>Coordinating regular Justice Summits to consult with major justice participants and stakeholders.</p>

## Ministry of Attorney General Continued...

<p><b>Court Services Branch</b></p>	<p>Court Administration- delivering all court administration services, including:</p> <ul style="list-style-type: none"> <li>-Filing court documents and forms in Provincial, Supreme and Court of Appeals matters, including the areas of criminal, civil, family, divorce, adoption, probate and bankruptcy law.</li> <li>-Processing bail applications, pardon applications, and waivers.</li> <li>-Accepting payments for fines, including traffic tickets, criminal and civil matters.</li> <li>-Filing traffic disputes and processing applications for traffic adjournments.</li> <li>-Providing pamphlets and blank documents for Provincial court forms and some Supreme Court forms.</li> <li>-Providing access to court files as required by policies set by the Court of Appeal, BC Supreme Court and the Provincial Court.</li> <li>-Public access to computers to search criminal and civil case tracking systems.</li> <li>-Public listening stations for digital audio recordings of court proceedings.</li> </ul> <p>Sheriff Services- provide for the safety and security of the courts of BC and the participants in the judicial system, including:</p> <ul style="list-style-type: none"> <li>-Providing security services to the Provincial, Supreme and Appeal Courts of BC, as well as planning for and staffing high security trials at all levels of court.</li> <li>-At the Supreme Court level, overseeing the jury administration and selection process for criminal and civil trials.</li> <li>-Supplying protection services and jury administration for Coroner’s court inquiries in B.C.</li> <li>-Offers security services to other agencies, including public commissions or public hearings.</li> <li>-Escorting accused persons, convicted persons, and persons confined under the <i>Mental Health Act</i> from correctional institutions, as well as material witnesses, persons under hospital guard, individuals whose federal parole has been revoked and persons arrested in civil matters.</li> <li>-Returning accused persons from out-of-province on outstanding warrants under the Fugitive Return Program.</li> </ul>
<p><b>Legal Services Branch</b></p>	<p>Responsible for advising the B.C. government, its ministers and officials on all matters of law. LSB provides legal and legislative services to government and supports the Attorney General in his role as official legal advisor to government.</p>

## Ministry of Children and Family Development

DIVISION/BRANCH	TOPIC
<b>Strategic Priorities / Strategic Initiatives</b>	Strategic Initiatives Branch is responsible for the leadership, coordination and oversight of key ministry program and practice initiatives for the following priority portfolios: - Supports and Services in local communities to support youth transitioning out of care or for youth formerly in care including post-secondary supports, tuition waivers and agreement with young adults. - Caregiver training and family-based caregiver rates. -System of care future change.
<b>Strategic Priorities/ Project &amp; Support Services Branch</b>	Projects & Support Services Branch is responsible for project management and project support to a portfolio of projects linked to the ministry Strategic Plan including monitoring an implementation schedule and change management activities affecting front line staff. It also coordinates the development of corporate plans such as the Service Plan and Strategic Plan.
<b>Strategic Priorities/ Internal Communications Branch</b>	Internal Communications Branch is responsible to plan, develop and deliver the ministry internal communications plan and the ministry's internet and intranet websites.
<b>Policy and Legislation</b>	Child Welfare and Adoption Policy. Child and Youth Mental Health Policy. Legislation and Litigation. Intergovernmental Relations.
<b>Early Years and Inclusion</b>	Child Care Policy and Programs. Early Years Policy and Programs. Policy and Provincial Programs for Children and Youth with Special Needs.
<b>Service Delivery Division</b>	Service Delivery Division is committed to providing children, youth and families across the province with an effective, integrated and coordinated service delivery system. The division is responsible for the delivery of community services, working closely with Delegated Aboriginal Agencies, foster caregivers and the community social service sector. Divisional staff also work in collaboration with other ministry divisions, social sector partners, schools, Health Authorities, and First Nations communities to implement ministry and government strategic initiatives.

## Ministry of Citizens' Services

DIVISION/BRANCH	TOPIC
<b>Corporate Information and Records Management Office</b>	Provides corporate information management services to government including: Freedom of Information; proactive disclosures of information; privacy, records management and elements of information security. Additional related responsibilities include the development of corporate information management strategies, legislation, policies, standards, training and compliance.
<b>Service BC</b>	Service BC Division is government's leading provider of citizen and business centred services. The Division enables the design and delivery of accessible, responsive and cost-effective services, making it easier for citizens and businesses to interact with government. The Division also has the mandate to deliver secure and privacy-enhancing identity services to support access to digital government services and information. Includes Service BC centres in 62 communities in British Columbia; the Service BC Contact Centre; BC Registries and Online Services; the Provincial Identity Information Management (IDIM) program for BC Services Card and BCeID authentication services; and, Lean BC.
<b>Procurement and Supply</b>	The Division plays a leadership role in government procurement and supply services. These activities serve the provincial government, the broader public sector, the public and, in some cases, municipalities. For example, municipalities use BC Bid to provide vendors with information on upcoming procurement operations and Asset Investment Recovery to dispose of municipal surplus assets in a convenient, environmentally friendly manner that returns a fair market value to the municipality.
<b>Real Property</b>	The Real Property Division (RPD) provides everything needed to design, set up and manage a government workplace. RPD is responsible for the Province's real estate portfolio (excluding schools, post-secondary and hospitals), and for office space inventory, furniture procurement, project and construction management, and real estate services for special-purpose facilities (such as courthouses, laboratories and correctional facilities). RPD provides cost-effective services for environmental management, leasing, facilities management, strategic real estate advice, acquisitions, dispositions and workplace planning. RPD's client base includes ministry (mandated) as well as broader sector (voluntary) customers.
<b>Office of Chief Information Officer</b>	Leads strategy, policy and standards for information technology, IT security and the management of the Information Management/IT investment portfolio for the Province. Accountable for the operation of a broad government technology infrastructure as a key enabler of digital service delivery and business transformation for Government, Broader Public Sector organizations and through participation inter-jurisdictionally on initiatives to evolve technology and business.
<b>Information, Communication and Technologies</b>	Information, Communication and Technologies Division provides coordination, facilitation and support for the expansion of internet connectivity throughout the province. In addition, the Division provides guidance on planning for telecommunications infrastructure investment to municipal and regional governments, administers the BC Broadband Satellite Initiative, and oversees the Connecting British Columbia program administered by the Northern Development Initiative Trust. The Division further provides a leadership role in supporting the government and the broader public sector goals for economic development, health, education and public safety by enabling an innovative and digital government through maximizing value from IT investments and closing the digital divide for British Columbians in every corner of our province.

## Ministry of Education

DIVISION/BRANCH	TOPIC
<b>Libraries Branch</b>	The Libraries Branch works together with public library boards, library staff and local government to improve and ensure the public's access to information, resources, and services under the <i>Library Act</i> . Responsible for areas covering legislation, provincial funding, digital infrastructure, provincial-wide services and provincial policies.
<b>Capital Division</b>	The Capital Division establishes and administers the Ministry of Education's Capital Program, estimated at \$550 million annually, and includes the following program areas: Annual Facilities Grant, Seismic Mitigation, New and Additional Schools, Replacement Schools, Routine Capital Investment, Building Envelope Program, Bus Replacement Program and the Carbon Neutral Capital Program. The Division establishes the Capital Objectives, the priorities for capital investment across the province through the ministry's Capital Planning process, establishes the Capital Standards, defines the scope of capital investments, establishes contractual relationship with school districts, enforces contractual requirements and processes payments.
<b>Resource Management and Corporate Services Division</b>	The Resource Management and Corporate Services Division is responsible for the oversight and management of approximately \$6 billion in operating funding to the K-12 sector; the K-12 funding formula; and school district shared services initiatives. In addition, the division is responsible for the ministry's overall budget and financial oversight and a wide range of corporate services: financial services; strategic human resources; correspondence; Freedom of Information requests; risk management; and planning/reporting.

## Ministry of Energy, Mines and Petroleum Resources

DIVISION/BRANCH	TOPIC
<b>Mines and Mineral Resources Division</b>	Responsible for management and development of the province's mineral and coal resources (including sand and gravel), and regulating health and safety on all mine sites through exploration, development, production, reclamation, and closure; ensuring robust compliance and enforcement; and collecting fees associated with permits and tenures.
<b>Electricity and Alternative Energy Division</b>	<p>The Division is responsible for British Columbia's electricity and alternative energy sectors. These sectors are made up of diverse interests that develop electricity generation, transmission and distribution infrastructure, clean or renewable energy sources, including biomass, biogas, hydrogen, geothermal, hydro, solar, ocean, wind and low- carbon transportation fuels, and advance energy efficiency.</p> <p>The Division focuses on increasing electrification and energy efficiency across the economy, reducing the carbon intensity of transportation fuels, expanding electric vehicle infrastructure, and coordination with utilities on programs to reduce energy use, greenhouse gas emissions, and power bills for residential, commercial and industrial ratepayers.</p> <p>The Division is responsible for B.C.'s low-carbon energy market transformation, driving a range of actions to support all stages of clean energy development and adoption. The Division also administers the Innovative Clean Energy (ICE) Fund, a special account used to further the energy and environmental priorities of the government.</p>
<b>Oil Infrastructure Group</b>	Responsible for facilitating the development and implementation of interprovincial oil pipelines and related infrastructure projects that benefit British Columbia through liaising with oil transmission pipeline proponents, and providing the central point of contact on proposed interprovincial oil transmission pipelines to British Columbia's coast.

## Ministry of Energy, Mines and Petroleum Resources Continued...

<p><b>Oil and Gas Division</b></p>	<p>Responsible for management of the province's oil and gas resources, including facilitating infrastructure development to improve access to oil and gas resources; developing and implementing policies and programs, including the province's royalty regime; consulting with First Nations and other stakeholders; and engaging in external relations and providing information to the public.</p> <p>Also responsible for negotiating and implementing agreements with other governments, First Nations, and non-governmental organizations regarding the fiscal, regulatory, scientific, health, safety, environmental, socio-economic, and financial aspects of oil and gas development.</p> <p>Responsible for development of the province's liquefied natural gas (LNG) industry and other industries that add value to British Columbia's oil and gas resources to strengthen and further diversify the provincial economy, including engagement with proponents, joint venture and investment interests, and liquefied natural gas and value-added gas importing countries; project implementation; and the development of a value-added oil and gas industry.</p> <p>Supports engagement on cross-jurisdictional issues relating to liquefied natural gas and value-added oil and gas, including financial and economic analysis; and relationship building with stakeholders and participation in relevant conferences and forums.</p>
<p><b>Strategic and Indigenous Affairs Division</b></p>	<p>Responsible for leadership and support in strategic planning and reporting; budget estimates; risk framework; Better BC plan; regulatory reform; managing Crown Corporation planning and reporting requirements; and the development of an Energy Roadmap for B.C.</p> <p>Provides leadership and support in cross ministry policy and intergovernmental relations; building investor confidence in mining through outreach; and positioning B.C.'s interests/objectives in the Canadian Energy Strategy and Energy and Mines Ministers' Conference.</p> <p>Also, responsible for the management of the ministry's Indigenous relations; contributing to reconciliation with First Nations; support for First Nations policy development relating to mining and other specific initiatives; support for Treaty Land Entitlement negotiations; UNDRIP implementation; and support for negotiations with First Nations on specific issues.</p> <p>Leads implementation of the Environmental Stewardship Initiative (ESI), and also responsible for the management of the legislative and legal affairs of the ministry.</p>
<p><b>Woodfibre Implementation Group</b></p>	<p>Responsible for facilitating the development and implementation of the Woodfibre LNG facility by liaising with federal, provincial, municipal governments and First Nations. Providing a central point of contact for the proponent of Woodfibre LNG on regulatory and issues management.</p>

## Ministry of Environment and Climate Change Strategy

DIVISION/BRANCH	TOPIC
<b>BC Parks</b>	Responsible for all matters (policy, planning and management) of conservation, recreation and cultural values in the province's parks and protected areas.
<b>Climate Change Strategy</b>	Province-wide coordination and management with other ministries of systems to address and respond to climate change including climate policy, energy and the Climate Action Charter commitments in association with Ministry of Municipal Affairs and Housing, legislated short and long-term, province-wide greenhouse gas reduction targets, carbon tax, Carbon Neutral Government (Public Sector Organizations - schools, universities and colleges and hospitals), carbon offsets, Climate Solutions and Clean Growth Advisory Council and climate action pieces of legislation related to Greenhouse Gas Industrial Reporting and Control, Climate Action Accountability (formerly called Greenhouse Gas Reduction Targets), Carbon Tax, Greenhouse Gas Reduction (Emissions Standards), Greenhouse Gas Reduction (Renewable and Low Carbon Fuel Requirements, Greenhouse Gas Reduction (Vehicle Emissions Standards), Green Communities, Utilities Commission and <i>Clean Energy Act</i> .
<b>Conservation Officer Service</b>  <b>Environmental Assessment Office</b>  <b>Environmental Protection Division</b>  <b>Environmental Sustainability and Strategic Policy</b>	<p>A natural resource law enforcement agency responsible for enforcing federal and provincial statutes, public safety as it relates to human-wildlife conflict and interactions, commercial environmental and industrial investigations and compliance and enforcement activities.</p> <p>Environmental assessment (EA) process. Federal EA Substitution and Equivalency. Relationship to federal environmental assessment and review processes, including National Energy Board (NEB). Compliance and enforcement of certified projects. Public consultation regarding EAs or EA certificate amendment applications.</p> <p>Air quality, reducing toxins, pollution prevention, environmental emergencies/provincial spill response, <i>Environmental Management Act</i>, contaminated sites, brownfields, hazardous and industrial waste, <i>Integrated Pest Management Act</i>, extended producer responsibility, recycling, zero waste, circular economy, waste management (incineration, landfilling, municipal liquid and solid waste), permitting and compliance reporting for industrial operations' emissions.</p> <p>Species at Risk policy and legislation development; conservation and sustainability of living resources; conservation science; fish and wildlife inventory, monitoring, and reporting; ecosystem stewardship; Conservation Data Centre; ecosystem data and information; terrestrial ecosystem mapping; habitat supply modelling; climate change adaptation strategies. <i>Water Sustainability Act</i>: development of water legislation, regulations, policy, standards and guidance; integrated watershed and aquifer science; water quality objectives development and policy; well registration and reporting; water governance framework; provincial water strategies, intergovernmental agreements; First Nations and stakeholder outreach on water legislation; policy for water conservation, source water protection, water quality monitoring, groundwater hydrology, groundwater protection; monitoring and network management for surface water and groundwater quantity and quality, snow survey, ambient air quality, water stewardship outreach, environmental and natural resource sector laboratory (analytical chemistry) and library services. Overarching policy and legislation, compliance planning, intergovernmental relations, State of Environment Reporting and Service Plan. Professional Reliance Review.</p>



## Ministry of Finance

DIVISION/BRANCH	TOPIC
<b>Tax Policy Branch</b>	Provincial tax policy including: <ul style="list-style-type: none"> <li>• Provincial property taxes (school, rural, police)</li> <li>• Property Transfer Tax</li> <li>• Provincial Sales Tax</li> <li>• Carbon Tax</li> <li>• Provincial Income Tax</li> </ul> Indigenous Taxation

## Ministry of Forests, Lands, Natural Resource Operations and Rural Development

DIVISION/BRANCH	TOPIC
<b>Integrated Resource Operations</b>	Archaeology; Compliance and Enforcement; GeoBC; Heritage; Mountain Resorts; Recreation Sites & Trails
<b>Resource Stewardship</b>	Fish and Aquatic Habitat; Resource Planning and Assessment; Species at Risk Recovery; Water Management; Wildlife and Habitat. Includes resource practices, land based investment planning, sustainable forest management, resource management objectives, fish and wildlife management, habitat management, water management, river forecasting, dam safety, flood safety, water use planning, utility regulation, water stewardship.
<b>Timber Operations, Pricing and First Nations</b>	BC Timber Sales, Engineering, First Nations Relations, Resource Roads, Timber Pricing Includes resource worker safety, Softwood Lumber Agreement.
<b>Office of the Chief Forester</b>	Forest Analysis & Inventory; Forest Improvement and Research Management Branch; Climate Change and Integrated Planning; Resource Practices.
<b>Regional Operations</b>	FrontCounter BC, resource management coordination, land use planning and implementation, Crown land and forest authorizations, community forest agreements, species at risk program delivery, urban deer, clean energy projects, First Nations consultation, ecosystem based management, range.
<b>Rural Development, Lands and Innovation</b>	LNG, Crown Land Opportunities and Restoration, Competitiveness & Innovation, Forest Tenures, Land Tenures, Compensation & Business Analysis, Rural Policy and Programs.

## Ministry of Health

DIVISION/BRANCH	TOPIC
<b>Clinical Integration, Regulation and Education</b>	Education, Recruitment and Retention Initiatives for Health Professionals; Professional Regulation and Oversight, and Emergency Medical Assistant Licensing; Nursing Policy Secretariat
<b>Hospital, Diagnostic and Clinical Services</b>	Acute and Provincial Services ( <i>Medical Assistance in Dying [MAiD]</i> , <i>Trans Care BC</i> ); HealthLink BC; Laboratory, Diagnostics and Blood Services; Precision Medicine and Genetic Services; Virtual Care Strategy; Wait Time Strategy ( <i>Colonoscopy Services, Surgical Services, MRI</i> )
<b>Pharmaceutical Services</b>	BC PharmaCare Program
<b>Population and Public Health</b>	Health Protection; Healthy Living and Health Promotion; Public Health Services
<b>Primary and Community Care</b>	Primary Care Access ( <i>Improving access to primary care services for all of British Columbians, with a focus on those living in rural and remote areas and Indigenous peoples, access to Urgent Family Care Services</i> ); Chronic Disease Management ( <i>Chronic Pain services, Clinical Guidance for Physicians</i> ); Home and Community Care Services ( <i>includes assisted living and residential care</i> ) for clients with complex medical conditions, including frailty and dementia, and those living with mental health and substance use; Mental Health and Substance Use: Provide stewardship for mental health and substance use services, such as adult mental health and substance use services, mental health and substance use services linked to Primary Care Networks, mental health and substance use crisis intervention services and adult mental health and substance use publicly funded residential care and treatment and recovery facilities.
<b>Workforce Planning, Compensation and Beneficiary Services</b>	Compensation Policy and Programs; Negotiations and Agreements; Publicly-funded Medical Services; Workforce Planning; MSP Beneficiary Policy and the Medical Services Commission
<b>Finance and Corporate Services</b>	Finance and Decision Support ( <i>ministry budget and financial administration</i> ); Regional Grants and Decision Support ( <i>health authorities and other agencies</i> ); Capital Services; Audit and Investigations; Business Transformation
<b>Health Sector Information, Analysis and Reporting</b>	Business Services and Transformation; Data Management and Stewardship; Integrated Analytics: Hospital, Diagnostic and Workforce/Community and Cross Sector; Performance Monitoring and Evaluation; Vital Statistics Agency; Strategic Initiatives
<b>Health Sector Information Management/Information Technology</b>	Business Management Office; Business Transformation Office; Health Information Privacy, Security and Legislation; Health Information Technology Strategy; Information Technology Services
<b>Partnership and Innovation</b>	Research and Technology; Legislation, Intergovernmental Relations and Knowledge Management
<b>Health Sector Change and Transformation</b>	Office of Indigenous Health ( <i>policy support and partnership with BC First Nations and Health Canada</i> ); Emergency Management ( <i>policy leadership for emergency response preparation</i> ); Performance and Issues Management ( <i>in partnership with health authorities</i> )

## Ministry of Indigenous Relations and Reconciliation

DIVISION/BRANCH	TOPIC
<b>Negotiations and Regional Operations Division</b>	Leading provincial engagement with First Nations to advance reconciliation initiatives, including negotiating and implementing agreements with First Nations partners in conjunction with other provincial agencies, federal and local government, and working with stakeholders to ensure the success of reconciliation initiatives.
<b>Reconciliation Transformation &amp; Strategies Division</b>	Leads the development of reconciliation policy and works with all governments on topics including governance, rights recognition, self-determination, capacity building, implementation of adoption of the United Nations Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission Calls to Action, and the Tsilhqot'in Supreme Court decision. Responsible for developing a cross-government vision for reconciliation for the province in collaboration with Indigenous peoples.
<b>Implementation and Lands Services</b>	<p>Leads key functions for the completion and implementation of agreements with First Nations in the province, including:</p> <ul style="list-style-type: none"> <li>• Provincial representative on treaty Implementation Committees;</li> <li>• Tri-partite treaty closing to reach Effective Date;</li> <li>• Research/advice and survey for crown land negotiations; and,</li> <li>• Implementation best practices to ensure agreement obligations met.</li> </ul>
<b>Socio-Economic Initiatives</b>	Leads and/or supports cross-government and community-based initiatives aimed at closing the socio-economic gap between Indigenous and non-Indigenous people by supporting Indigenous communities, urban Indigenous and Métis people, culture and languages, economic development, children and families, ending violence against women and girls, and closing gaps in health, housing, poverty, justice, education/skills training and employment.
<b>Major Project and Cross Gov't Initiatives</b>	Work in partnership across Government, with proponents, and First Nations to ensure aboriginal citizens participate in and benefits from major project development. Leads strategic engagement with other levels of Government and aboriginal organizations as well as leading the Ministry's Provincial-level stakeholder engagement in coordination with others in the Ministry and across Government. Provides leadership, guidance and support to government decision makers on consulting and accommodating First Nations.

## Ministry of Jobs, Trade and Technology

Division/Branch	Topic
<b>Workforce, Immigration and Major Investments</b>	Provincial Nominee Program, immigration programs, settlement and integration services, foreign qualifications recognition, interprovincial labour mobility; Major Investments Office
<b>Small Business, Regulatory &amp; Service Improvement</b>	Small business initiatives, programs, resources and available supports including the Small Business Task Force; Regulatory and Service Improvement
<b>Technology &amp; Innovation</b>	Coordination and support of research, innovation, technology and commercialization across B.C.; Innovate BC; BC Knowledge Development Fund; B.C.'s Technology Strategy; #BCTECH Summit; Smart Communities
<b>International Business Development</b>	Overseas trade and investment representative (TIR) presence in US, Europe and Asia; International trade development programs including international trade missions, initiatives to attract and retain international investors and businesses, and align efforts with B.C. communities and federal programs
<b>International Strategy &amp; Competitiveness</b>	International and domestic trade negotiations and agreements; International strategy, business intelligence and international marketing; Venture Capital tax credit program, BC Tech Fund and venture capital policy, Forest Innovation Investment, BC Renaissance Capital Fund, BC Immigrant Investment Fund
<b>Economic Development</b>	Provincial Economic Development Strategy; Emerging Economy Task Force; Manufacturing sector, including industries such as aerospace and marine; Indigenous economic development including Indigenous Business and Investment Council and Indigenous Business Listings; tools and resources to support local economic development including workshops, webinars, websites, Regional Economic Trusts and surveys

## Ministry of Labour

DIVISION/BRANCH	TOPIC
<b>Labour Relations</b>	Administration of the <i>Labour Relations Code</i> through the independent quasi-judicial B.C. Labour Relations Board. The Ministry also promotes stable labour relations by monitoring collective bargaining disputes and providing formal and informal assistance to the parties. Also, responsible for the <i>Fire and Police Services Collective Bargaining Act</i> .
<b>Employment Standards</b>	Administration of the <i>Employment Standards Act</i> to ensure employees receive basic standards of compensation and conditions of employment, including the minimum wage. Provide fair and efficient procedures for resolving workplace disputes. Responsible for the Employment Standards Branch and the Employment Standards Tribunal.
<b>Workers' Compensation</b>	Administration of the <i>Workers Compensation Act</i> and responsible for WorkSafeBC (provincial Workers' Compensation Board). WorkSafeBC provides compensation services, health care and vocational rehabilitation to injured workers. WorkSafeBC also has authority to develop, enact and enforce the <i>Occupational Health and Safety Regulation</i> . The Ministry is also responsible for the Employers' Advisers Office, the Workers' Advisers Office, and the Workers' Compensation Appeal Tribunal.

## Ministry of Mental Health and Addictions

DIVISION/BRANCH	TOPIC
<b>Mental Health and Addictions</b>	Leading the immediate response to the overdose public health emergency, including harm reduction, public awareness, treatment and recovery services and prevention initiatives; Policy development, program evaluation and research in relation to mental health and addictions, including in relation to designated facilities within the meaning of the Mental Health Act; Provincial Mental Health and Addictions Strategy including e-Mental Health; Provincial Child and Youth Mental Health and Addictions Strategy

## Ministry of Municipal Affairs and Housing

DIVISION/BRANCH	TOPIC
<b><i>Community and Legislative Services Division</i></b>	
<b>Community Gaming Grants</b>	Community Gaming Grants support eligible not-for-profit organizations delivering community programs that benefit the citizens of British Columbia. Grants are awarded in several sectors including; Arts & Culture, Sport, Public Safety, Environment, Human & Social Services and Parent Advisory Councils. Eligible not-for-profit can also apply for Capital Grants through the program.
<b>Community Policy and Legislation</b>	TransLink legislation and governance; Ministry liaison with Auditor General for Local Government; Coordination of Ministry-wide legislation, regulations and board appointments.
<b>Property Assessment Services</b>	Provincial property assessment policy and legislation as it pertains to valuation and classification, including valuation of restricted use properties, redevelopment lands and impacts on business and housing affordability.
<b><i>Local Government Division</i></b>	
<b>Governance Structures Governance Services Governance Relations</b>	Incorporation, restructure, boundary extensions, structure-related legislation and processes, and local and regional governance. Local government administration, elections, governance operations-related legislative requirements/powers and local and regional services. Local government First Nations relations and Crown Grant/Nominal Rent Tenure sponsorships.
<b>Local Government Finance</b>	Local government finance, including: budgeting and financial plans; audited financial statements; unconditional grants; reserve funds; investments and municipal corporations; long-term liabilities; development financing (including Development Cost Charges); user-fees; and taxation (including tax sale).
<b>Infrastructure and Engineering</b>	Asset management, drinking water, wastewater, stormwater, solid waste, green energy and other capital grants, infrastructure planning grants and infrastructure programs (Investing in Canada Infrastructure Program, Clean Water and Wastewater Fund and Small Communities Fund).
<b>Planning and Land Use Management Programs / Negotiations and Corporate Initiatives Local Government Climate Action Dispute Resolution Guidance</b>	Local government planning and land use management framework, including: new legislation related to rental zoning, housing needs reports and TransLink development cost charges; other local planning and land use tools; and Regional Growth Strategies (RGSs). Climate Action Charter, Climate Action Revenue Incentive Program (CARIP), joint provincial-UBCM Green Communities Committee (GCC), support for local government climate mitigation and adaptation action. Dispute resolution guidance related to Regional District service review/withdrawal, RGS and other intergovernmental disputes.
<b>Local Government Policy, Research and Legislation</b>	Overall responsibility for local government legislation development for <i>Community Charter, Local Government Act, Local Elections Campaign Financing Act</i> and other local government legislation. Broad responsibility for forward-looking policy development in relation to various local government authorities.

## Ministry of Municipal Affairs and Housing Continued...

<b>Office of Housing and Construction Standards</b>	
<b>Housing and Policy Branch</b>	Housing policy and program development, including market and non-market housing, supportive housing and homelessness; liaison with BC Housing, which partners with local government, non-profit and private developers to build affordable housing; legislation governing strata properties, as well as actions in the <i>Homes for BC: A 30-Point Plan For Housing Affordability</i> ; BC Housing.
<b>Building and Safety Standards Branch</b>	Buildings, Construction, and Technical Systems: Governance of the regulatory system for buildings and technical systems, including development of building, plumbing, fire, electrical, gas elevator and energy codes, site specific regulations (e.g., tall wood), safety standards for technical systems (e.g., refrigeration in arenas), homeowner protection (e.g., home warranties), oversight of certain industry professionals and trades (e.g., home builder licensing), and policy advice relating to the built environment, including climate leadership. Liaison with BC Housing Licensing and Consumer Services, Technical Safety BC, Building Officials Association of BC, and National Research Council.
<b>Residential Tenancy Branch</b>	The regulatory framework for landlords and tenants, including conventional residential and manufactured home park tenancies; and, adjudication of landlord and tenant disputes.

## Ministry of Public Safety and Solicitor General

<b>DIVISION/BRANCH</b>	<b>TOPIC</b>
<b>Policing and Security Branch</b>	Police Services: provides central oversight of all policing and law enforcement in the province by developing and administering policing policy and programs. Ensures the adequate and effective levels of policing throughout the province. Security Programs: administration of the Protection Order Registry, the Criminal Records Review Program, and the regulation of the security industry in B.C.
<b>Community Safety and Crime Prevention Branch</b>	Civil Forfeiture; Victim Services; Violence Against Women and Children; Crime Prevention; and, Combating Trafficking in Persons.
<b>Corrections Branch</b>	Community Corrections: supervision and programs to reduce reoffending for offenders who live outside of correctional centres. Adult Custody: operation of correctional centres.
<b>RoadSafety BC</b>	Operates provincial road safety programs and is the policy and regulatory agency responsible for ensuring the safe and responsible operation of motor vehicles in B.C.
<b>Emergency Management BC</b> **Meeting requests for the Minister will be held with the Parliamentary Secretary for Emergency Preparedness.	Emergency Management BC (EMBC) is the lead co-ordinating agency in the provincial government for all emergency management activities. The overall purpose of EMBC is to make individuals and communities in B.C. safer. EMBC works with local governments, First Nations, federal departments, industry, non-governmental organizations, and volunteers to support the emergency management phases of mitigation and prevention, preparedness, response, and recovery. Additionally, EMBC engages with provincial, national and international partners to enhance collective emergency preparedness. Also within EMBC is the Office of the Fire Commissioner (OFC). The OFC is the senior fire authority in the province with respect to fire safety and prevention.

## Ministry of Social Development and Poverty Reduction

DIVISION/BRANCH	TOPIC
<p><b>Research, Innovation and Policy Division</b></p> <p><b>Service Delivery Division</b></p>	<p>Poverty Reduction – Development of a Poverty Reduction plan through extensive consultations with the public, community groups, labour, business, First Nations, plus the federal and municipal governments.</p> <p>Accessibility – Working across government to increase accessibility and decrease barriers for people with disabilities in B.C.</p> <p>Income and Disability Assistance - Income Assistance provides support and shelter payments to help low income singles and families while they are looking for work. Disability assistance provides support and shelter payments to people who are low-income with a severe disability, and can't fully support themselves or gain independence. Income and Disability Assistance programs and services are delivered at 47 ministry office locations and 36 partnership Service BC offices around the province. Clients can also access services through the ministry's toll-free phone line or through the online client portal My Self-Serve.</p>
<b>Employment and Labour Market Services Division</b>	<p>How to access employment supports through the Employment Program of BC and the 84 WorkBC Employment Service Centres located throughout the province.</p> <p>How to apply for project based funding under the Community Employer Partnership initiative in order to increase local employment opportunities for British Columbians.</p>

## Ministry of Tourism, Arts and Culture

DIVISION/BRANCH	TOPIC
<b>BC Arts Council</b>	Application and peer review adjudication process for programs of the BC Arts Council; responsibility for arts and cultural development in communities through grants to individual artists and organizations; funding for community arts organizations and regional arts organizations; support for Indigenous artists and arts organizations; support for youth and emerging practitioners through scholarships and early career development; support for touring.
<b>Arts and Cultural Development</b>	Research, analysis and policy and program development that aims to enrich communities, provide broad access to the arts and leverage partnerships for impactful and innovative programming in all corners of B.C. Provides oversight of the Royal BC Museum.
<b>Sport</b>	Sport policy issues; programs supporting the delivery of services through provincial sport organizations; sport event hosting.
<b>BC Athletic Commission</b>	Legislation and regulatory oversight of professional boxing and mixed martial arts, as well as amateur kickboxing, mixed martial arts, Muay Thai and pankration. .
<b>Tourism</b>	Policy development and strategic issues management to support BC's tourism sector; manages the Resort Municipality Initiative, Tourism Event Program and Municipal Regional District Tax program (jointly with DestinationBC and Ministry of Finance.) Provides oversight of Destination BC (tourism marketing/development) and BC Pavilion Corporation (BC Place and Vancouver Convention Centre) and leads development and implementation of provincial tourism strategy.
<b>Creative Sector</b>	Policy development, research and inter-government relations work in support of B.C.'s creative industries including, film, television, interactive digital media, music, and publishing. Provides oversight of Creative BC and the Knowledge Network.
<b>Multiculturalism</b>	Multiculturalism Community Grant program, Organizing Against Racism and Hate Program, Multicultural Advisory Council, Premier's Chinese Canadian Advisory Council Secretariat.

## Ministry of Transportation and Infrastructure

DIVISION/BRANCH	TOPIC
<b>Highways Department</b>	The Highways Department plans, designs, constructs, operates, rehabilitates and maintains the provincial public highway system. Develops province-wide engineering and environmental solutions and implements standards, policies and procedures regarding provincial transportation engineering. Project manages and delivers hundreds of expansion, rehabilitation and safety improvement projects annually including maintenance contracts, centreline marking contracts and electrical contracts. Oversees and manages privatized road and bridge maintenance. Approves subdivisions in rural areas near provincial highways, issues highway permits for access, utilities and special events and approves zoning near provincial highways. Ensures commercial vehicle safety by managing the National Safety Code, the Vehicle Inspection and Standards and enforcement of the Motor Vehicle Act in relation to commercial vehicles.
<b>Infrastructure Department</b>	The Infrastructure & Major Projects Department is responsible for all aspects of strategic planning, programming, procurement and major projects delivery within the province including development and management of the provincial 10 year Transportation Investment Plan, management of federal and community cost sharing programs, and the delivery of the major transportation projects throughout the province.
<b>Partnership Department</b>	The Partnerships Department is responsible for the development and delivery of plans and strategies that support the growth of integrated transportation infrastructure and trade in and through British Columbia; to maintain and optimize the delivery of transit services in participating communities throughout the province; and to provide oversight of provincial transportation property holdings.
<b>Transportation Policy &amp; Programs Department</b>	The Transportation Policy and Programs Department is responsible for all aspects of strategic transportation policy. This includes air, rail and marine modes, passenger transportation regulations and licensing, inter-governmental relations, cycling and airport grant programs, climate leadership, corporate planning, strategic initiatives and writing services. The department also has provincial oversight of the inland and coastal ferry system in British Columbia.



## Provincial Agencies, Commissions and Corporations

ORGANIZATION	TOPIC
<b>Agricultural Land Commission</b>	Information and advice regarding the Agricultural Land Reserve (ALR) and work of the Provincial Agricultural Land Commission (ALC). ALC Chair and/or Chief Executive Officer will be in attendance.
<b>Auditor General for Local Government</b>	The office of the Auditor General for Local Government conducts performance audits of local governments in order to provide them with objective information and relevant advice that will assist them in their accountability and the achievement of value for money in their operations. Our work emphasizes a collaborative approach in working with local governments and we would be pleased to meet and discuss areas of risk or concerns and how our office can assist in addressing these issues.
<b>BC Emergency Health Services (BCEHS)</b>	BCEHS governs the emergency medical services system in BC and provides pre-hospital emergency and inter-facility patient transfer services. Under the oversight of BCEHS, BC Ambulance Service (BCAS) is the primary provider of pre-hospital emergency care and medically necessary transport (ground and air) for British Columbians. BCEHS also oversees the BC Patient Transfer Network (BCPTN) which coordinates the transfer of acute and critically ill patients to the appropriate level of care both within and outside of B.C.  Members of the BCEHS Executive will be in attendance and look forward to participating in productive and engaging sessions.
<b>BC Hydro</b>	Our vision is to be the most trusted, innovative utility company in North America by being smart about power in all we do. BC Hydro's Community Relations staff will be present at the Convention and look forward to addressing any questions that you may have related to their operations.
<b>BC Oil and Gas Commission</b>	The BC Oil and Gas Commission regulates oil and gas activities for the benefit of British Columbians and looks forward to addressing any questions you may have on our regulatory oversight.
<b>BC Transit</b>	From small towns to large urban centres outside of Metro Vancouver, BC Transit provides safe, effective, customer focused transportation solutions that connect people and communities to a more sustainable future. BC Transit would be pleased to discuss any questions you may have regarding our services. In order to provide you with the best information possible, please provide specifics relating to your questions within the online meeting request.
<b>Insurance Corporation of British Columbia (ICBC)</b>	ICBC provides universal compulsory auto insurance (basic insurance) to drivers in British Columbia, with rates regulated by the British Columbia Utilities Commission (BCUC), and also sells optional auto insurance in a competitive marketplace. Our insurance products are available across B.C. through a network of independent brokers, and claims services are provided at ICBC claims handling facilities located throughout the province. We also invest in road safety and loss management programs to reduce traffic-related deaths, injuries and crashes, auto crime and fraud. In addition, we provide driver licensing, vehicle registration and licensing services, and fines collection on behalf of the provincial government at locations across the province. ICBC will have staff present at the Convention who would be pleased to discuss or meet on any issues related to ICBC's operations.
<b>Royal Canadian Mounted Police (RCMP)</b>	Various police issues.



June 18, 2018

UBCM Members (**sent via email only**)

**Re: Meetings with Provincial Government Staff**

**2018 UBCM Convention – Theme: “Communication, Collaboration, Cooperation”  
Whistler, September 10 – 14, 2018**

Further to Minister Robinson’s June 11, 2018 letter regarding the 2018 UBCM Convention, I am pleased to attach the 2018 Provincial Appointment Book for your use in requesting meetings with provincial government staff (ministries, agencies, commissions and corporations – MACCs) available to meet with delegates at Convention.

To request a meeting, please complete the form located at: [Provincial Government Staff \[MACC\] Meetings](#).

The deadline for submitting online meeting requests is **Friday, July 27, 2018**. Meeting confirmation details will be sent to the contact identified on your meeting request form.

After July 27, 2018, requests for appointments can be made at the Provincial Appointments Desk, during Convention at the following locations:

**Monday, September 10**

Grand Foyer, Whistler Conference Centre  
8:30 am – 4:00 pm

**Tuesday, September 11 - Thursday, September 13**

Lobby, Cheakamus Room, Hilton Whistler Hotel  
8:30 am – 4:00 pm

For information on requesting meetings with the [Premier/Cabinet Ministers](#), and for the Honourable Selina Robinson, [Minister of Municipal Affairs and Housing](#), please see the attached 2018 Provincial Appointment Book (page 2) or click on the links above.

If you have any questions, please contact Laura Smith, by telephone at: 778 698-3263, or by email at: [MAH.UBCM.MeetingRequests@gov.bc.ca](mailto:MAH.UBCM.MeetingRequests@gov.bc.ca). Thank you.

*B. Schmidt*

Birgit Schmidt  
Director, Operations and Client Relations  
Local Government Division

pc: Laura Smith, Provincial Staff-UBCM Meeting Coordinator  
Nicole Gibbings, Minister of Municipal Affairs and Housing UBCM Meeting Coordinator

Attachment





June 11, 2018

Dear Mayors and Regional District Chairs:

I am pleased to provide you with the following information regarding the process for requesting a meeting with me, or with provincial government, agency, commission and corporation staff, during the upcoming annual UBCM Convention taking place in Whistler, September 10 to 14, 2018.

You will also receive a letter from the Honourable John Horgan, Premier, containing information about the online process for requesting a meeting with Premier Horgan and other Cabinet Ministers.

If you would like to meet with me at the Convention, please complete the online request form at: [MAH Minister's Meeting](#) and submit it to the Ministry of Municipal Affairs and Housing before **July 13, 2018**. Meeting arrangements will be confirmed by mid -August. I will do my best to accommodate as many meeting requests as possible.

To get the most out of your delegation's meeting with me, it would be helpful if you would fill out the online form with detailed topic information. By providing this information in advance of the meeting, I will have a better understanding of your delegation's interests and it will allow for discussions that are more productive.

Ministry staff will email the Provincial Appointment Book (PAB). This PAB lists all government, agency, commission and corporation staff expected to be available to meet with delegates at the Convention, as well as details on how to request a meeting with staff online.

As I approach my second Convention as Minister responsible for local government, I look forward to hearing more about your communities, to identifying opportunities to work together with you in partnership, and to growing our relationships in the spirit of collaboration.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Robinson".

Selina Robinson  
Minister

pc: Honourable John Horgan, Premier  
Wendy Booth, President, Union of British Columbia Municipalities





June 11, 2018

Dear Mayors and Regional District Chairs:

My caucus colleagues and I are looking forward to seeing you all again at this year's Union of British Columbia Municipalities (UBCM) Convention in Whistler from September 10-14.

*Communication, Collaboration, Cooperation*, the theme for the 2018 Convention, is indeed an appropriate focus as we engage in dialogue around local, provincial, federal, and First Nations governments working together to build strong and vibrant communities throughout our province. We all have a part to play in finding solutions and developing ideas that will ensure our communities thrive, and UBCM provides us with a wonderful opportunity to listen to one another, share ideas, and work together to build a better BC.

If you would like to request a meeting with a Cabinet Minister or with me during this year's convention, please register online at <https://UBCMreg.gov.bc.ca> (live, as of today). Please note that this year's invitation code is **MeetingRequest2018** and it is case sensitive. If you have any questions, please contact [UBCM.Meetings@gov.bc.ca](mailto:UBCM.Meetings@gov.bc.ca) or phone 250-213-3856.

I look forward to being part of your convention, meeting with many of you, and exploring ways that we can partner together to address common issues.

Sincerely,

John Horgan  
Premier







## BRIEFING NOTE

**To: Council**

**File No.:** 5210-18

**From: Chief Administrative Officer**

**Date:** June 19, 2018

**Subject: SCADA Project - Supervisory Control and Data Acquisition Project Update**

### ISSUE:

The purpose of this briefing note is to update Council on the recent completion of the City's Supervisory Control and Data Acquisition (SCADA) Project.

### BACKGROUND:

The SCADA project was originally budgeted in 2017 for \$780,000 (Sewer Utility Capital). Due to technology supply issues and coordination with Telus servicing, the project was started in late 2017 and carried over into 2018 to complete. The total cost of the completed project is \$450,000. One of the main reasons for the project coming in under budget was the technical ability and capacity of the Asset Management Technical Services Division to manage and procure the SCADA technology in-house as opposed to hiring consultant project management.

The City of Courtenay owns and maintains a number of critical water and wastewater pumping and distribution stations. Before the implementation of the SCADA system each of these assets operated independently and autonomously; there was no over-arching supervisory system that coordinated the assets together for system-wide control, monitoring, alarming, and reporting.

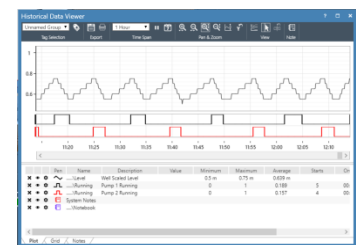
### DISCUSSION

With the new mandate and capacity of the Asset Management Technical Services Division in Public Works Services and in response to growing environmental requirements, combined with a need to define operational philosophies and standardize systems, the SCADA project was conceived, designed and implemented.

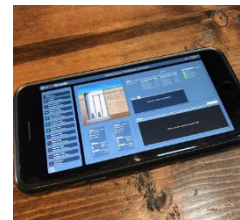
The following are a number of key advantages of the SCADA system:

- **Data Analysis Capabilities:** SCADA will provide the City with data analysis capabilities that were never available before. SCADA software tracks and saves all data within its historical database. Users of the system are able to plot data and produce reports based on any of the information that has been logged by the system, with the information presented graphically or in tabular formats. Example uses of the saved data include:

- Production of reports for use in regulatory permitting.
- Predictive analysis for use in preventative maintenance programs (i.e. through trending pump currents/start & stops).
- Analysis of system performance to determine requirement for system tuning and optimization.
- Forensics/root cause analysis of equipment failures.



- **Operational Efficiency:** The system has been designed to take advantage of mobile phone and smart device technologies. With the new SCADA system, operators will have the capability to remotely log in to obtain real-time station status and historical data. Such capabilities will aid and reduce overtime requirements; upon receiving alarms operations staff will be able to remotely diagnose station issues to determine if a physical dispatch to site is required. Before SCADA, Operators had to visit site locations upon the receipt of any alarms; this of course resulted in travel time to get to site, which could have resulted in environmental consequences. Additionally, past practice required that operational staff had to visit each station daily for the purposes of simply recording pump/flow data on paper spreadsheets. The SCADA system almost entirely removes the need for this practice resulting in increased time Operators can spend elsewhere in the utility system and completely eliminates the potential for Operator error.
- **Security:** The SCADA system has been designed to ensure high levels of security. All data traffic between the head end servers and the field devices have been encrypted through the use of secure VPN tunnels. Within the SCADA software, users and user groups have been configured to include varying levels of permissions as deemed necessary; user accounts are protected via username and password. Factory default passwords on all networked devices have also been modified.
- **Redundancy:** To ensure continuous operation, the system has been implemented with a primary/backup server architecture. Such a system allows for seamless continuation of operations should one of the servers fail.
- **Future Expansion:** The SCADA system has been constructed to allow for the integration of additional municipal water and wastewater sites as required. Considerations have also been given to allow for the integration of other City infrastructure as deemed necessary (i.e. irrigation controls, zone water meters, traffic monitoring, etc.).



Prepared by:

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Trevor Kushner,

Director of Public Works Services



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

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**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** Public Nuisance Bylaw No. 1798

**File No.:** 3900-00  
**Date:** August 18, 2014

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### PURPOSE:

The purpose of this report is to provide options to Council with the goal of ensuring the City has the most effective noise bylaw possible.

### POLICY IMPLICATIONS:

The City's current approach to dealing with noise complaints is governed by Bylaw No. 1798 (relating to nuisance and disturbances and to the care, maintenance and regulation of property within the City of Courtenay). This bylaw is twenty years old and needs to be revised to comply with current practices and standards, and to address sections that need greater clarity. Council has requested a bylaw that is more "effective".

While there are some relatively straight forward amendments to the current bylaw that will provide greater effectiveness, there is also an opportunity for Council to determine what level of service it desires to see the City provide. Any increase to the level of service will need to be considered along with the associated human, capital, and operational resources required to implement an increased level of service.

### CAO RECOMMENDATIONS:

That based on the August 18, 2014 staff report "Public Nuisance Bylaw No. 1798, Council DECIDE on a course of action regarding potential changes to the Public Nuisance Bylaw No. 1798 and direct staff accordingly.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### BACKGROUND:

In November 2011 Council passed the following resolution:

*WHEREAS citizens are raising questions about why their complaints sometimes appear to not result in enforcement proceedings and question the adequacy of the noise bylaw to see measures implemented to reduce the sound level in noisy operations;*

*AND WHEREAS there are a variety of approaches to noise bylaws and guidance from the courts regarding community standards for noise tolerance;*

*THEREFORE BE IT RESOLVED that Council direct staff to provide a report to ensure the city has the most effective bylaw possible.*

**DISCUSSION:**

City staff deal with an estimated average of 10 noise related complaints each month. The vast majority of the complaints are resolved through the following system of enforcement:

1. Complaint received.
2. Compliance requested verbally with a written letter follow up.
3. If no compliance, then a municipal ticket may be issued with a fine of \$500.
4. If the ticket is disputed, then the City may proceed to Supreme Court.
5. Supreme Court long form prosecution remains an option to seek larger judgements and/or enforcement orders.

In addition to City staff, the Comox Valley RCMP members also deal with noise complaints outside of regular business hours. These complaints often involve loud music, parties, etc. The RCMP are very effective partners in this regard, and take noise complaints seriously. Members have dealt with numerous complaints over the years, and have issued many MTI tickets with \$500 fines.

Although the City's current bylaw is open to some level of interpretation and can be somewhat subjective, history has shown that it generally allows staff to provide a satisfactory level of service to our citizens to mitigate excessive noise. There are some rare notable exceptions which will be discussed later in this report.

One particular provision of the current bylaw which commonly causes confusion is section 5. This section may be interpreted as allowing any sort of noise as long as it is between 7:00 a.m. and 8:00 p.m. This is not the case, and needs to be amended. Suggested wording is attached, along with some other amendments for Council's consideration.

One amendment in particular is the new provision for commercial and industrial operations. Staff believe that the changes shown in the attached draft bylaw would provide some clarity and options to provide resolution to potential conflicts.

Also, please find attached examples of bylaws from other communities which contain various provisions regarding decibel readings. Staff have reviewed these bylaws, and given their complexity, should Council wish to pursue this type of bylaw, it is recommended that a professional review be undertaken.

The City has been the subject of two investigations from the office of the Ombudsperson over the past two years relating to the enforcement of the noise bylaw. In particular, noise relating to commercial and industrial activities adjacent to residential areas. The office of the Ombudsperson reviewed all the actions taken by City staff within the provisions of the City's bylaw as well as all documentation from the complainants and staff in order to determine if the complainants were treated fairly. In both cases, after a considerable amount of time (approximately 20 hours) was spent by City staff providing documentation and subsequently discussing the files with the Ombudsperson staff, both investigations were closed without any recommendations.

Regardless of which direction Council chooses regarding the noise bylaw, staff believe it is crucial for the City to consider and address the mitigation of potential noise conflicts prior to the approval of new commercial or industrial developments. A good example of this is the new Crown Isle Plaza shopping centre, where a new commercial development was built adjacent to an existing residential neighbourhood.

Proper noise mitigation studies were performed and implemented, and this has resulted in no noise complaints from the neighbourhood.

**FINANCIAL IMPLICATIONS:**

The initial cost of a full professional review and partial implementation of the City's noise bylaw is in the range of \$50,000. A partial review would be substantially less; however would still be approximately \$22,000.

This is a significant investment; however it is potentially only a small portion of the ongoing costs which will be incurred in future enforcement of a new bylaw. Currently, the City has sufficient human resources to adequately enforce the City's bylaws to a level which Council has deemed appropriate. Generally staff receive positive feedback from residents that we are able to address their concerns in an effective and timely manner.

We do not have sufficient resources to enforce a bylaw containing sound level measurements. This would require additional staff as well as related equipment and training. The full impact of future resource requirements would need to be determined by consulting with other jurisdictions and with a sound consultant.

**ADMINISTRATIVE IMPLICATIONS:**

Administration of the Public Nuisance Bylaw is included in the Legislative Services Work Plan. Based on the current approach to enforcement, it is estimated that bylaw enforcement staff spend approximately 25% of their hours per year receiving and investigating routine noise complaints. This does not include the Comox Valley RCMP or ongoing complicated investigations. Going forward staff will be able to more accurately track time spent through the new workplan software program.

Should Council decide to proceed with an increased level of service for the enforcement of a new noise bylaw similar to the examples attached to this report, the City would need to hire an Independent Sound Consultant to assist in determining the additional human resources required.

**FINANCIAL IMPLICATIONS:**

Should Council decide to proceed with an increased level of service for the enforcement of a new noise bylaw similar to the examples attached to this report, the City would need to hire an Independent Sound Consultant to assist in determining the additional capital and operational resources required.

**STRATEGIC PLAN REFERENCE:**

N/A

**OFFICIAL COMMUNITY PLAN REFERENCE:**

N/A

**REGIONAL GROWTH STRATEGY REFERENCE:**

N/A

**CITIZEN/PUBLIC ENGAGEMENT:**

Citizen engagement would be dependent on the strategy Council ultimately chooses.

**OPTIONS:**

- OPTION 1: Approve amendments to the Public Nuisance Bylaw No. 1798 as attached to the report.
- OPTION 2: Direct staff to incorporate additional provisions in the bylaw, and report back on the associated estimated additional human and financial implications.
- OPTION 3: Postpone consideration of any bylaw changes to allow Council time to consider options.
- OPTION 4: Maintain the status quo.

Prepared by:

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John Ward, CMC  
Director of Legislative Services

CONSOLIDATED VERSION

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 1798

A bylaw relating to nuisance and disturbances and to the care, maintenance and regulation of property within the City of Courtenay

NOW THEREFORE the Council of the City of Courtenay, in open meeting assembled, enacts as follows:

DEFINITION:

1. In this bylaw, unless the context otherwise requires:

(a) **Authorized Person** includes the following:

- (i) a member of the Royal Canadian Mounted Police;
- (ii) a Bylaw Enforcement Officer;
- (iii) the Building Services Manager and his duly authorized representatives;
- (iv) any other peace officer.

(b) **“Boulevard”** means the area between the curb lines, the lateral lines or the shoulder of a roadway and the adjacent property line.

(c) **“City”** means the City of Courtenay.

(e)(d) **“Continuous Noise”** means any noise continuing for a period of five minutes or more in any fifteen minute period.

(e) **“Graffiti”** means drawing, printing or writing scratched, sprayed, painted or scribbled on a wall or other surface, but does not include a sign for which a permit has been issued by the municipality.

(d)(f) **“Independent Sound Consultant”** means a professional engineer, licenced to practice in the Province of British Columbia, with acoustical expertise.

(g) **“Intersection”** means the area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of the 2 highways which join one another at or approximately at right angles, or the area within which vehicles travelling on different highways joining at any other angle may come in conflict, and, for the purpose of this definition “highway does

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not include a lane or way less than 5 metres in width separating the rear property lines of parcels of land fronting on highways running more or less parallel to and on each side of the lane or way.

~~(e)~~(h) “Noise” includes any loud outcry, clamour, shouting, disturbance or movement or any sound that is loud or harsh or undesirable.

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~~(f)~~(i) **“Noxious Weeds”** includes the plant *lythrum salicaria* (Purple Loosestrife) as well as weeds designated as noxious pursuant to the Weed Control Act.

~~(g)~~(j) **“Person”** includes any corporation, partnership or party and the personal or other legal representatives of a person, to whom the context can apply according to the law and also includes an owner, the agent of an owner, or the occupier of, or the holder of a purchaser’s interest in an Agreement for Sale, of any real or personal property within the City.

~~(h)~~(k) **“Real Property”** means land, with or without improvements so affixed to the land as to make them in fact and law a part of it.

~~(i)~~(l) **“Roadworthy”** means, when applied to motor vehicles, capable of normal physical operation.

~~(j)~~(m) **“Sidewalk”** means the area between the curb lines or lateral lines of a roadway and the adjacent property lines improved for use of pedestrians.

~~(k)~~(n) **“Unightly”** includes dirt, gravel, bark mulch or refuse and all discarded, broken or useless items and without restricting the generality of the foregoing, includes old paper or wood products no longer in use or motor vehicles that are no longer roadworthy or parts thereof, and:

- (i) The storage of building materials on a site where the owner or occupier of the property is not in possession of a valid City building permit.
- (ii) The storage, cleaning, repairing or servicing of motor vehicles, hauling or construction equipment except where the same is carried out entirely within a building.
- (iii) Accumulation on residential property of any goods or merchandise which is offered or intended to be offered for sale.

#### **GRAFFITI, RUBBISH AND LITTER CONTROL**

2. (a) No person shall cause or permit stagnant water, rubbish, or any noxious, offensive, or unwholesome matter or substance to collect, or accumulate on or around his real property.



- (b) No person shall deposit or throw bottles, broken glass, or other rubbish, in any open place within the City.
- (c) No person shall place graffiti on walls, fences or elsewhere on or adjacent to private property or a public place in the City.

**UNSIGHTLY PREMISES**

- 3. (a) No owner or occupier of real property shall allow such property to become or to remain unsightly by the accumulation thereon of any filth, discarded materials, rubbish or graffiti of any kind.
- (b) An owner or occupier of real property shall forthwith, upon receipt of notice given pursuant to this bylaw, remove all accumulation of filth, discarded materials, rubbish or graffiti.
- (c) Where an owner or occupier of real property fails to comply with a requirement for removal referred to in subsection (b) above, the City by its employees or other persons, at reasonable times and in a reasonable manner, shall enter on the property and effect the removal at the expense of the person who has failed to comply, and that where a person at whose expense removal is carried out does not pay the cost of removal on or before December 31<sup>st</sup> in the year that the removal was done, the cost shall be added to and form part of the taxes payable on the property as taxes in arrears.
- (d) It shall be a good and sufficient defence to any prosecution commenced for violations of paragraph 3(a) hereof, for an owner or occupier of any commercial real property to prove that the storage of materials or the accumulation and storage of unroadworthy motor vehicles or parts thereof, is an essential part of a legally licensed business carried on at that real property.

**NOXIOUS WEEDS OR INSECT INFESTATION:**

- 4. An owner or occupier of real property shall:
  - (i) keep such property clear of noxious weeds, wild grass and other untended growth.
  - (ii) prevent infestation by caterpillars and other noxious or destructive insects, and clear such property of caterpillars and other noxious or destructive insects.

**NOISE**

- 5. (a) No person shall, ~~between the hours of 8 o'clock in the afternoon and 7 o'clock of the following morning,~~ make, cause or allow or permit to be made or caused, any

noise or sounds in or on a highway or elsewhere in the City which disturb or tend to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of one or more persons in the vicinity. ~~provided, however, that this paragraph shall not apply to:~~

- (b) No person shall, before 7:00 a.m. on any day from Monday to Saturday when such day is not a Statutory Holiday, or before 8:00 a.m. on any Sunday or Statutory Holiday, and after 10:00 p.m. on any day, construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill in land in any manner which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of persons in the vicinity.
- (c) No person shall, before 8:00 a.m. and after 10:00 p.m. on any day, use or operate any power gardening tool or other power tool or machine.
- (b) (d) No person shall keep or harbour any animal or bird which disturbs or tends to disturb the peace, quiet, rest, enjoyment, comfort or convenience of the neighbourhood by its repeated making of noise.
- (e) (e) No person shall feed pigeons on or about private property and no person shall keep pigeons.
- (d) (f) No person shall play or operate any radio, stereophonic equipment, outdoor public address system or other instrument or apparatus for the production or amplification of sound either in or on private premises or any public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity.
- (e) ~~No person shall for profit or gain on a Sunday construct, erect, reconstruct, alter, repair or demolish any building or thing, or excavate or fill in land in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of the persons in the vicinity.~~
- (f) (g) Where it is impossible or impractical to comply with this section, the Council may upon application, give written approval to carry on work that is found to be necessary during designated hours.
- Responsibility for obtaining written approval lies with the person carrying on the work.
- (h) No person shall operate any outdoor public address system in the City without first having obtained permission in writing.
- (i) Section 5 does not apply to:

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- (i) any act of repair or maintenance being carried out by employees of contractors of the City, the Ministry of Highways Transportation and Infrastructure or its contractors, or any public utility;
- (ii) any duly authorized person operating an emergency vehicle or the sounding of a horn or other signaling device upon any vehicle, boat or train where such sounding is properly used as a danger or warning signal;
- (iii) emergency repairs to buildings, which cannot reasonably be delayed to normal working hours;
- (iv) the use of bells or chimes by churches, and the use of carillons where such carillons have been lawfully erected;
- (v) any garbage collection service between the hours of 7:00 a.m. and 8:00 p.m. on each day except Sunday;
- (vi) any parade, procession, performance, concert, ceremony, gathering or meeting in or on any street, or public place, when duly authorized or permitted under the provisions of any bylaw, statute or ordinance in force in the City;
- (vii) snow clearing;
- (viii) any person functioning within the limits imposed by a permit issued by the City, including a Special Event Permit. Mayor or such other person he may designate, said permit to be in a form approved by Council from time to time;

6. No person shall create a nuisance to any person who contends their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference.
7. It shall be a good and sufficient defence to any prosecution commenced for a violation of paragraph 5(a)(b) and paragraph 6, hereof for an owner or occupier of any commercial establishment, including shopping malls, with areas provided for the parking of that general public with a total capacity in excess of 50 parking spaces to establish that:
  - (a) The noise or sounds complained of were made in the course of snow clearing or dust clearing operations in the parking areas;
  - (b) That the snow clearing or dust cleaning operations were commenced as soon as practicable after the close of business for the day;

- (c) That the snow clearing or dust cleaning was conducted in such manner as to minimize the disturbance of the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants of neighbouring residential properties.

COMMERCIAL OR INDUSTRIAL OPERATIONS

- 8. Every owner, occupier or operator of an industrial or commercial business which generates a Continuous Noise of a level that disturbs the occupants of the neighbourhood or persons in the vicinity shall, at the request of the City, supply the City with:
  - (a) a report prepared by an Independent Sound Consultant recommending methods to abate the noise; and
  - (b) a letter of certification sealed by the Independent Sound Consultant that the recommended abatement methods have been fully implemented.

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**SIDEWALK CLEANLINESS**

- 8.9. Every owner or occupier of real property within the City shall keep any sidewalk adjoining such real property in a proper state of cleanliness, and shall not place rubbish from the sidewalk onto any highway in the City.

**ROOF SNOW REMOVAL**

- 9.10. As owner or occupier of real property shall remove snow, ice and rubbish from any roof or other part of any structure therein adjacent to any portion of any highway if the snow, ice or rubbish constitutes a hazard to persons or property.

**FENCES**

- 10.11. (a) In any zone, where an owner or occupier of property adjacent to a highway has erected a fence adjacent to that highway, the owner or occupier shall not allow that fence to fall into a state of disrepair.
- (b) An owner or occupier of real property whose fence erected adjacent to a highway has fallen into a state of disrepair shall repair it forthwith upon a receipt of notice given pursuant to this bylaw.

- (c) In every zone where the keeping of livestock is permitted, every owner or occupier of real property abutting upon any highway shall forthwith, upon receipt of notice given pursuant to this bylaw, erect fences along the boundary of that property abutting on the highway for the purpose of preventing his livestock from straying upon said highway.

#### **BOULEVARDS/SIDEWALKS**

- | 14.12 (a) No person shall willfully damage:
  - (i) any boulevard, trees, shrubs, plants, bushes or hedge adjacent to any highway;
  - (iii) anything erected or maintained adjacent to a highway for the purpose of lighting the highway;
  - (iv) any fence erected or maintained adjacent to any highway.
  
- | 13. Owners or occupiers of real property shall maintain boulevards to the following standards:
  - (a) keep free of noxious weeds,
  - (b) keep grass trimmed,
  - (c) keep shrubs and trees from overhanging pedestrian walkways so as not to interfere with pedestrian and vehicular traffic.

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#### **VISION CLEARANCE**

- 14. No person who owns or occupies real property located at any intersection, shall place or permit to be or grow any tree, shrub, plant, fence or other structure with horizontal dimension exceeding .46 metres (1.5 feet) within the triangular area formed by two intersecting lot lines and the line joining the points on such lot lines 2.4 metres (7.87 feet) from the point of intersection, between an elevation such that an eye 1 to 2.4 metres (3.28 feet to 7.87 feet) above the surface elevation of one road, cannot see an object 1 to 2.4 metres (3.28 feet to 7.87 feet) above the surface of the other road.

#### **STREET SIGNS**

- 15. No person shall remove, deface or damage any street name sign or any other sign or marker erected upon any highway by or at the direction of the City.

#### **HAZARDOUS TREES AND SHRUBS**

- | 15.16 (a) If in the opinion of Council, any trees, hedges, bushes or shrubs growing or standing on any real property are:

- (i) a hazard to the safety of persons;
- (ii) likely to damage public property, or
- (iii) seriously inconveniencing the public.

Council may order such trees, hedges, bushes or shrubs to be trimmed, removed or cut down at the expense of the owners or occupiers of real property on which they grow or stand.

- (b) Before proceeding to exercise the powers conferred by subsection (a), Council shall give notice in writing, by registered mail to the most recent address shown on the current assessment roll requiring the owner or occupier of the lands to remove, cut down, or trim the trees, shrubs, hedges or bushes designated in the notice within fourteen (14) days from date thereof.
- (c) If Council is unable to serve the owner or occupier of real property with the notice under subsection (b), Council may apply to the Supreme Court for an order to serve the notice by substituted service.
- (d) If the person given notice does not take the required action within the time period referred to in subsection (b), the City by its employees or others, may enter the real property and effect that action at the expense of the person given notice.
- (e) If the person referred to in subsection (d) does not pay the costs of the action under that subsection on or before December 31 in the year in which the costs were incurred, the costs shall be added to and form part of the taxes payable on the real property as taxes in arrears.

#### **HOUSE NUMBERING**

- | 46.17. All owners and occupiers of buildings shall display in a conspicuous place on the property on which the building is located, the street number assigned by the City to such building so that the same is readable from the highway.

#### **DEMOLITION SITES**

- 18. On any property where the demolition of any building or structure has taken place:
  - (a) all debris and material whether to be discarded or retained shall be removed forthwith;
  - (b) any basement or other excavation shall be filled in or covered over to lot grade level forthwith.

#### **RIGHT OF ENTRY**

19. An authorized person may at all reasonable times, enter upon any property in the City of Courtenay in order to ascertain whether the regulations contained within this bylaw are being obeyed.

#### NOTICES

20. Any notice to be given to this bylaw may be given by an authorized person and shall be sufficiently delivered if personally served upon a person apparently aged 16 years or more and apparently occupying the real property affected by such notice, or if sent to the owner of the real property by double registered mail to his address appearing upon the last revised assessment roll. All notices hereunder shall be in the form of a letter or shall be in such other forms as the Council may from time to time approve by resolution.

#### FAILURE TO COMPLY

21. If, after receipt of a notice hereunder excluding notification with regard to snow and ice, the work required to be performed by such notice remains either wholly or partially incomplete, the City may, by its workmen or by any other means it deems fit, enter upon the real property affected by such notice and perform or complete such work at the expense of the owner of such property. The cost incurred by the City in any exercise of its powers hereunder, shall, if not paid by the 31<sup>st</sup> day of December in the year in which they were incurred, be added to and form a part of the taxes payable in respect of that real property as taxes in arrears.

#### PENALTIES

- BL2565 22. Every person who contravenes this bylaw commits an offence against this bylaw, and if the offence is a continuing offence, each day that the offence continues constitutes a separate offence against this bylaw.

- BL2565 23. Every person who commits an offence against this bylaw is liable upon summary conviction to a fine not more than \$10,000.00.

24. This bylaw shall come into full force and effect upon its final passage and adoption.

25. ~~Courtenay Dangerous Tree Removal Bylaw No. 910, The Noise Control Bylaw No. 1343 and Property Maintenance Bylaws No. 1555 and 1633 are hereby repealed.~~

26. ~~This bylaw may be cited for all purposes as "Prevention of Public Nuisances Bylaw No. 1798, 1994".~~

Read first time on this 3<sup>rd</sup> day of October, 1994

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Read a second time on this 3<sup>rd</sup> day of October, 1994

Read a third time on this 3<sup>rd</sup> day of October, 1994

Finally passed and adopted on this 17<sup>th</sup> day of October, 1994.

Ronald Vern Webber  
Mayor

John E. Wilson  
Clerk





**CITY OF CAMPBELL RIVER**  
**PROVINCE OF BRITISH COLUMBIA**  
**BYLAW NO. 3310, 2007**

**A BYLAW OF THE CITY OF CAMPBELL RIVER RELATING TO NUISANCE AND DISTURBANCES AND TO THE CARE, MAINTENANCE AND REGULATION OF PROPERTY WITHIN THE CITY OF CAMPBELL RIVER.**

**NOW THEREFORE** the Council of the City of Campbell River, in open meeting assembled, enacts as follows:

**Title**

This Bylaw may be cited for all purposes as the **Public Nuisance Bylaw No. 3310, 2007.**

**Definitions**

In this Bylaw, unless the context otherwise requires:

- “Bylaw Enforcement Officer** means a Peace Officer, as defined in the British Columbia *Interpretation Act* and those Persons designated Bylaw Enforcement Officers in the City’s Municipal Ticket Information Bylaw to enforce the provisions of this Bylaw;
- “City ”** means the City of Campbell River or the area within the municipal boundaries as the context may require;
- “Council”** means the Council of the City of Campbell River;
- “Graffiti”** includes one or more letters, symbols, writing, pictures or marks, however made, posted, scratched, painted or drawn on any structure or thing but does not include any of the following:
- a) a sign, public notice or traffic control mark authorized by the Director of Engineering, a City bylaw or Provincial or Federal legislation; or
  - b) in the case of private property, a letter, symbol or mark for which the owner of the property on which the letter, symbol or mark appears has given prior, written authorization;
- “Highway or Other Public Place”** includes every street, road, land, boulevard, sidewalk, lane, bridge, viaduct and any other way open to public use and any park, building, conveyance, private place or passageway to which the public has, or is permitted to have access or is invited;
- “Noxious Weed”** means any weed designated as noxious pursuant to the Weed Control Act.
- “Peace Officer”** has the same meaning as in the British Columbia *Interpretation Act* and includes a Bylaw Enforcement Officer;
- “Pedestrian Facility”** means a structure for pedestrian use including a walkway, sidewalk, stairs, ramp, and curb letdown;
- “Person”** includes a natural Person, a company, corporation, partnership, firm, association, society, or party and the

	personal or other legal representatives of a Person to whom the context can apply according to law;
<b>“Real Property”</b>	means land, with or without improvements so affixed to the land as to make them in fact and in law a part of the Real Property;
<b>“Roadway”</b>	means a portion of a Highway improved for use for vehicular travel; and
<b>Traffic Control Signal”</b>	means a Traffic Control Signal as defined in the British Columbia <i>Motor Vehicle Act</i> .

In Part II of this Bylaw, unless the context otherwise requires:

<b>“Automated Teller Machine”</b>	means a device linked to a financial institution’s account records which is able to carry out transactions, including, but not limited to, account transfers, deposits, withdrawals, balance inquiries, and mortgage and loan payments;
<b>“Bus Stop”</b>	means a section of Street which is reserved for the loading and unloading of buses and where parking and stopping of all other vehicles is prohibited;
<b>“Panhandle”</b>	means to beg for, or, without consideration ask for, money, donations, goods or other things of value whether by spoken, written or printed word or bodily gesture for one’s self or for any other Person but does not include soliciting by the holder of a permit issued by the City of Campbell River;
<b>“Street”</b>	means any Highway, Roadway, sidewalk, boulevard, place or way which the public is ordinarily entitled or permitted to use for the passage of vehicles or pedestrians and includes a structure located in any of those areas; and
<b>“Trust Company”</b>	means an office or branch of a Trust Company to which <i>The Trust and Loans Companies Act (Canada)</i> applies and in which deposit accounts are held.

In Part III of this Bylaw, unless the context otherwise requires:

<b>“Dog”</b>	means any animal of the canine species;
<b>“Faeces”</b>	means excrement of a Dog; and
<b>“Owner”</b>	includes any Person who owns, has in their custody or control, or harbours any Dog, or is an occupant of a premise where a Dog is kept.

In Part IV of this Bylaw, unless the context otherwise requires:

<b>“Continuous Noise”</b>	means any Noise or sound continuing for a period of five minutes or more in any 15-minute period;
<b>“Independent Sound Consultant”</b>	means a professional engineer, licensed to practice in the Province of British Columbia, with acoustical expertise;
<b>“Noise”</b>	includes any loud outcry, clamour, shouting, disturbance or movement or any sound that is loud or harsh or undesirable;
<b>“Road Surface”</b>	means gravel, asphalt, cement or material of any kind whatsoever placed upon any street, road, Highway, bridge, viaduct, lane, or any other way designed or

intended for use by the general public for the passage of vehicles, and every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited.

In Part V of this Bylaw, unless the context otherwise requires:

<b>"Arterial Road"</b>	means an arterial Highway as classified under the British Columbia <i>Highway Act</i> ;
<b>"Boulevard"</b>	means the area of a Highway between the edge of the pavement or curb of the Roadway and the adjacent property line of the Highway;
<b>"Discarded Materials"</b>	include all materials not in use for the construction or maintenance of a building situated on that property, appliances, unlicensed or inoperable motor vehicles or motor vehicle parts, machinery, firewood, unless it is neatly piled or stacked against a wall or fence, and all other chattels in a dismantled state or not in use for the purpose for which the manufacturer intended.
<b>"Drainage Facility"</b>	includes Boulevard drainage inlet, catch basin grate, culvert headwall or lawn basin inlet;
<b>"Herbicide"</b>	means any kind of material that is used to control Noxious Weeds;
<b>"Intersection"</b>	means the area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of the 2 highways which join one another at or approximately at right angles, or the area within which vehicles traveling on different highways joining at any other angle may come in conflict; and, for the purpose of this definition "highway" does not include a lane or way less than 5 metres in width separating the rear property lines of parcels of land fronting on highways running more or less parallel to and on each side of the lane or way.
<b>"Occupier"</b>	means a Person who occupies Real Property but does not include the Occupier of a unit in an apartment, hotel or institution;
<b>"Pesticide"</b>	means any kind of material that is used to control pests, fungi, and insects;
<b>"Residential Premises", "Residential Property" and "Tenancy Agreement"</b>	shall have the same meanings as in the <i>Residential Tenancy Act</i> of British Columbia; and
<b>"Sight-Distance"</b>	means a clear line of vision between conflicting motorists, cyclists and pedestrians that allows sufficient time for safe maneuvers to be made without significantly affecting the conflicting traffic.

**PART I - INTERPRETATION**

- 1.1 Words or phrases defined in the British Columbia Interpretation Act, Motor Vehicle Act or Community Charter (or any successor legislation, shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw or the context otherwise requires.
- 1.2 In this Bylaw, unless the context otherwise requires, the singular shall include the plural and the masculine includes the feminine gender.
- 1.3 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.
- 1.4 If any part of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.

**PART II-STREET NUISANCES****Restrictions on Panhandling**

- 2.1 No Person shall Panhandle within 10 meters of:
- (a) an entrance to a bank, credit union or Trust Company;
  - (b) an Automated Teller Machine;
  - (c) a Bus Stop;
  - (d) a bus shelter; or
  - (e) the entrance to any liquor store.
- 2.2 No Person shall Panhandle from an occupant of a motor vehicle which is:
- (a) parked;
  - (b) stopped at a Traffic Control Signal; or
  - (c) standing temporarily for the purpose of loading or unloading.
- 2.3 No Person shall Panhandle after sunset on any given day.
- 2.4 No Person shall sit or lie on a Street for the purpose of Panhandling.
- 2.5 No Person shall continue to Panhandle from a Person, or follow a Person, after that Person has made a negative response.

**Use of Highways**

- 2.6 No Person shall:
- (a) urinate or defecate on a Highway or Other Public Place;
  - (b) impede or obstruct any other Person on a Highway or Other Public Place, excluding lawful picketing as provided in the BC Labour Code;
  - (c) stand or congregate on a Highway or Other Public Place in such a manner as to impede or obstruct the free movement of other Persons or vehicular traffic;
  - (d) camp or erect a tent or other camping facilities on a Highway or Other Public Place;
  - (e) sleep in any vehicle located on a Highway or Other Public Place;
  - (f) swear or use indecent, obscene, blasphemous or grossly insulting language on or about a Highway or Other Public Place; or
  - (g) carry on any obscene, lewd or indecent activity on a Highway or Other Public Place.

**PART III - LITTERING****Dog Faeces**

- 3.1 No Owner, except those certified as being legally blind, shall cause, allow or suffer any Dog to leave or deposit Faeces on any Highway or Other Public Place or private property other than the property of the Owner, without immediately taking action to remove such Faeces and to dispose of the Faeces in an approved and sanitary manner on the property of the Owner.

**Litter**

- 3.2 No Person shall deliver circulars, pamphlets, handbills or papers to or within any Real Property or building located on the Real Property, unless such deliveries are deposited within a receptacle provided by the owners or occupiers of the Real Property or building.
- 3.3 No Person shall deposit or throw bottles, broken glass, circulars, pamphlets, handbills, paper or other litter, rubbish or trash in any open place.

**PART IV - NOISE REGULATION****Exemption**

- 4.1 This Part shall not apply to:
- (a) the operation of emergency vehicles;
  - (b) the emergency repair of a public Highway;
  - (c) operations of a public utility;
  - (d) Peace Officers acting in the course of their duties;
  - (e) lands within the boundaries of the Campbell River Airport;
  - (f) events held under authority of a Special Event Permit issued by the City Clerk;
  - (g) the operation of farm vehicles during planting and harvesting;
  - (h) any person functioning within the limits imposed by a permit issued by the City Clerk or such other person he may designate, said permit to be in a form approved by Council from time to time; and
  - (i) snow clearing.
- 4.2 No Person shall make or cause, or permit to be made or caused, any Noise in or on a public or private place which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any Person or Persons in the neighbourhood or vicinity.
- 4.3 No Person, who is the owner or occupier of Real Property, shall allow or permit such Real Property to be used in such a manner that Noise emanating from the Real Property disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any Person or Persons in the neighbourhood or vicinity.
- 4.4 No Person shall operate any radio, stereophonic equipment or other instrument, or any apparatus for the production or amplification of sound either in or on private premises or in any Highway or public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of Persons in the vicinity.
- 4.5 No Person shall own, keep, or harbour any animal or bird which, by its cries, unduly disturbs the peace, quiet, rest, enjoyment, comfort, convenience or tranquility of the surrounding neighbourhood, Persons in the vicinity or the public at large.

**Construction and Garbage Collection Noise**

- 4.6 No Person shall, before 7:00 am on any day from Monday to Saturday when such day is not a Statutory Holiday, or before 8:00 a.m. on any Sunday or Statutory Holiday, and after 10:00 p.m. on any day, construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill in land in any manner which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of Persons in the vicinity.
- 4.7 No Person shall, before 7:00 am on any day from Monday to Saturday, or before 8:00 a.m. on any Sunday and after 10:00 p.m. on any day, operate a garbage truck which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of Persons in the vicinity

**Power Tools and Model Airplanes**

- 4.8 No Person shall, before 8:00 a.m. and after 10:00 p.m. on any day, use or operate any power gardening tool or other power tool or machine or any model airplane, boat or car powered by an internal combustion, turbine or rocket engine.

**Public Address Systems**

- 4.9 Except for sports announcements at the grounds where such sports are being played, no Person shall operate any outdoor public address system at any time from any vehicle, Real Property, place or premises without the permission of the Bylaw Enforcement/Property Services Manager.

**Commercial or Industrial Operations**

- 4.10 Every owner or operator of an industrial or commercial business which generates a Continuous Noise of a level that disturbs the occupants of the neighbourhood or Persons in the vicinity shall, at the request of the City, supply the City with:
- (a) a report prepared by an Independent Sound Consultant recommending methods to abate the Noise; and
  - (b) a letter of certification sealed by the Independent Sound Consultant that the methods approved by the Bylaw Enforcement/Property Services Manger for the abatement of Noise have been fully implemented.

**Motor Vehicle Noise**

- 4.11 The following Noises are, in the opinion of the Council of the City of Campbell River, unnecessary, objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public:
- (a) the squeal of a tire on a Road Surface made by a motor vehicle which is accelerating, stopping or changing direction;
  - (b) a loud, roaring or explosive sound emitted by a motor vehicle;
  - (c) the amplified sound of a radio, television, CD-player or other sound playback device or amplification equipment, or the sound of a musical instrument, that emanates from a motor vehicle and can easily be heard by someone outside the motor vehicle;
  - (d) the sound of the diesel engine of a bus, truck or other vehicle which has been idling or otherwise running continuously for more than five minutes at the same location, except that this clause shall not apply where the bus is located within a garage or depot intended for its long-term parking;
  - (e) the sound of an automobile security system which is made, either continuously or intermittently, for a period exceeding five (5) minutes or

- the sound of an automobile security system, but not including its activation status signal, which is made more than three (3) times in a 24-hour period;
- (f) the sound of a horn or other warning device on a motor vehicle used for any purpose other than as an audible warning incidental to the safe operation of the motor vehicle;
  - (g) the sound of a brake or other type of engine brake on a motor vehicle used or operated for any purpose other than as an emergency braking device incidental to the safe operation of the motor vehicle.
- 4.12 No Person shall make or cause to be made, any objectionable, unnecessary or disturbing Noise set forth in Section 4.11 or operate a motor vehicle so as to cause any objectionable, unnecessary or disturbing Noise set forth in Section 4.11 contrary to Division 7A of the *Motor Vehicle Act Regulations*, B.C. Reg. 26/58.
- 4.13 The prohibitions contained in Section 4.11 shall not apply to participants in a special event or parade provided it has first been authorized under a permit issued by the City Clerk.

## PART V - PROPERTY MAINTENANCE

### Graffiti

- 5.1 No Person shall place Graffiti, or cause Graffiti to be placed, on any wall, fence or other structure or thing in any Highway or Other Public Place.
- 5.2 No Person shall place Graffiti, or cause Graffiti to be placed, on any wall, fence, building or structure that is located on Real Property and adjacent to a Highway or Other Public Place.

### Boulevard Maintenance

- 5.3 Every owner or Occupier of Real Property shall maintain in a clean, tidy and well-kept condition every Boulevard fronting on the Real Property and, without limiting the generality of the foregoing, shall:
- (a) remove accumulations of filth, rubbish, Discarded Materials, hazardous objects and other materials which obstruct a Drainage Facility;
  - (b) keep grassed areas trimmed and free of Noxious Weeds;
  - (c) keep landscaping trimmed so that driveway and intersection vision clearances are unobstructed;
  - (d) keep landscaping from encroaching over paved Roadways or gravel shoulders;

except that where the Real Property is a through lot abutting both an Arterial Road and an internal street that runs approximately parallel to the Arterial Road, the owner or Occupier need not maintain the Boulevard fronting the Arterial Road unless the front of the house faces such Arterial Road.

### Sidewalks and Pedestrian Facilities

- 5.4 Every owner or Occupier of Real Property shall:
- (a) remove snow or ice from the roof or other part of any structure on Real Property adjacent to or abutting any portion of any Boulevard or Roadway;
  - (b) remove rubbish from every Pedestrian Facility bordering the Real Property;
  - (c) keep landscaping from encroaching over a sidewalk, from ground level to

a height of 2.4 metres;

except that where the Real Property is a through lot abutting both an Arterial Road and an internal street that runs approximately parallel to the Arterial Road, the owner or Occupier need not remove the snow or ice as required herein with respect to the Boulevard that fronts the Arterial Road, unless the front of the house faces such Arterial Road.

**5.5 No Person shall:**

- (a) willfully injure or damage any Boulevard or any tree, shrub, plant, bush or hedge on any Boulevard;
- (b) erect any sign, fence, wall or other structure on any Boulevard, except with written permission of the City ;
- (c) apply a Pesticide or Herbicide to any Boulevard; or
- (d) dispose of any vegetation cuttings, rubbish, Discarded Materials or any liquid or solid waste on any Boulevard or in any Drainage Facility.

**Fences**

- 5.6**
- (a) In any zone, where an owner or occupier of property adjacent to a highway has erected a fence adjacent to that highway, the owner or occupier shall not allow that fence to fall into a state of disrepair.
  - (b) An owner or occupier of real property whose fence erected adjacent to a highway has fallen into a state of disrepair shall repair it forthwith upon receipt of notice given pursuant to this by-law.
  - (c) In every zone where the keeping of livestock is permitted, every owner or occupier of real property abutting upon any highway shall forthwith, upon receipt of notice given pursuant to this By-law, erect fences along the boundary of that property abutting on the highway for the purpose of preventing his livestock from straying upon said highway.

**Vision Clearance**

- 5.7** No person who owns or occupies real property located at any intersection, shall place or permit to be placed or grow a tree, shrub, plant, fence or other structure with horizontal dimension exceeding 0.46 metres (1.5 feet) within the triangular area formed by two intersecting lot lines and the line joining the points on such lot lines 2.4 metres (7.87 feet) from the point of intersection, between an elevation such that an eye 1.0 to 2.4 metres (3.28 feet to 7.87 feet) above the surface elevation of one road, cannot see an object 1.0 to 2.4 metres (3.28 feet to 7.87 feet) above the surface of the other road.

**Street Signs**

- 5.8** No person shall remove, deface or damage any street name sign or any other sign or marker erected upon any highway by or at the direction of the City.

**Hazardous Trees and Shrubs**

- 5.9**
- (a) If in the opinion of the City, any trees, hedges, bushes or shrubs growing or standing on any real property are:
    - (i) a hazard to the safety of persons;
    - (ii) likely to damage public property, or
    - (iii) seriously inconveniencing the public.

the City may order such trees, hedges, bushes or shrubs to be trimmed, removed or cut down at the expense of the owners or occupiers of real property on which they grow or stand.
  - (b) Before proceeding to exercise the powers conferred by subsection (a), the City shall give notice requiring the owner or occupier of the lands to remove, cut down, or trim the trees, shrubs, hedges or bushes designated in the notice within five days from date thereof.



- (c) If the City is unable to serve the owner or occupier of real property with the notice under subsection (b), the City may apply to the Supreme Court for an order to serve the notice by substituted service.
- (d) If the person given notice does not take the required action within the time period referred to in subsection (b), the City by its employees or others, may enter the real property and effect that action at the expense of the person given notice.
- (e) If the person referred to in subsection (d) does not pay the costs of the action under that subsection on or before December 31 in the year in which the costs were incurred, the costs shall be added to and form part of the taxes payable on the real property as taxes in arrear.

### House Numbering

- 5.10 All owners and occupiers of buildings shall display in a conspicuous place on the property on which the building is located, the street number assigned by the City to such building so that the same is readable from the highway.

### Animals

- 5.11 No person other than the owner thereof shall feed pigeons on or about private property and no person shall keep pigeons so that the pigeons congregate in such numbers so as to constitute a nuisance or disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.

### Demolition Sites

- 5.12 On any property where the demolition of any building or structure has taken place:
- (a) all debris and material whether to be discarded or retained shall be removed forthwith;
  - (b) any basement or other excavation shall be filled in or covered over to lot grade level forthwith, upon receipt of notice served pursuant to this By-law.

### Unightly Premises

- 5.13 No owner of Real Property shall permit the Real Property to become or remain unsightly or permit water, rubbish or noxious, offensive, or unwholesome matter to collect or accumulate around that Real Property.
- 5.14 Every owner of Real Property shall keep the Real Property clear of brush, trees, Noxious Weeds or other growths and prevent infestation by caterpillars and other noxious or destructive insects and clear the Real Property of such insects.
- 5.15 Every owner of Real Property shall remove or cause to be removed from the property any unsightly accumulations of Graffiti, filth, Discarded Materials, brush, trees, vines, Noxious Weeds or other growths, cuttings or rubbish of any kind on a regular basis, or when ordered to do so by the City.
- 5.16 Every owner of Real Property shall maintain the general appearance and repair of the Real Property to the standards of other similar properties in the neighbourhood.

### Rental Premises

- 5.17 Every owner of Residential Premises or Residential Property subject to a Tenancy Agreement shall:
- (a) maintain the physical condition and structural repair of the Residential Premises or Residential Property to the health, life safety and fire protection standards of the *British Columbia Building Code* and the City of Campbell River Fire Prevention Bylaw; and
  - (b) maintain the general appearance and repair of the Real Property to the standards of other similar properties in the neighbourhood.

**Vacant Premises**

- 5.18 No owner of Real Property shall cause or create a nuisance, or permit a nuisance to be caused or created by allowing a vacant building on the Real Property to fall into such a state of disrepair that it becomes unsightly or creates a hazard, danger, nuisance or inconvenience to the general public.

**Remedial Action Notices**

- 5.19 Where an owner of Real Property or other responsible Person fails to comply with the requirements of this Part, the City may issue a Remedial Action Notice requiring that the owner or other responsible Person bring the Real Property into compliance with the provisions of this Bylaw within the time specified in the notice. Authority is granted to the City's Bylaw Enforcement Officer to issue a Remedial Action Notice.
- 5.20 If the owner or other responsible Person fails to comply with the Notice of Remedial Action within 30 days of service of such notice, or within such lesser period of time as may be provided for in the notice where an emergency exists, the City, by its workers or others, may, at all reasonable times and in a reasonable manner, enter the Real Property and affect such compliance at the cost of the defaulting owner or other responsible Person. Such cost shall consist of all costs and expenses incurred by the City in affecting compliance with this Bylaw including, without limitation, administrative costs, costs of attendance at the property by City employees or its contractors and the costs of removal, clean up and disposal.
- 5.21 If an owner or other responsible Person defaults in paying the cost referred to in Section 5.19 to the City within 30 days after receipt of a demand for payment from the City, the City may either recover from the owner or other responsible Person, in any court of competent jurisdiction, the cost as a debt due to the City, or direct that the amount of the cost be added to the Real Property tax roll as a charge imposed in respect of work or service provided to the Real Property of the owner.
- 5.22 Service of the notice of remedial action referred to in Section 5.18 will be sufficient if the notice:
- (a) is served personally or mailed by prepaid registered mail to the owner of the Real Property subject to the remedial action notice as shown on the then current year's Real Property assessment roll for the Real Property for which the notice of removal was issued;
  - (b) is mailed to any Occupier of the Real Property and each holder of a registered charge in relation to the property whose name is included in the assessment roll, at the address set out in that assessment roll and to any later address known to the City ;
  - (c) advises that the Person subject to the requirement or the owner of the Real Property where the required remedial action is to be carried out, may request a reconsideration by Council; and
  - (d) advises that, if the remedial action is not completed by the date specified in the notice, the City may take action to affect compliance with the Bylaw in accordance with Section 5.19.

**PART VI- ENFORCEMENT AND PENALTY**

**Right of Entry**

6.1 An authorized person may at all reasonable times, enter upon any property in the City of Campbell River in order to ascertain whether the regulations contained within this By-law are being obeyed.

**Reconsideration**

- 6.2 (a) An applicant for a permit referred to in this bylaw may have a decision under this bylaw reconsidered by Council by applying in writing for such reconsideration, specifying the decision which the applicant wishes reconsidered and the reason supporting the request for reconsideration.
- (b) An owner or other responsible person who has been issued a remedial action notice referred to in this bylaw may have a decision under this bylaw reconsidered by Council by applying in writing for such reconsideration, specifying the decision which the applicant wishes reconsidered and the reason supporting the request for reconsideration.

**Enforcement**

6.3 The provisions of this Bylaw may be enforced by any Bylaw Enforcement Officer.


**Penalty**

6.4 Every Person who contravenes or violates any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and, upon conviction, shall be liable to a fine or penalty as provided by the *Offence Act* and, where the offence is a continuing one, each day the offence continues shall be a separate offence.


**PART VII- REPEAL**

7.1 The following Bylaw of the City and its amendments are repealed:  
**Prevention of Public Nuisances Bylaw No. 2150, 1993.**

Read a first time on the	26th	day of	June	2007.
Read a second time on the	26th	day of	June	2007.
Read a third time on the	26th	day of	June	2007.
Adopted on the	10th	day of	July	2007.


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**MAYOR**  
  


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**CLERK**



***NOISE REGULATION***

**BYLAW NO. 8856**

EFFECTIVE DATE – FEBRUARY 27, 2012



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**Noise Regulation Bylaw No. 8856**

The Council of the City of Richmond enacts as follows:

**PART ONE: INTRODUCTION**

**1.1 Title**

1.1.1 This Bylaw may be cited as the “Noise Regulation Bylaw No. 8856”.

**1.1.2 Definitions**

In this Bylaw,

“**Activity Zone**” means those areas so described in this Bylaw and so indicated in Schedule A, attached to and forming part of this Bylaw;

“**approved sound meter**” means an acoustic instrumentation system which:

- (a) is comprised of a microphone, wind screen and recorder which conforms to class 1 or class 2 requirements for an integrating sound level meter as defined by IEC 61672-1 [2002];
- (b) has been field calibrated before and after each sound measurement using a class 1 or class 2 field calibrator as defined by IEC 60942 [2003]; and
- (c) has been calibrated, along with the field calibrator, within the past two years by an accredited lab to a traceable national institute standard;

“**City**” means the City of Richmond;

“**construction**” includes

- (a) the erection, alteration, repair, relocation, dismantling, demolition and removal of a building or structure;
- (b) structural maintenance, power-washing, painting, land clearing, earth moving, grading, excavating, the laying of pipe and conduit (whether above or below ground), street or road building and repair, concrete

- placement, and the installation, or removal of **construction** equipment, components and materials in any form or for any purpose; or
- (c) any work or activities being done or conducted in connection with any of the work listed in paragraphs (a) or (b);

“**Council**” means the City Council of Richmond;

“**daytime**” means

- (a) from 7:00 a.m. to 8:00 p.m. Monday through Saturday;
- (b) from 10:00 a.m. to 6:00 p.m. on a Sunday or **holiday**;

“**dB<sub>A</sub>**”, or **A-weighted decibel**, means the unit used to measure the sound pressure level using the “A” weighting network setting on an **approved sound meter**;

“**dB<sub>C</sub>**”, or **C-weighted decibel**, means the unit used to measure the sound pressure level using the “C” weighting network setting on an **approved sound meter**;

“**General Manager**” means the General Manager of Engineering and Public Works for the City of Richmond or his or her designate;

“**holiday**” means

- (a) New Years Day, Good Friday, Easter Monday, Victoria Day, Canada Day, British Columbia Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day or any other statutory holiday that may be declared by the Province of British Columbia; and
- (b) the day named in lieu of a day that is named in paragraph (a) and that falls on a Saturday, Sunday or the following Monday;

“**IEC**” means the International Electro-Technical Commission;

“**impulsive sound**” means **specific sound** that is characterized by brief bursts of **sound** pressure, with the duration of each impulse usually less than 1 second, including without limitation **specific sound** containing “bangs”, “clicks”, “clatters” or “thumps” from hammering, banging of doors and metal impacts;

“**impulsive sound adjustment**” means a 5 **dB<sub>A</sub>** increase applied to **specific sound** classified as **impulsive sound** and a 0 **dB<sub>A</sub>** increase applied to **specific sound** that is not classified as **impulsive sound**;

“**inspector**” includes the **Medical Health Officer**, the Health Protection Manager, the **General Manager**, a Bylaw Enforcement Officer employed by the **City**, a Peace Officer, and any employee acting under the supervision of any of them;

“**Intermediate Zone**” means those areas so described in this Bylaw and so indicated in schedule A, attached to and forming part of this Bylaw;

“**ISO**” means the International Organization for Standardization;

“**L<sub>eq</sub>**”, or equivalent continuous sound pressure level, means that constant or steady **sound** level, rounded to the nearest decibel, which, in a specified time period, conveys the same **sound** energy as does the actual time-varying sound level;

“**lawn and garden power equipment**” means any equipment or machinery used in lawn and garden care, including leaf blowers, edge trimmers, rototillers and lawn mowers;

“**measurement time interval**” means the total time over which **sound** measurements are taken, and:

- (a) is chosen to best represent the situation causing disturbance;
- (b) is between 1 minute and 30 minutes;
- (c) is chosen to avoid influence from the **residual sound** where possible; and
- (d) may consist of a number of non-contiguous, short term measurement time intervals that add up to 1 to 30 minutes;

“**Medical Health Officer**” means the Medical Health Officer appointed under the *Public Health Act*, SBC 2008, c. 28 or his/her designate, to act within the limits of the jurisdiction of any local board, or within any health district;

“**nighttime**” means any period of any day not specifically defined as **daytime**;

“**point of reception**” means a position within the property line of the real property occupied by the recipient of a **sound** that best represents the location at which that **specific sound**, emanating from another property, is received and the resulting disturbance experienced and is:

- (a) at least 1.2 m from the surface of the ground and any other **sound** reflecting surface; and
- (b) outdoors, unless there is no **point of reception** outdoors because the **specific sound** is within the same building or the wall of one **premises** is flush against another, in which case the **point of reception** shall be within the building where the **specific sound** is received and the resulting disturbance experienced;

“**premises**” means

- (a) the area contained within the boundaries of a legal parcel of land and any building situated within those boundaries; and
- (b) each unit, the common areas of the building, and the land within the apparent boundaries of the legal parcel of land are each separate **premises**

where a building contains more than one unit of commercial, industrial or **residential occupancy**;

“**Quiet Zone**” means those areas so described in this Bylaw and so indicated in Schedule A, attached to and forming part of this Bylaw;

“**rating level**” means the **specific sound level** plus the **impulsive sound adjustment** and **tonal sound adjustment**;

“**residential occupancy**” in respect of **premises**, means a dwelling unit located within a building, and includes a room for rent in a hotel or motel;

“**residual sound**” means the sound remaining at a given location in a given situation when the **specific sound** source is suppressed to a degree such that it does not contribute to the **total sound**;

“**sound**” means an oscillation in pressure in air which can produce the sensation of hearing when incident upon the ear;

“**specific sound**” means the **sound** under investigation;

“**specific sound level**” means the equivalent continuous **sound** pressure level or  $L_{eq}$  at the point of reception produced by the **specific sound** over the **measurement time interval**;

“**tonal sound**” means **specific sound** which contains one or more distinguishable, discrete, continuous tones or notes including, without limitation:

- (a) **specific sound** characterized by a “whine”, “hiss”, “screech” or “hum”;  
and
- (b) music;

“**tonal sound adjustment**” means a 0 – 6 dBA increase applied to **specific sound** classified as **tonal sound** as determined using the approach described in ISO 1996-2 [2007] Annex C and a 0 dBA increase applied to **specific sound** that is not classified as **tonal sound**;

“**total sound**” means the totally encompassing **sound** in a given situation at a given time, usually composed of **sound** from many sources near and far;

“**total sound level**” means the equivalent continuous **sound** pressure level or  $L_{eq}$  at the point of reception produced by the **total sound** over the **measurement time interval**;  
and

“**vehicle**” means a device in, on or by which a person or thing is or may be transported or drawn along a highway, but does not include a device designed to be moved by human power or device used exclusively on stationary rails or tracks.



## PART TWO: SOUND LEVELS

### 2.1 Quiet Zone Permitted Sound Levels

2.1.1 In a **Quiet Zone** a person must not make, cause or permit to be made or caused, any **sound** that has a **rating level** which:

- (a) during the **daytime** exceeds:
  - (i) 55 **dB**A or 65 **dB**C when received at a **point of reception** in a **Quiet Zone**;
  - (ii) 60 **dB**A or 70 **dB**C when received at a **point of reception** in an **Intermediate Zone**;
  - (iii) 70 **dB**A or 80 **dB**C when received at a **point of reception** in an **Activity Zone**; or
- (b) during the **nighttime** exceeds:
  - (i) 45 **dB**A or 55 **dB**C when received at a point of reception in a **Quiet Zone**;
  - (ii) 50 **dB**A or 60 **dB**C when received at a **point of reception** in an **Intermediate Zone**;
  - (iii) 70 **dB**A or 80 **dB**C when received at a **point of reception** in an **Activity Zone**.

### 2.2 Intermediate Zone Permitted Sound Levels

2.2.1 In an **Intermediate Zone** a person must not make, cause or permit to be made or caused, any **sound** that has a **rating level** which:

- (a) during the **daytime** exceeds:
  - (i) 60 **dB**A or 70 **dB**C when received at a **point of reception** in a **Quiet Zone**;
  - (ii) 60 **dB**A or 70 **dB**C when received at a **point of reception** in an **Intermediate Zone**;
  - (iii) 70 **dB**A or 80 **dB**C when received at a **point of reception** in an **Activity Zone**; or

- (b) during the **nighttime** exceeds:
  - (i) 50 **dB**A or 60 **dB**C when received at a **point of reception** in a **Quiet Zone**;
  - (ii) 50 **dB**A or 60 **dB**C when the prescribed **point of reception** is outdoors or 55 **dB**C when the prescribed **point of reception** is indoors in an **Intermediate Zone**;
  - (iii) 70 **dB**A or 80 **dB**C when received at a **point of reception** in an **Activity Zone**.

### 2.3 Activity Zone Permitted Sound levels

2.3.1 In an **Activity Zone** a person must not make, cause or permit to be made or caused, any **sound** that has a **rating level** which:

- (a) during the **daytime** exceeds:
  - (i) 60 **dB**A or 70 **dB**C when received at a **point of reception** in a **Quiet Zone**;
  - (ii) 65 **dB**A or 75 **dB**C when received at a **point of reception** in an **Intermediate Zone**;
  - (iii) 70 **dB**A or 80 **dB**C when received at a **point of reception** in an **Activity Zone**; or
- (b) during the **nighttime** exceeds:
  - (i) 50 **dB**A or 60 **dB**C when received at a **point of reception** in a **Quiet Zone**;
  - (ii) 55 **dB**A or 65 **dB**C when received at a **point of reception** in an **Intermediate Zone**;
  - (iii) 70 **dB**A or 80 **dB**C when received at a **point of reception** in an **Activity Zone**.

### 2.4 Summary of Permitted Sound Levels by Zone

2.4.1 For convenience, the outdoor **sound** level limits set out in sections 2.1 to 2.3 are summarized in the table in Schedule B, attached to and forming part of this Bylaw.

## 2.5 Properties Where Specific Modifications or Exceptions to Rating Levels Apply

2.5.1 Properties listed in Schedule C of this Bylaw are subject to the rating levels set-out in Schedule C. Except as modified or excepted in Schedule C, the rating levels in sections 2.1 – 2.3 of this Bylaw apply to such properties.

## 2.6 Assessment at Locations Affected by Residual Sound

2.6.1 Where the **total sound level** exceeds all of the prescribed **sound** limits identified in sections 2.1 to 2.3 and is influenced by the **residual sound** at the **point of reception** such that the **specific sound** cannot be accurately measured, the **specific sound** should be measured at distances close to the source and then predicted at the **point of reception** using an internationally accepted calculation standard such as ISO 9613-2.

## 2.7 Role of Inspector

2.7.1 Any **inspector** may measure **sound** levels with an **approved sound meter**, and may enter at all reasonable times upon any real property, to determine compliance with the provisions of Part Two of this Bylaw.

# PART THREE: PROHIBITED TYPES OF NOISE

## 3.1 Noise Disturbing Neighbourhood

3.1.1 Subject to other provisions of this Bylaw:

- (a) a person must not make or cause a **sound** in a street, park, plaza or similar public place which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of persons in the neighbourhood or vicinity;
- (b) a person who is the owner or occupier of, or is in possession or control of, real property must not make, suffer, or permit any other person to make, a **sound**, on that real property, which can be easily heard by a person not on the same **premises** and which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of persons in the neighbourhood or vicinity.

3.1.2 Subsection 3.1.1 does not apply if a **sound** level may practically be measured and the **sound** level is in compliance with Part Two of this Bylaw.

## 3.2 Prohibited Types of Noise

3.2.1 The following sounds are prohibited because they are objectionable, or liable to disturb the quiet, peace, rest, enjoyment and comfort of individuals or the public notwithstanding that such sounds may not constitute a violation of any other provision of this Bylaw:

- (a) the **sound** made by a dog barking, howling or creating any kind of **sound** continually or sporadically or erratically for any period in excess of one-half hour of time;
- (b) the **sound** made by a combustion engine that is operated without using an effective exhaust muffling system in good working order;
- (c) the **sound** made by a **vehicle** or a **vehicle** with a trailer resulting in banging, clanking, squealing or other like **sounds** due to an improperly secured load or improperly secured equipment, or due to inadequate maintenance;
- (d) the **sound** made by a **vehicle** horn or other warning device used except under circumstances required or authorized by law;
- (e) the **sound** made by amplified music, whether pre-recorded or live, after 2:00 a.m. and before 8:00 a.m. on any day; and
- (f) **sound** produced by audio advertising which:
  - (i) is directed at pedestrians or motorists on any street or sidewalk; or
  - (ii) can be heard on any street or sidewalk.

## **PART FOUR: EXEMPTIONS**

### **4.1 Specific Exemptions**

#### **4.1.1 This Bylaw does not apply to **sound** made:**

- (a) by a police, fire, ambulance or other emergency vehicle;
- (b) by a horn or other signalling device on any **vehicle**, boat or train where such sounding is properly and necessarily used as a danger or warning signal;
- (c) by the use, in a reasonable manner, of an apparatus or mechanism for the amplification of the human voice or music in a public park, public facility or square in connection with a public meeting, public celebration, athletic or sports event or other public gathering, if:
  - (i) that gathering is held under a City issued permit or license or similar agreement; or
  - (ii) that gathering has received prior approval under section 4.2.1;
- (d) by bells, gongs or chimes by religious institutions, or the use of carillons, where such bells, gongs, chimes or carillons have been lawfully erected;
- (e) by works and activities authorized by the British Columbia School Board 38 (Richmond) and conducted by its employees, agents and contractors on

property owned or operated by British Columbia School Board 38 (Richmond);

- (f) by a parade, procession, performance, concert, ceremony, event, gathering or meeting in or on a street or public space, provided that a permit, licence or similar agreement has been granted by the City for the event;
- (g) by outdoor athletic activity that takes place between 8:00 a.m. and 10:30 p.m.;
- (h) by the use, in a reasonable manner, of the **premises** of a Community Care Facility duly licensed under the *Community Care and Assisted Living Act*, SBC, 2002, Chapter. 75, or from the use of a similar institution;
- (i) by works and activities authorized by the City and conducted by its employees, agents and contractors on property owned (including, without limitation dedicated roads, parks and other public spaces) or operated by the City;
- (j) by a garbage collection service during the **daytime**;
- (k) by municipal works including, but not limited to, the construction and repair of streets, sewers lighting and other municipal services, whether carried out during the daytime or during the nighttime by, or on behalf of the City or the Greater Vancouver Regional District or any other public authority, but, unless the General Manager approves otherwise, does not include **construction** carried out under and agreement to install City works as described in section 940 of the *Local Government Act*;
- (l) by **lawn and garden power equipment**, provided that the use of the **lawn and garden power equipment** takes place:
  - (i) between 7:00 a.m. and 8:00 p.m. Monday through Friday; or
  - (ii) between 10:00 a.m. and 8:00 p.m. on a Saturday, Sunday and **holiday**;
- (m) by **construction**, provided that it has a **rating level** which does not exceed 85 dBA when measured at a distance of 15.2m (50 feet) from that source of **sound**, and only:
  - (i) between 7:00 a.m. and 8:00 p.m. Monday through Friday that is not a **holiday**;
  - (ii) between 10:00 a.m. and 8:00 p.m. on a Saturday that is not a **holiday**; and
  - (iii) between 10:00 a.m. and 6:00 p.m. on a Sunday or **holiday**;

- (n) by the nightly cleaning of streets and sidewalks and the collection of garbage from sidewalk refuse bins by or on behalf of the City;
- (o) by public transit or aeronautics;
- (p) by normal farm practices on a farm operation as defined by and protected by the *Farm Practices Protection (Right to Farm) Act*; or
- (q) by an occupant of a strata lot or rental unit used for **residential occupancy** where the source of the sound and the **point of reception** is within the same building.

## 4.2 Exemptions and Relaxations by Approval

- 4.2.1 A person may submit an application for an exemption or relaxation from the provisions of this Bylaw to the **General Manager**, in a form and with content satisfactory to the **General Manager** who may allow the exemption or relaxation with or without terms and conditions or refuse the exemption or relaxation provided that the exemption or relaxation is limited to a period of not more than forty-eight (48) hours.
- 4.2.2 With respect to exemptions or relaxations from the limitations imposed by section 4.1.1(m) of this Bylaw for construction projects, the **General Manager** may grant the exemption if satisfied that:
- (a) the volume of traffic in the area of the proposed construction is such as to cause danger to the workers on the job, or to cause traffic congestion;
  - (b) the impact and inconvenience to residents in the area of the proposed construction can be minimized;
  - (c) the construction cannot be undertaken efficiently or safely during the normal working day; or
  - (d) interruption of any service during normal working day would cause any person undue hardship.
- 4.2.3 If an exemption or relaxation is granted by the **General Manager** the applicant must, at least forty-eight (48) hours before the start of the exemption period, distribute a notice, in a form and with content satisfactory to the **General Manager**, to all residences within a one hundred (100) metre radius. Such a notice is to include, but will not be limited to, all times and dates, the specific location and general description of the activity.

4.2.4 An applicant who has been refused an exemption or relaxation by a decision of the **General Manager** may apply to have Council reconsider that decision in accordance with the following procedures:

- (a) the applicant may apply by notice to the City Clerk within 14 days of any refusal by the **General Manager** to grant an exemption or relaxation;
- (b) the applicant may address Council in writing or in person concerning the specific exemption or any future exemptions; and
- (c) Council may allow or revise the exemption or relaxation with or without terms and conditions or refuse the exemption or relaxation.

#### **4.3 Modification of Exception of Rating Levels by Bylaw Amendment**

4.3.1 A person may, in respect to a specific property or specific properties, submit an application for a modification of this Bylaw in respect to a rating level set out in section 2.1 – 2.3 of this Bylaw to the **General Manager** in a form and with a content satisfactory to the **General Manager** who shall refer the application to Council for consideration with recommendations.

### **PART FIVE: GENERAL**

#### **5.1 Severability**

5.1.1 No provision of this Bylaw depends for its validity on the validity of any other provision.

#### **5.2 Offences and Penalties**

- 5.2.1 (a) a violation of any of the provisions identified in this Bylaw shall result in liability for penalties and late payment amounts established in Schedule A of the Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122; and
- (b) a violation of any of the provisions identified in this Bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122* in accordance with the *Local Government Bylaw Notice Enforcement Act, SBC 2003, c.60*.
- 5.2.2 Every person who contravenes any provision of this Bylaw is considered to have committed an offence against this bylaw and is liable on summary conviction, to the penalties provided for in the *Offence Act*, and each day that such violation is caused, or allowed to continue, constitutes a separate offence.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

CITY OF RICHMOND
APPROVED for content by originating Division
APPROVED for legality by Solicitor



**SCHEDULE A TO BYLAW 8856  
NOISE ZONES**

Category	Quiet Zone	Intermediate Zone	Activity Zone
<p><b>1. Standard Zoning</b> (subject to Category 4)</p>	<ul style="list-style-type: none"> <li>• Residential Zones commencing with RS, RC, RD, RI, RT, RA</li> <li>• Residential / Limited Commercial Zones commencing with RCL</li> <li>• Institutional Zones commencing with ASY, HC</li> <li>• Mixed Use Zones commencing with CN, CS</li> </ul>	<ul style="list-style-type: none"> <li>• Mixed Use Zones commencing with CDT</li> <li>• Commercial Zones commencing with CL, CC, CA, CEA, CG, CP, CV, CR</li> <li>• Marina Zones commencing with MA1, MA2</li> <li>• Institutional Zones commencing with AIR, SI</li> <li>• Agriculture &amp; Golf Zones commencing with AG, GC</li> </ul>	<ul style="list-style-type: none"> <li>• Industrial Zones commencing with I, IL, IB, IR, IS</li> </ul>
<p><b>2. Site Specific Zoning</b> (subject to Category 4)</p>	<ul style="list-style-type: none"> <li>• Residential Zones commencing with ZS, ZD, ZT, ZLR, ZHR</li> <li>• Residential (Other) Zones commencing with ZR</li> </ul>	<ul style="list-style-type: none"> <li>• Mixed Use Zones commencing with ZMU</li> <li>• Commercial Zones commencing with ZC</li> <li>• Public Zones commencing with ZIS</li> <li>• Agricultural Zones commencing with ZA</li> </ul>	<ul style="list-style-type: none"> <li>• Industrial Zones commencing with ZI</li> </ul>

Category	Quiet Zone	Intermediate Zone	Activity Zone
<p><b>3. Land Use Contracts</b> (subject to Category 4)</p>	<ul style="list-style-type: none"> <li>• 001-009, 011-021, 023-027, 029-037, 040-050, 052-061, 063, 065-069, 071-077, 081-086, 088-090, 093-102, 104-117, 120-121, 123-125, 129-138, 140-165</li> </ul>	<ul style="list-style-type: none"> <li>• 010, 022, 028, 051, 062, 064, 070, 078, 079, 087, 092, 119, 122, 126, 128</li> </ul>	<ul style="list-style-type: none"> <li>• 039, 091, 127, 139</li> </ul>
<p><b>4. Additional Designations</b></p>		<ul style="list-style-type: none"> <li>• All parcels that would otherwise be classified as a Quiet District that are in Areas 1A or 2 as outlined in the OCP Aircraft Noise Sensitive Development Table contained in Section 5.4 - Noise Management in the Richmond Official Community Plan Bylaw No 7100</li> <li>• All parcels bordering a municipal 4-lane roadway, Highway 91 or Highway 99</li> </ul>	<ul style="list-style-type: none"> <li>• All roadways</li> <li>• All railroad rights-of-way</li> </ul>

**SCHEDULE B TO BYLAW 8856****SUMMARY OF PERMITTED OUTDOOR SOUND LEVELS BY ZONE**

		Sound Receiver Zone					
		Quiet		Intermediate		Activity	
		Day	Night	Day	Night	Day	Night
<b>Sound Source Zone</b>	<b>Quiet</b>	55 dBA	45 dBA	60 dBA	50 dBA	70 dBA	70 dBA
		65 dBC	55 dBC	70 dBC	60 dBC	80 dBC	80 dBC
	<b>Intermediate</b>	60 dBA	50 dBA	60 dBA	50 dBA	70 dBA	70 dBA
		70 dBC	60 dBC	70dBC	60 dBC	80 dBC	80 dBC
	<b>Activity</b>	60 dBA	50 dBA	65 dBA	55 dBA	70 dBA	70 dBA
		70dBC	60 dBC	75 dBC	65 dBC	80 dBC	80 dBC

Note: the permitted outdoor **dBC** sound level is 10 dB higher than the permitted **dBA** sound level.

**SCHEDULE C TO BYLAW 8856**

**SPECIFIC MODIFICATIONS/EXCEPTIONS TO PART TWO: SOUND LEVELS**

Property specific modifications / exceptions to the rating levels in Part Two: "Sound Levels" of the Bylaw are set-out below. Except as modified or excepted below, the rating levels in Part Two: "Sound Levels" apply.

<b>Civic Address of Sound Source</b>	<b>Civic Address of Point of Reception</b>	<b>Permitted Sound Level</b>

**SCHEDULE C TO BYLAW 8856****SPECIFIC MODIFICATIONS/EXCEPTIONS TO PART TWO: SOUND LEVELS**

Property specific modifications / exceptions to the rating levels in Part Two: "Sound Levels" of the Bylaw are set-out below. Except as modified or excepted below, the rating levels in Part Two: "Sound Levels" apply.

<b>Civic Address of Sound Source</b>	<b>Civic Address of Point of Reception</b>	<b>Permitted Sound Level</b>

## CONSOLIDATED FOR CONVENIENCE

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### CITY OF PORT MOODY

#### BYLAW NO. 1399

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#### A BYLAW TO REGULATE THE SOUND LEVELS IN THE CITY OF PORT MOODY

**WHEREAS** Section 932(c) of the *Municipal Act*, being Chapter 290 of the Revised Statutes of British Columbia, 1979 and amendments thereto, empowers the Council by bylaw to regulate the sound levels within the municipality;

**AND WHEREAS** the Council of the City of Port Moody deems such regulations and prohibitions desirable;

**NOW THEREFORE**, the City Council of the City of Port Moody, in open meeting assembled hereby enacts as follows:

1. This bylaw shall be cited for all purposes as "City of Port Moody Sound Level Bylaw, 1980" No. 1399.
2. Bylaw No. 1044 "City of Port Moody Noise Control Bylaw, 1970", is hereby repealed.
3. In this bylaw, unless the context otherwise requires:
  - (a) In the absence of specific provisions herein to the contrary, words used in this bylaw shall have the meaning, if any, given to them by definition in the "Municipal Act", being Chapter 290 of the Revised Statutes of British Columbia, 1979 and amendments thereto or, if not defined therein, the meaning, if any given to them by definition in the "Motor Vehicle Act", being Chapter 288 of the Revised Statutes of British Columbia, 1979 and amendments thereto;
  - (b) Act means the Municipal Act, being Chapter 290 of the Revised Statutes of British Columbia, 1979 as amended from time to time;

activity zone includes every area of the municipality which is not specifically designated as a quiet zone;

<b>**ADDED BY BYLAW NO. 2421</b>
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- \*\* Bylaw Enforcement Officer means the person appointed from time to time by the Council to act in the capacity as City Bylaw Enforcement Officer.

**continual sound** means any uninterrupted or frequent sound occurring for a period or periods totaling in excess of three (3) minutes in any fifteen (15) minute period of time;

**City** means the City of Port Moody, a municipal corporation duly created by Letters Patent issued on March 11, 1913;

\*\* **Construction** includes the erection, reconstruction, alteration, repair, relocation, demolition and removal of a building, structure, or thing, structural maintenance, painting, land clearing, earth moving, grading, excavating, the laying of pipe or conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose and includes any work being done in connection therewith;

**Council** means the City Council of the City duly constituted pursuant to the provisions of the Act;

**daytime** means that period from 7:00 a.m. to 10:00 p.m. local time;

**dB** means decibel, a means of expressing Sound Pressure Level and is defined as ten (10) times the logarithm to the base ten (10) of the ratio between two (2) quantities of sound power (the one being measured and the one being used as a reference level) as in the following formula:

$$SPL = 10 \log_{10} \frac{(p^2)}{(p_0^2)} = 20 \log_{10} \frac{(p)}{(p_0)} \text{ dB}$$

where 'p' is the sound pressure being measured and 'p<sub>0</sub>' is a standard reference sound pressure. The latter is the threshold of hearing and is normally taken as 0.0002 Microbar (or 2 x 10<sup>-5</sup> Newton/M<sup>2</sup>);

**dB(A)** means the measurement of sound pressure levels in decibels (A) weighted by the sound level meter to approximate the response of the human ear;

\*\* **Director of Operations** means the person appointed from time to time by Council to act in the capacity of Director of Operations;

\*\* **Director of Planning and Development** means the person appointed from time to time to act in the capacity of Director of Planning and Development Services.

**highway**, in addition to the meaning given to it by the Act, includes every private place or passageway to which the public, for the purpose of parking or servicing vehicles, is permitted and also includes boulevards and sidewalks;

**Inspector** means the Medical Health Officer of the Simon Fraser Health Unit, appointed from time to time in accordance with the provisions of the Act and includes any person or persons designated by the Medical Health Officer or the Council to act on his behalf;

**municipality** means the geographic area over which the City is the municipal government;

\*\* **nighttime** means that period between 10:00 p.m. to 7:00 a.m. local time;

**non-continual sound** means any sound which is not defined as a continual sound;

**peace officer** has the meaning given to it by the Interpretation Act, being Chapter 199 of the Revised Statutes of British Columbia, 1960 and amendments thereto;

**person** includes a natural person, company, corporation, owner, partnership, firm, association, society, party or other like entity;

**point of reception** unless otherwise defined or described herein, means any place or parcel where sound originating from any source, other than a source on such parcel, is received; or, any place on a strata lot designated, shown or described on a strata plan where sound originating from any source, other than a source on such strata lot, is received.

**quiet zone** means those areas within the municipality which are so designated from time to time in Schedule "A" which is attached to and forms part of this bylaw;

**real property** does not include highways but does include all other land and all improvements which have been affixed to land;

**sound** is said to exist if a disturbance is propagated through an elastic medium (particularly air) which causes an alteration in pressure which can be detected aurally by a person or by an appropriate instrument;

**sound level** means the level of sound as measured in decibels with the (A) weighted network and slow response of a sound level meter;



**sound level meter** means a device which meets the "C.S.A. Standard Z107.1-1973"; or the International Electro-Technical Commission Standard No. 123 or the British Standard No. 3539 Part 1 or the United States of America Standard A.N.S.I. Sl. 4-1971;

**SECTION 4 - ADDED BY AMENDMENT BYLAW NO. 1593**  
**EXISTING SECTIONS RE-NUMBERED TO REFLECT ADDITION**

**4. GENERAL REGULATIONS**

**\*\*SECTION 4.1.1 - AMENDED BY BYLAW NO. 2650**

- 4.1.1 No person shall make or cause, or permit to be made or caused, any noise or sound in or on a public or private place which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity.
- 4.1.2 No person being the owner or occupier of real property shall allow or permit such real property to be used so that noise or sound which emanates therefrom, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity.
- 4.1.3 No person shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound either in or on private premises or in any public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of persons in the vicinity.
- 4.1.4 No person shall own, keep or harbour any animal or bird which by its cries unduly disturbs the peace, quiet, rest or tranquility of the surrounding neighbourhood or the public at large.
- 4.1.5 No hawker, huckster, peddler, news vendor, or other person shall by his intermittent or reiterated cries disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.
- \*\* 4.1.6 The Council for the City of Port Moody is of the opinion that the noises listed on Schedule "B" attached hereto are objectionable or are liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public at a point of reception in the City, notwithstanding such noises may not constitute a breach of any other provision of this Bylaw.

**\*AMENDED BY BYLAW NO. 2131**

## **4.2 CONSTRUCTION HOURS**

- 4.2.1** No person in the City shall on any day before 07:00 hours or after **\*20:00** hours, construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill in land in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.
- 4.2.2** No person in the City shall carry out construction in any manner for profit or gain on a Sunday or Statutory Holiday which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of the persons in the vicinity. Notwithstanding the aforementioned a person may carry out construction on their residence on a Sunday or Statutory Holiday between the hours of 9:00 a.m. and 6:00 p.m., provided that such construction is not being carried out for profit or gain.
- 4.2.3** Where it is impossible or impractical to comply with this section, the Director of Planning and Development may give written approval to carry on the work that is found to be necessary at designated hours.
- 4.2.4** Responsibility for obtaining written approval lies with the person carrying on the work of the owner of the land on which such work is carried on.

## **4.3 OTHER**

- 4.3.1** No person shall operate any outdoor public address system in the City without first having obtained a permit therefor.
- 4.3.2** No person shall operate a snow vehicle, motorboat or motorcycle which makes or causes objectionable noise.
- 4.3.3** Notwithstanding any provisions of this bylaw, a person may perform work of an emergency nature for the preservation or protection of life, health or property but the onus shall be on the person performing the work to show cause that the work was of an emergency nature.
- \*\* 4.3.4** Notwithstanding any other provision of this Bylaw, between the hours of 7:00 a.m. and 10:00 p.m. from Monday to Saturday and between the hours of 9:00 a.m. and 10:00 p.m. on Sunday and Statutory Holidays a person may operate a power lawn mower or power gardening tool provided that such equipment does not make or cause to be made noise or sound the level of which exceeds 87 dBAs.

5. No person shall cause any sound to be made anywhere in the City that has a sound level in excess of that authorized by this bylaw and no owner or occupier of real property in the City shall allow the making of any sound that exceeds the sound level authorized by this bylaw to emanate from real property so owned or occupied.
6. Except as provided herein, sound levels emanating from or impinging upon real property shall not exceed values prescribed by the following tables:

**\*\*TABLE REPLACED BY BYLAW NO. 2421**

**	QUIET ZONE	
	Continual Sound	Non-Continual Sound
Daytime	55 dB(A)	80 dB(A)
Nighttime	45 dB(A)	75 dB(A)

**	ACTIVITY ZONE	
	CONTINUAL SOUND	NON-CONTINUAL SOUND
Daytime	65 dB(A)	80 dB(A)
Nighttime	60 dB(A)	75 dB(A)

**\*\*NEW SECTION 7 ADDED BY BYLAW NO. 2421, SUBSEQUENT SECTIONS RENUMBERED**

- \*\* 7. The permitted Non-Continual sound levels listed in section 6 for a Quiet Zone shall be reduced by 10 dBA at the point of reception.
8. No person owning a motor vehicle or operating a motor vehicle on a highway shall allow a sound level to emanate from that motor vehicle in excess of the following:
  - (a) Up to a speed of fifty (50) kilometres per hour (km/h):

Motor vehicles with licenced gross weights of 2,700 kg or more	88 dB(A)
All other motor vehicles	80 dB(A)

(b) For speeds exceeding (50) kilometres per hour (km/h):

Motor vehicles with licenced gross weights of 2,700 kg or more	92 dB(A)
All other motor vehicles	85 dB(A)

9. A person may operate a horn or other warning device on a motor vehicle or on real property as a warning incidental to the safe operation of the motor vehicle or as an alarm to protect the property without regard to any sound level prescribed by this bylaw.

**\*\* AMENDED BY BYLAW NO. 2421**

10. A person may perform works of an emergency nature in order to preserve the life or health of individuals, people or animals or to protect property without regard to any sound level prescribed by this bylaw for what, in the opinion of the Inspector **\*\*Bylaw Enforcement Officer** or of any peace officer at the scene of the emergency, is the duration of the emergency and, for the purposes of this bylaw, an emergency shall be deemed to include all situations wherein, in the Inspector's **\*\*or Bylaw Enforcement Officer's** opinion, works are being carried out to serve the public interest and cannot reasonably be carried out within the sound levels prescribed in this bylaw.

11. A person may perform works of a temporary nature where sound levels are expected to exceed the values provided for in this bylaw only when permission is granted by the City Administrator or his designate. Requests to do so must include name and address of applicant, location of source of sound, description of the nature of the sound, expected maximum sound levels, the duration of the excessive sound levels and the times during the day when the sound will be produced. Permits will be granted by a designated officer operating under the guidelines prescribed by Council.

12. The Inspector **\*\*Bylaw Enforcement Officer** or any designated peace officers of the City are hereby authorized to measure sound levels with sound level metres in accordance with the provisions of this bylaw and the sound levels thereby measured shall be deemed to be a conclusive statement of whether the sound emanating from real property or a motor vehicle does so at a sound level higher than that allowed by this bylaw.
13. (a) The sound level emanating from a motor vehicle must be measured at a distance no closer than six (6) metres to the motor vehicle.  
  
(b) The sound level emanating from real property must be measured at a distance no greater than six (6) metres from the property line. The sound level impinging upon real property must be measured inside the property line of the affected property no further than six (6) metres from the property line.
14. The **\*\*Director of Operations** is authorized to require the posting of signs advising of maximum allowable sound levels on highways at whatever locations he deems to be necessary or desirable.
15. All works authorized by the Council must comply with this bylaw.

**\*SECTION AMENDED BY BYLAW NO. 2359**

16. Every person who violates any provision of this bylaw shall be guilty of an offence under this bylaw punishable on summary conviction and shall be liable to a fine not exceeding **\*two thousand dollars (\$2,000.00)** for each day during which the offence continues and, in default of payment thereof, to imprisonment for a term not exceeding thirty (30) days for each day the offence continues.

**\*\*SECTIONS ADDED BY BYLAW NO. 2421**

- \*\* 17. If any Division, Section, Subsection, Sentence, Clause of Phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Bylaw.
- \*\* 18. The Bylaw Enforcement Officer, Inspector or peace officer and such other person as the Council may authorize, may enter at all reasonable times upon or into any place or structure governed by this Bylaw in order to ascertain whether the provisions of this Bylaw are observed. No person shall obstruct or seek to obstruct the entrance into or on to any property, place or structure of any person acting under this section.

READ A FIRST TIME THE 4TH DAY OF JULY, 1978.

READ A SECOND TIME THE 4TH DAY OF JULY, 1978.

READ A THIRD TIME THE 22ND DAY OF SEPTEMBER, 1980.

RECONSIDERED AND FINALLY ADOPTED THE 6TH DAY OF OCTOBER, 1980.

"A. EGERTON-BALL"

---

ACTING MAYOR

"J. I. BROVOLD"

---

CITY CLERK

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE COPY OF BYLAW No. 1399 OF THE CITY OF PORT MOODY.

---

CITY CLERK

**CITY OF PORT MOODY SOUND LEVEL BYLAW, 1980 NO. 1399*****SCHEDULE "A"***

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**OPERATING PROCEDURES**

1. All sound levels shall be determined with a sound level meter with (A) weighting and "slow" response setting.
2. Sound level meters shall be used and operated in accordance with manufacturer's instructions. The sound level meter shall be calibrated with or found to be correct by reference to a calibrator not more than three (3) days before taking a measurement under this bylaw and found to be correct by reference to a calibrator not more than three (3) days after taking that measurement.
3. When determining the sound level from a source, the ambient or background noise or sound level shall be established at the appropriate position and during the relevant period of time wherever possible before taking sound measurements from the source. No measurement should be attempted if the difference is 3 dB or less.
4. Sound level measurements should, in general, be made at a height of approximately one (1) metre and a distance of greater than three (3) metres from any wall, buildings, or other reflecting structures with the microphone appropriately oriented.
5. Precautions shall be taken to ensure that the values recorded correspond to the noise or sound being investigated and are not due to wind or extraneous sources.
6. When the wind velocity is above eight (8) kilometres per hour, a wind screen must be used. No test shall be attempted when the wind velocity is above forty (40) kilometres per hour. Testing of motor vehicles in motion should not be done when pavements are wet.
7. In accordance with the prescribed measurement techniques so far described, various locations about the source should be tested to determine the maximum sound level emanating from the source for purposes of the application of this bylaw.

**DEFINITION OF ZONES**

**\*\*SECTIONS REPLACED BY BYLAW NO. 2421**

\*\* 1. For the purpose of this bylaw, all real property which is classified by the "City of Port Moody Zoning Bylaw No. 1890, 1988 as amended from time to time as:

- A1 Acreage Reserve
- A2 Development Acreage Reserve
- A3 Development Acreage Reserve
- RS1 One Family Residential
- RS2 One Family Residential
- RS3 One Family Residential
- RS4 One Family Residential
- RS5 One Family Residential
- RS6 One Family Residential
- RS7 One Family Residential
- RT1 Two Family Residential
- RM1 Multiple Family Residential
- RM2 Multiple Family Residential
- RM3 Multiple Family Residential
- RM4 Multiple Family Residential
- RM5 Multiple Family Residential
- RM6 Multiple Family Residential
- RM7 Multiple Family Residential
- P1 Public Service
- P2 Special Public Service

and any other residential zones which may be added to amend "City of Port Moody Zoning Bylaw No. 1890, 1988 shall be QUIET ZONES.



\*\* 2. For the purposes of this bylaw, all real property which is classified by "City of Port Moody Zoning Bylaw No. 1890, 1988 as amended from time to time as:

- C1 Local Commercial
- C2 Neighbourhood Commercial
- C3 Community Commercial
- C4 Service Station Commercial
- C5 Automobile-Oriented Commercial
- C6 Adaptive Use Commercial
- C7 Commercial Recreation
- C8 Adult Entertainment
- TC1 Town Centre One
- CD1 Comprehensive Development Zone
- CD24 Comprehensive Development Zone 24
- CD22 Comprehensive Development Zone 22
- CD23 Comprehensive Development Zone 23
- CD9-NS Comprehensive Development Zone 9
- M1 Light Industrial
- M2 Light Industrial/Commercial
- M3 General Industrial

and any other commercial and industrial zones which may be added to amend "City of Port Moody Zoning Bylaw No. 1890, 1988.

AND

any real property zoning classification notwithstanding which is designated as Public Park, Playground or Recreation Facility, shall be ACTIVITY ZONES.

**SCHEDULE ADDED BY BYLAW NO. 2421**

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**CITY OF PORT MOODY SOUND LEVEL BYLAW, 1980 NO. 1399**

***SCHEDULE "B"***

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Schedule of Objectionable or Disturbing Noises

1. The sound made by a dog barking, howling or creating any kind of sound continually or sporadically or erratically for any period in excess of one-half hour in time.
2. The sound made by a combustion engine that is operated without an effective exhaust muffling system in good working order being in use whenever such engine is in operation.
3. The sound made by a vehicle or a vehicle with a trailer resulting in banging, clanking, squealing or other like sounds due to an improperly secured load or improperly secured equipment, or due to inadequate maintenance.
4. The sound made by a vehicle or other warning device used except under circumstances required or authorized by law.
5. In accordance with section 4.2 of this Bylaw, the sound made by construction activity prior to 7:00 a.m. and after 8:00 p.m. on Monday to Saturday inclusive or prior to 9:00 a.m. and after 6:00 p.m. on Sundays and Statutory Holidays.

**NO. 03-12**

**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to consolidate and update the provisions of the Noise Abatement Bylaw, and to establish noise zones within the City within which certain noise levels may not be exceeded at certain times.

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Under its statutory powers, including sections 8(3)(b) & (h), 16, 17, 62, 64, 260 to 263 of the *Community Charter*, the Council of the City of Victoria enacts the following provisions:

## PART 1 – INTRODUCTION

### Title

- 1 This Bylaw may be cited as the “NOISE BYLAW”.

### Interpretation of technical standards

- 2 Where an abbreviation or technical standard is used in this Bylaw but is not defined specifically or by context, it should be interpreted by reference to the definitions and technical standards published by the Canadian Standards Association (CSA), the American Standards Institute (ANSI), the International Organization for Standardization (ISO) or the International Electro-Technical Commission (IEC), as applicable and, unless the context otherwise requires.

### Definitions

- 3 In this Bylaw,

“Activity District”

means those areas so described in this Bylaw and so indicated on the Noise District Map set out in Schedule A;

“approved sound meter”

means an instrument which is capable of measuring levels of sound pressure in accordance with the minimum requirements for either Type 1 (precision) or Type 2 (general purpose) sound level meters as specified in ANSI S1.4 [1983], IEC 651 [1979] and IEC 804 [1984] standards;

“A-weighted sound level”

means the sound pressure level measured (in units of A-weighted decibels, or dBA) using the “A” weighting network of an approved sound meter;

“construction”

includes

- (a) the erection, alteration, repair, relocation, dismantling, demolition and removal of a building;

- (b) structural maintenance, power-washing, painting, land clearing, earth moving, grading, excavating, the laying of pipe and conduit (whether above or below ground), street or road building and repair, concrete placement, and the installation, or removal of construction equipment, components and materials in any form or for any purpose;
- (c) any work being done in connection with any of the work listed in paragraphs (a) or (b);

“commercial premises”

means premises used to sell, or offer for sale, goods or services;

“C-weighted sound level”

means the sound pressure level measured (in units of C-weighted decibels, or dBC) using the “C” weighting network of an approved sound meter;

“daytime”

means

- (a) from 7:00 a.m. to 10:00 p.m. on a week day or Saturday;
- (b) from 10:00 a.m. to 10:00 p.m. on a Sunday or holiday;

“equivalent sound level or  $L_{eq}$ ”

means that constant or steady A-weighted sound level which, in a given situation and time period, conveys the same sound energy as does the actual time-varying A-weighted sound level, where  $L_{eq}$  is measured using an integrating approved sound meter meeting ANSI S1.4 [1983], IEC 651 [1979] and IEC 804 [1984] specifications;

“fast response”

means the predetermined meter response setting of an approved sound meter having a 0.125 second time constant and meeting the specifications of ANSI S1.4 [1983] or IEC 651 [1979];

“frequency analysis”

means the separation of sound into its various frequency components using an instrument such as a real-time analyzer;

“Harbour Intermediate District”

means those areas so described in this Bylaw and so indicated on the Noise District Map set out in Schedule A;

“holiday”

means

- (a) New Year’s Day, Good Friday, Easter Monday, Victoria Day, Canada Day, British Columbia Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and December 26, and
- (b) the day following a day that is named in paragraph (a) and that falls on a Sunday;

“impulsive sound”

means any sound that has the following defining characteristics:

- (a) the onset is abrupt and the decay rapid, and
- (b) the duration of individual impulses is
  - (i) less than one second, and
  - (ii) brief compared to the occurrence rate;

“Intermediate District”

means those areas so described in this Bylaw and so indicated on the Noise District Map set out in Schedule A;

“intermittent sound”

means any sound or noise which is subject to rapid fluctuations in level of 5 dBA or more with the fluctuations occurring with a degree of regularity or repetitiveness at intervals of from 3 minutes to and including 5 minutes;

“leaf blower”

means a portable machine, used for blowing or sucking up leaves, grass or debris including backpack, handheld or rolling units and those that accept vacuum attachments, but excluding vehicle-mounted units;

“motorcycle”

means a motorized vehicle mounted on two or three wheels and, without restricting the generality of the foregoing, includes those motor vehicles commonly known as motorcycles, scooters and power bicycles;

“motor vehicle”

means a vehicle propelled by any power other than muscular power except motorcycles, aircraft or motor vehicles that run only upon rails;

“nighttime”

means any time not included within the definition of daytime under this Bylaw;

“point of reception”

means a position that is located at least 1.2 m above the surface of the ground, and that is

- (a) a position on, or just inside, the property line of the real property occupied by the recipient of a noise or sound, that represents the shortest distance between that property and the other property from which that noise or sound emanates, or
- (b) a position within the property line of the real property occupied by the recipient of a noise or sound that best represents the location at which that noise or sound, emanating from another property, is received and the resulting disturbance experienced;

“power equipment”

means any equipment or machinery used in lawn and garden care or in building and property maintenance, including but not limited to leaf blowers, edge trimmers, rototillers, lawn mowers, pressure washers, carpet cleaning equipment and hand-operated power tools;

“premises”

- (a) means the area contained within the boundaries of a legal parcel of land and any building situated within those boundaries, and
- (b) means that each unit, the common areas of the building, and the land within the apparent boundaries of the lot are each separate premises where a building contains more than one unit of commercial, industrial or residential occupancy;

“Quiet District”

means those areas so described in this Bylaw and so indicated on the Noise District Map set out in Schedule A;

“representative time period” and “RTP”

means the noise measurement period over which a sample of the level or character of the sound under consideration will be taken for the purposes of sections 5 to 8, according to the following categories of sound:

- (a) for constant sounds, such as, without limitation, those sounds produced by fixed-speed fans, heat pumps, pool pumps or other steadily-operating machinery, the RTP is 1 minute;

- (b) for sounds that fluctuate in level or character in a repeatable fashion over periods of from three seconds to one minute, such as, without limitation, those sounds produced by industrial or manufacturing processes, the RTP is 5 minutes;
- (c) for sounds that fluctuate in level or character in a repeatable fashion over periods of from 1 to 5 minutes, such as, without limitation, sounds produced by an air compressor or other cyclical noise sources, the RTP is 15 minutes;
- (d) for sounds that fluctuate in level and/or character in a repeatable fashion over periods of between 5 and 10 minutes, the RTP is 30 minutes;
- (e) where several noise sources operate simultaneously, each with its own patterns of operation and or movement, such as, without limitation, in a shipyard or a recycling/materials-handling operation, the RTP is 30 minutes;
- (f) for a noise source that exhibits significant variations in output over a time period of one hour or more, the RTP is the period known to, or expected to, generate the maximum overall noise levels at the point of reception;

“residential premises”

means any parcel of real property utilized primarily for residential accommodation, and includes hotels and motels;

“tonal sound”

means any sound which contains one or more pure tone components including without limitation the “hum” or a fan or heat pump or the “whine” of a hydraulic pump or power saw.

**Determining presence of tonal sound**

- 4** For the purposes of the administration and enforcement of this Bylaw, the presence of tonal sound may be determined by conducting a one-third octave band frequency analysis of the noise (from 31.5 Hz. to 16 kHz.) and applying the following criteria if tonal sound is suspected but is not obvious:
- (a) the level of the one-third octave band under consideration, or, in the case of a pair of bands, the arithmetic average of the levels of these two bands, is more than 1 dB higher than the level of each of the adjacent bands on either side of the band, or pair of bands, under consideration, and
  - (b) the difference between the level of the one-third octave band under consideration, or, in the case of a pair of bands, the arithmetic average of the levels of the two bands, and the arithmetic average of the two adjacent bands on either side of the band or pair of bands under consideration, is 3 dB or more.



## PART 2 –NOISE LEVELS

### Quiet District permitted noise levels

- 5** In a Quiet District a person must not make, cause or permit to be made or caused, any sound or noise that, when measured with an approved sound meter over a representative time period, has an equivalent sound level, or  $L_{eq}$ , which
- (a) during the daytime exceeds
    - (i) 55 dBA when received at a point of reception in a Quiet District;
    - (ii) 55 dBA when received at a point of reception in an Intermediate District;
    - (iii) 55 dBA when received at a point of reception in a Harbour Intermediate District;
    - (iv) 60 dBA when received at a point of reception in an Activity District, or
  - (b) during the nighttime exceeds
    - (i) 45 dBA when received at a point of reception in a Quiet District;
    - (ii) 50 dBA when received at a point of reception in an Intermediate District;
    - (iii) 50 dBA when received at a point of reception in a Harbour Intermediate District;
    - (iv) 60 dBA when received at a point of reception in an Activity District.

### Intermediate District permitted noise levels

- 6** In an Intermediate District a person must not make, cause or permit to be made or caused, any sound or noise that, when measured with an approved sound meter over a representative time period, has an equivalent sound level, or  $L_{eq}$ , which
- (a) during the daytime exceeds
    - (i) 60 dBA when received at a point of reception in a Quiet District;
    - (ii) 60 dBA when received at a point of reception in an Intermediate District;
    - (iii) 60 dBA when received at a point of reception in a Harbour Intermediate District;
    - (iv) 65 dBA when received at a point of reception in an Activity District, or
  - (b) during the nighttime exceeds:
    - (i) 50 dBA when received at a point of reception in a Quiet District;

- (ii) 55 dBA when received at a point of reception in an Intermediate District;
- (iii) 55 dBA when received at a point of reception in a Harbour Intermediate District;
- (iv) 65 dBA when received at a point of reception in an Activity District.

#### **Harbour Intermediate District permitted noise levels**

**7** In a Harbour Intermediate District a person must not make, cause or permit to be made or caused, any sound or noise that, when measured with an approved sound meter over a representative time period, has an equivalent sound level, or  $L_{eq}$ , which

- (a) during the daytime exceeds
  - (i) 60 dBA when received at a point of reception in a Quiet District;
  - (ii) 60 dBA when received at a point of reception in an Intermediate District;
  - (iii) 60 dBA when received at a point of reception in a Harbour Intermediate District;
  - (iv) 65 dBA when received at a point of reception in an Activity District, or
- (b) during the nighttime exceeds
  - (i) 50 dBA when received at a point of reception in a Quiet District;
  - (ii) 55 dBA when received at a point of reception in an Intermediate District;
  - (iii) 55 dBA when received at a point of reception in a Harbour Intermediate District;
  - (iv) 65 dBA when received at a point of reception in an Activity District.

#### **Activity District permitted noise levels**

**8** In an Activity District a person must not make, cause or permit to be made or caused, any sound or noise that, when measured with an approved sound meter over a representative time period, has an equivalent sound level, or  $L_{eq}$ , which

- (a) during the daytime exceeds
  - (i) 60 dBA when received at a point of reception in a Quiet District;
  - (ii) 65 dBA when received at a point of reception in an Intermediate District;
  - (iii) 67.5 dBA when received at a point of reception in a Harbour Intermediate District;
  - (iv) 70 dBA when received at a point of reception in an Activity District, or

- (b) during the nighttime exceeds
  - (i) 55 dBA when received at a point of reception in a Quiet District;
  - (ii) 60 dBA when received at a point of reception in an Intermediate District;
  - (iii) 60 dBA when received at a point of reception in a Harbour Intermediate District;
  - (iv) 70 dBA when received at a point of reception in an Activity District.

### **Summary of Districts' permitted noise levels**

- 9** For convenience, the noise limits set out in sections 5 to 8 are summarized in the Table in Schedule B.

### **Correction factors for sound levels**

- 10** For all purposes under this Bylaw, when assessing a sound relative to the limits set out in sections 5 to 8 and summarized in Schedule B, the following correction factors must be applied to the measured equivalent sound level whenever the sound has, as a defining characteristic, impulsiveness, tonality, or persistent intermittency:

#### ***Impulsiveness***

- (a) a +5 dB correction if the sound under consideration is impulsive in character;

#### ***Tonality***

- (b) a +5 dB correction if the sound under consideration is tonal (i.e., it contains one or more pure tone components);
- (c) in order for the tonality correction to apply if measurement is required to determine the presence of tonality, the level in the one-third octave band containing the tone, or the arithmetic average of the levels in a pair of bands containing the tone, must exceed the arithmetic average of the two adjacent bands
  - (i) by 3 dB or more for tones in the 500 Hz. to 16 kHz. bands,
  - (ii) by 5 dB or more for tones in the 160 to 400 Hz. bands,
  - (iii) and by 10 dB or more for tones in the 31.5 to 125 Hz. bands;

#### ***Intermittency***

- (d) a +5 dB correction if the sound under consideration is persistently intermittent;

**Multiple Corrections**

- (e) a correction equal to the sum of the corrections applicable under paragraphs (a) to (d) for each of the characteristics, described in those paragraphs, that the sound possesses to a maximum of 10 dB.

**PART 3 – TYPES OF NOISE****Noise disturbing neighbourhood**

- 11** (1) Subject to the other provisions of this Bylaw,
- (a) a person must not make or cause a noise or sound in a street, park, plaza or similar public place which disturbs or tends to disturb the quiet, peace rest, enjoyment, comfort or convenience of persons in the neighbourhood or vicinity;
- (b) a person who is the owner or occupier of, or is in possession or control of, real property must not make, suffer, or permit any other person to make, a noise or sound, on that real property, which can be easily heard by a person not on the same premises and which disturbs or tends to disturb the quiet, peace rest, enjoyment, comfort or convenience of persons in the neighbourhood or vicinity.
- (2) Subsection (1) does not apply to a person who makes, causes, or permits to be made or caused, a sound or noise in compliance with the provisions of sections 5 to 8.

**Prohibited types of noise**

- 12** (1) Without limiting the generality of section 11, the following conduct is specifically prohibited:
- (a) shouting, using a megaphone or sound amplification device or making other noise in, at or on streets, parks, wharves, docks, piers, boat landings, ferry-landings, railway or bus stations or other public places;
- (b) the playing of any radio, phonograph, cassette or CD player, television, musical instrument or sound amplification device whether in or upon a private premises or in any public place at such a volume (loudness) as to disturb or tend to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;
- (c) within a Quiet District, the keeping or harbouring of any dog, bird or other animal, which barks or emits cries or other noises in a persistent manner that may easily be heard by a person not on the same premises and which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;

- (d) the operation of any automobile, truck, motorcycle, bus or other motorized vehicle which by reason of disrepair, the use of a muffler that fails to cool and expel exhaust gases from the engine without excessive noise, mode of operation of the vehicle (squealing of tires except during emergency braking to avoid accidents, over-revving of engine or excessive acceleration of vehicle) or any other cause, creates noise or sound which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;
  - (e) the production of amplified sound from a radio, cassette tape or CD player or other playback device or amplification equipment, or the sound of a musical instrument, that emanates from a motor vehicle and can easily be heard by a person of normal hearing acuity at a distance of 5 m (16.4 ft.) or more from the vehicle;
  - (f) the idling or other continuous running of the engine of a truck or bus for more than three minutes at the same location, except where the truck or bus is located within a garage or depot intended to be used for the long term parking of that vehicle.
- (2) Subsection (1) does not apply to a person who makes, causes, or permits to be made or caused, a sound or noise in compliance with the provisions of sections 5 to 8.

### **Exemptions specified**

**13** This Bylaw does not apply to:

- (a) a vehicle of the Police or Fire Department of the City, or an ambulance or other public service or emergency vehicle while engaged in a service of the public convenience or necessity;
- (b) the sounding of a horn or other signaling device upon any vehicle, boat or train where such sounding is properly and necessarily used as a danger or warning signal;
- (c) the use, in a reasonable manner, of an apparatus or mechanism for the amplification of the human voice or music in a public park, public facility or square in connection with a public meeting, public celebration, athletic or sports event or other public gathering, if
  - (i) that gathering is held under a permit issued under the authority of the Parks Regulation Bylaw, or
  - (ii) that gathering has received prior approval under section 20,
  - (iii) if the noise produced by that gathering does not exceed 90 dB when received at a Point of Reception or such other lower sound level specified in the permit or approval.

- (d) the use of bells or chimes by churches, and the use of carillons where such carillons have been lawfully erected;
- (e) a parade, procession, performance, concert, ceremony, event, gathering or meeting in or on a street or public space, if that is permitted in the City under a bylaw or statute;
- (f) a sound or noise resulting from the use, in a reasonable manner, of the premises of a Community Care Facility duly licensed under the *Community Care Facility Act*, or from the use of a similar institution;
- (g) a garbage collection service
  - (i) between 6:00 a.m. and 8:00 p.m. within an Activity District;
  - (ii) between 7:00 a.m. and 8:00 p.m. on a weekday;
  - (iii) between 10:00 a.m. and 8:00 p.m. on a Saturday, Sunday or holiday;
- (h) the noon cannon at Laurel Point;
- (i) municipal works including, but not limited to, the construction and repair of streets, sewers and other underground services;
- (j) the City's Parks Division maintenance work between 7:00 a.m. and 5:00 p.m. on any day;
- (k) the nightly cleaning of streets and sidewalks and the collection of garbage from sidewalk refuse bins within the downtown core area by the City's Public Works staff;
- (l) emergency repairs to buildings which cannot reasonably be delayed until normal working hours.

### **Advertising**

- 14** A person who is the owner, occupier or in possession of any real property must not cause or permit audio advertising which
- (a) is directed at pedestrians or motorists on any street or sidewalk, or
  - (b) can be heard on any street or sidewalk.

### **Commercial premises**

- 15** In commercial premises a person must not make, cause, or permit to be made or caused, noise or sound from a radio, television, tape or CD player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, the C-weighted equivalent sound level of which exceeds the following limits when measured at a point of reception:

- (a) 70 dBC during the daytime;
- (b) 65 dBC during the nighttime.

#### **Power equipment**

- 16** Despite any other provision of this Bylaw, but subject to sections 17 and 18, a person may, when using or operating power equipment between 8:00 a.m. and 8:00 p.m., make or cause a sound or noise that exceeds the sound level limits set out in sections 5 to 8 if the equivalent sound level does not exceed 75 dBA on an approved sound meter when received at the greater of the following distances from that power equipment:
- (a) at the point of reception;
  - (b) 15.2 m (50 ft.).

#### **Leaf blowers**

- 17** Despite any other provision of this Bylaw
- (a) a person may operate a leaf blower in or adjacent to a residential area, or a mixed residential and commercial area, only
    - (i) between 8:00 a.m. and 8:00 p.m. on a weekday;
    - (ii) between 9:00 a.m. and 5:00 p.m. on a Saturday, Sunday or holiday;
  - (b) after December 31, 2005 a person may operate a leaf blower only if it meets the Category 1 – dBA  $\leq$  65 (at 15.2 cm) equipment standard when tested at full throttle, as set out in ANSIB 175-2-20001 published by the Portable Power Equipment Manufacturers Association.

#### **Chainsaws**

- 18** Despite any other provision of this Bylaw
- (a) subject to subsection (b), a person may operate a chainsaw in or adjacent to a residential area or mixed residential and commercial area only
    - (i) between 8:00 a.m. and 8:00 p.m. on a weekday;
    - (ii) between 9:00 a.m. and 5:00 p.m. on a Saturday, Sunday or holiday;
  - (b) a person must not at any time operate a chainsaw the equivalent sound level of which exceeds 85 dBA on an approved sound meter when measured at the greater of the following distances from that chainsaw:
    - (i) at the point of reception;

- (ii) 15.2m (50 feet).

### **Construction**

- 19** (1) A person must not at any time, in or adjacent to residential premises, make or cause sound or noise resulting from construction, the equivalent sound level of which exceeds 85 dBA on an approved sound meter when measured at the greater of the following distances from that source of sound or noise:
- (a) at the point of reception;
  - (b) 15.2 m (50 ft.).
- (2) Subsection (1) does not apply to construction work carried out within a street.
- (3) Subject to subsection (1), a person may carry out any construction that disturbs the quiet, peace, rest or enjoyment of the public, only
- (a) between 7:00 a.m. and 7:00 p.m. on a weekday that is not a holiday;
  - (b) between 10:00 a.m. and 7:00 p.m. on a Saturday that is not a holiday.

## **PART 4 – GENERAL**

### **Exemptions by permission**

- 20** (1) A person may submit an application for an exemption from the provisions of this Bylaw
- (a) to the Chief Building Inspector regarding construction issues if it is impossible or impractical to comply with section 19(1) or (3), or
  - (b) to the Director of Parks & Community Services regarding outdoor special events on public or private property if that person cannot comply with section 5 to 8, 11 or 12 as a result of an outdoor special event.
- (2) The Chief Building Inspector may
- (a) exempt construction work from the provisions of section 19(1) or (3), and
  - (b) determine the terms of an exemption under this subsection.
- (3) The Director of Parks & Community Services
- (a) may exempt an outdoor special event from the provisions of sections 5 to 8, 11 or 12;
  - (b) must not authorize an exemption for an outdoor special event that will produce a sound level that exceeds 90 dB when received at a point of reception;



- (c) may determine the terms of an exemption under this subsection.
- (4) An application for an exemption must be in writing and must contain all of the following:
- (a) the name, address and telephone number of the applicant;
  - (b) the civic address of the location of the works or events;
  - (c) the building permit number, if applicable;
  - (d) the reasons for the requested exemption;
  - (e) a description of the source of noise in respect of which the exemption is sought;
  - (f) the exact period of time for which the exemption is requested;
  - (g) a statement of the measures planned or presently being taken to minimize the sound or noise created;
  - (h) a non-refundable application fee of \$50.00.
- (5) An application for an exemption must be submitted to the City within the following time limits for the following work or event for which the exemption is requested:
- (a) at least 10 business days before construction work;
  - (b) at least 6 weeks before an outdoor special event that does not require street closures;
  - (c) at least 4 months before an outdoor special event, at which more than 1,000 individuals are expected to attend, that requires street closures.
- (6) The Director of Parks & Community Services may seek the direction of Council before consenting to an exemption for an outdoor special event.
- (7) The Mayor may reduce the time limit within which an application is required to be made under subsection (5) in the event of an emergency or other unforeseen circumstance.
- (8) The Chief Building Inspector and the Director of Parks & Community Services must advise a person who is denied an exemption of that person's right of reconsideration by Council.
- (9) A person who has been refused an exemption by a decision of the Chief Building Inspector or the Director of Parks & Community Services may apply to have Council reconsider that decision in accordance with the following procedures:
- (a) the person may apply by notice to the Corporate Administrator within 14 days of the decision;

- (b) the person may address Council in writing or in person concerning the request for the exemption;
- (c) the Council may allow or refuse the exemption.

**Objectionable noises**

**21** The noises and sounds prohibited by Sections 5 to 8, 11, 12, and 15 to 19 of this Bylaw are considered by Council for the City of Victoria to be objectionable and liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.

**Severability**

**22** No provision of this Bylaw depends for its validity on the validity of any other provision.

**Offences and penalties**

- 23** (1) A person who contravenes a provision of this Bylaw is guilty of an offence and liable upon conviction to the penalties imposed by the *Offence Act* and this Bylaw.
- (2) The minimum penalty for a contravention of a provision of this Bylaw is a fine of \$200.

**Repeal**

**24** Bylaw No. 90-160, the Noise Abatement Bylaw is repealed.

READ A FIRST TIME the	<b>26<sup>TH</sup></b>	day of	<b>JUNE</b>	, 2003
READ A SECOND TIME the	<b>26<sup>TH</sup></b>	day of	<b>JUNE</b>	, 2003
READ A THIRD TIME the	<b>11<sup>TH</sup></b>	day of	<b>MARCH</b>	, 2004
ADOPTED on the	<b>25<sup>TH</sup></b>	day of	<b>MARCH</b>	, 2004

**"ROBERT G. WOODLAND"**  
CORPORATE ADMINISTRATOR

**"ALAN LOWE"**  
MAYOR

**Schedule A**  
**Noise District Map**

## Schedule B

## Summary of Districts' Permitted Noise Levels

		NOISE RECEIVER DISTRICT							
		QUIET		INTER-MEDIATE		HARBOUR INTER-MEDIATE		ACTIVITY	
		Day	Night	Day	Night	Day	Night	Day	Night
NOISE SOURCE DISTRICT	QUIET	55	45	55	50	55	50	60	60
	INTER-MEDIATE	60	50	60	55	60	55	65	65
	HARBOUR INTER-MEDIATE	60	50	60	55	60	55	65	65
	ACTIVITY	60	55	65	60	67.5	60	70	70

Table 1: Equivalent Sound Level ( $L_{eq}$ ) Limits (expressed in dBA) for sound or noise created and received in the "Quiet", "Intermediate" and "Activity" Noise Districts

NO. 06-053

**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to amend the Noise Bylaw No. 03-012.

Under its statutory powers, including sections 8(3)(b) & (h), 16, 17, 62, 64, 260 to 263 of the *Community Charter*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "NOISE BYLAW, AMENDMENT BYLAW (NO. 1)".
- 2 Bylaw No. 03-12 the Noise Bylaw, is amended in section 17(b) by striking out "15.2 cm" and substituting "15.2m".

READ A FIRST TIME THIS	6 <sup>th</sup>	day of	<b>July,</b>	2006.
READ A SECOND TIME THIS	6 <sup>th</sup>	day of	<b>July,</b>	2006.
READ A THIRD TIME THIS	6 <sup>th</sup>	day of	<b>July,</b>	2006.
ADOPTED on the	20 <sup>th</sup>	day of	<b>July,</b>	2006.

**"ROBERT G. WOODLAND"**  
CORPORATE ADMINISTRATOR

**"ALAN LOWE"**  
MAYOR

This bylaw may or may not contain the latest amendment(s). It is provided for convenience only and should not be used in place of the actual bylaw. The latest version can be obtained from Legislative Services, City Hall, (250) 361-0571.

NO. 08-016

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Noise Bylaw in order to permit an earlier time for garbage collection on weekdays.

Under its statutory powers, including sections 8(3)(b) & (h), 62, and 64 of the *Community Charter*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "NOISE BYLAW, AMENDMENT BYLAW (NO. 2)".
- 2 Bylaw No. 03-12 the Noise Bylaw, is amended in section 13(g)(ii) by striking out "7:00 a.m." and substituting "6:30 a.m."

READ A FIRST TIME THIS	<b>28<sup>th</sup></b>	day of	<b>February,</b>	2008
READ A SECOND TIME THIS	<b>28<sup>th</sup></b>	day of	<b>February,</b>	2008.
READ A THIRD TIME THIS	<b>28<sup>th</sup></b>	day of	<b>February,</b>	2008.
ADOPTED on the	<b>13<sup>th</sup></b>	day of	<b>March,</b>	2008.

**"ROBERT G. WOODLAND"**  
CORPORATE ADMINISTRATOR

**"ALAN LOWE"**  
MAYOR

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NO. 08-060

**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to amend the Noise Bylaw in order to provide for enforcement of specified night-time residential noises without measuring decibel levels.

Under its statutory powers, including sections 8(3)(h) and 64 of the *Community Charter*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "NOISE BYLAW, AMENDMENT BYLAW (NO. 3)".
- 2 Bylaw No. 03-12 the Noise Bylaw, is amended by repealing section 12(2) and substituting the following subsection:  

“(2) Subsection (1) does not apply to a person who makes, causes, or permits to be made or caused, a sound or noise in compliance with the provisions of sections 5 to 8 unless the noise or sound is clearly audible at a point of reception in a residential area between the hours of 10:00 p.m. one day and 7:00 a.m. the following day.”

READ A FIRST TIME THIS	<b>26<sup>th</sup></b>	day of	<b>June,</b>	2008
READ A SECOND TIME THIS	<b>26<sup>th</sup></b>	day of	<b>June,</b>	2008
READ A THIRD TIME THIS	<b>26<sup>th</sup></b>	day of	<b>June,</b>	2008
ADOPTED on the	<b>10<sup>th</sup></b>	day of	<b>July,</b>	2008

**“ROBERT G. WOODLAND”**  
CORPORATE ADMINISTRATOR

**“ALAN LOWE”**  
MAYOR

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