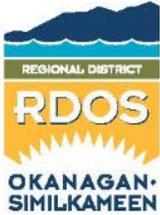


Bylaw Enforcement Services

Proposed Noise Bylaw Consolidation

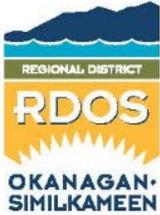


Housekeeping amendments

- Consolidation of 5 bylaws
- Include reference to Area 'I'
- Additional definitions
- Additional headings for clarification
- New headings for Administration and Enforcement
- Expanded wording under Regulations to clarify prohibited noise (remove anti-idling)

Exemptions

- Expanded section for Exemptions
- Revisions to the application process for temporary exemptions with an increased fee from \$75 to \$300 – a bylaw amendment is required to the Fees and Charges Bylaw

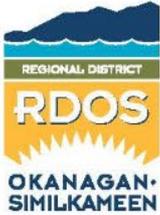


Construction Hours

- There was a request made to eliminate Sundays from permitted construction hours due to large construction companies working daily

Current construction hours:

Day	Time
Monday – Saturday	7:00 am - 8:00 pm (Areas, C, D, E, H & I) 6:00 am - 10:00 pm (Area F)
Sunday / Stat Holidays	11:00 am - 4:00 pm (Area E) 10:00 am - 5:00 pm (Area C, D, H & I) 8:00 am - 10:00 pm (Area F)

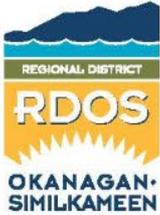


Construction Hours

- Eliminating Sundays could create a hardship for home owners that do small projects on weekends. A compromise would be to limit commercial activity on Sundays.

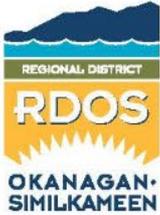
Proposed construction hours:

Day	Time
Monday – Saturday	7:00 am - 8:00 pm
Sunday and Statutory Holidays	10:00 am - 5:00 pm (with no commercial activity on a Sunday)



Construction Hours

- Eliminating Sundays for commercial activity may affect smaller projects
- Enforcement is through complaint
- Community members may be more tolerant of the occasional small project being conducted on a weekend (for profit or gain)



Construction Hours

Member municipalities:

Municipality	Weekdays	Saturdays	Sundays
Keremeos	6:00 am – 10:00 pm	6:00 am – 10:00 pm	6:00 am – 10:00 pm
Princeton	7:00 am – 8:00 pm	8:00 am -8:00 pm	No commercial activity on Sunday or Statutory Holiday (silent on hours of regular construction)
Osoyoos	7:00 am – 8:00 pm	7:00 am – 8:00 pm	8:00 am – 8:00 pm
Oliver	7:00 am – 8:00 pm	7:00 am – 8:00 pm	8:00 am – 8:00 pm
Penticton	7:00 am – 10:00 pm	7:00 am – 10:00 pm	7:00 am – 10:00 pm
Summerland	7:00 am – 10:00 pm	7:00 am – 10 pm	7:00 am – 10:00 pm (with no commercial activity)

Measuring sound

- Current (and proposed) method is based on the judgment of the attending Bylaw Enforcement Officer
- Some municipalities set out specific requirements based on decibel levels
- All our member municipalities and benchmark Regional Districts rely on the judgment of the Bylaw Enforcement Officer

Measuring sound

- Suggestions have been made previously to measure sound by decibels
- While the measurement can be taken with more precision and is “easier” to prove it is not as easy as it seems
- The equipment required is a microphone, wind screen and recorder which must be field calibrated before and after each sound measurement using a field calibrator

Measuring sound

- The field calibrator has to be calibrated on a regular basis to a national institute standard
- The “measurer” requires specific and ongoing training
- Having specific requirements in a bylaw introduce arguments for: measurement tool problems, calibration/margin of error, training of staff for use of measurement tools, number of readings, ambient conditions
- A noise below a specific decibel limit may still “disturb” – for example the thumping noise of bass with music or a high pitch noise

Measuring sound

- North Okanagan Regional District is the only local government in the Okanagan Valley which contains the requirement to measure decibels. They also rely on the judgment of their BEO for most sound complaints
- The measurement is used very rarely and has not been challenged legally

Questions?