

COMMITTEE AGENDA

TO **Operations, Transit & Emergency Services Committee**

DATE December 10, 2012

LOCATION Council Chambers, Guelph City Hall, 1 Carden Street

TIME 5:00 p.m.

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

CONFIRMATION OF MINUTES – November 19, 2012 open and closed meeting minutes

PRESENTATIONS (Items with no accompanying report)

none

CONSENT AGENDA

The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Operations, Transit & Emergency Services Committee Consent Agenda will be approved in one resolution.

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
OTES-36 Proposed Emergency Medical Services Base in Hillsburgh, Town of Erin			
OTES-37 Noise By-law Amendments		<ul style="list-style-type: none">• Luc Fournier, Motorcycle & Moped Industry Council <u>Correspondence:</u> <ul style="list-style-type: none">• Raymond Gray• Doak McCraney	√
OTES-38 Transit Performance			

OTES-39 Heart and Stroke Foundation of Ontario – Public Access Defibrillators		<ul style="list-style-type: none">• Andrew Lotto, Manager, Resuscitation, Heart & Stroke Foundation	√
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Resolution to adopt the balance of the Operations, Transit & Emergency Services Committee Consent Agenda.

ITEMS EXTRACTED FROM THE CONSENT AGENDA

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)
- 2) staff presentations only
- 3) all others.

NEXT MEETING – February19, 2013

**The Corporation of the City of Guelph
Operations, Transit & Emergency Services Committee
Monday, November 19, 2012 at 5:00 p.m.**

A meeting of the Operations, Transit & Emergency Services Committee was held on Monday, November 19, 2012 in Council Chambers at 5:00 p.m.

Present: Councillors, Findlay, Bell, Furfaro, and Van Hellemond

Absent: Mayor Farbridge

Also Present: Councillors Hofland and Wettstein

Staff in Attendance: Mr. D. McCaughan, Executive Director of Operations, Transit & Emergency Services; Mr. M. Anders, General Manager, Guelph Transit; Mr. R. Keller, General Manager, Public Works; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Council Committee Coordinator.

Councillor Findlay declared a potential pecuniary interest regarding the Guelph Transit – Downtown Service because he owns a business within the downtown area being discussed. He did not speak or vote on the matter.

1. Moved by Councillor Furfaro
Seconded by Councillor Bell

THAT the open meeting minutes and closed meeting minutes of the Operations, Transit & Emergency Services Committee meeting held on October 15, 2012 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Bell, Findlay, Furfaro and Van Hellemond (4)

VOTING AGAINST: (0)

Carried

Consent Agenda

The following items were extracted from the Consent Agenda to be voted on separately:

- | | |
|----------------|--|
| OTES 2012-A.33 | Guelph Transit – Downtown Service |
| OTES 2012-A.34 | Adult School Crossing Guard Program |
| OTES 2011-A.35 | Corporate Commercial Vehicle Operator's
Registration (CVOR) Safety Rating |

Guelph Transit - Downtown Service

Councillor Findlay vacated the Chair and did not speak or vote on the matter. Councillor Furfaro assumed the Chair.

Mr. Marty Williams, Executive Director, Downtown Guelph Business Association (DGBA), advised they are in support of the recommendation within the Guelph Transit-Downtown Service report. He stated the DGBA is pleased with the collaborative efforts to resolve this matter in a timely fashion.

Mr. Derek McCaughan, Executive Director, Operations, Transit and Emergency Services, identified key components of the report and said the costs involved will be paid from the current operating budget. He said that the City engineers are ready to put the bus stop in place by the end of year if so directed.

Mr. Anders advised that staff will be monitoring usage of the buses and whether time delays occur. Staff will make any necessary adjustments and report back to the Operations, Transit & Emergency Services committee if necessary.

2. Moved by Councillor Van Hellemond
Seconded by Councillor Bell

REPORT

THAT the Operations, Transit & Emergency Services Committee report #OT111249, Guelph Transit – Downtown Service dated November 19th, 2012 be received;

AND THAT Guelph Transit introduce service to upper Wyndham Street as outlined in OTES report #OT111249.

VOTING IN FAVOUR: Councillors Bell, Furfaro and Van Hellemond (3)

VOTING AGAINST: (0)

Carried

Councillor Findlay resumed the chair.

Adult School Crossing Guard Program

Mr. McCaughan, Executive Director, Operations, Transit and Emergency Services, advised the report is an update of the status of the adult school crossing guard program.

Mr. Rodney Kellar, General Manager, Public Works, outlined the following issues regarding the adult school crossing guard program:

the security screening process, split shifts, pay, and the small pool of workers. He said that the program is not sustainable in its current format and funding. He noted that there is a need for more people to be on standby. He said if the budget is not approved, amendments will be necessary which may mean changing the criteria and possibly removing school crossing guards. Staff believe proper planning would include a fulltime staff member performing dual duties.

There was discussion regarding the salary, the value of elementary school crossing guards, the criteria measures for adult crossing guards and whether traffic regulations may be a more viable solution.

3. Moved by Councillor Furfaro

Seconded by Councillor Bell

THAT the Operations & Transit Committee Report OT111246 Adult School Crossing Guard Program dated November 19, 2012 be received.

VOTING IN FAVOUR: Councillors Bell, Findlay, Furfaro and Van Hellemond (4)

VOTING AGAINST: (0)

Carried

Corporate Commercial Vehicle Operator's Registration (CVOR) Safety Rating

Mr. McCaughan outlined the history of the rating issue and explained the Ministry of Transportation's threshold level. He said driver behavior has been listed as an issue by the Ministry for the past three years. He stated they are requesting a fleet trainer to assist with making corrective changes from a behavioral point of view and noted that testing has been changed from yearly to quarterly to address issues early. He stated that a training program and possible changes to disciplinary measures would be beneficial to lowering incidents.

4. Moved by Councillor Bell

Seconded by Councillor Van Hellemond

THAT the Operations & Transit Committee Report OT111248 Corporate Commercial Vehicle Operator's Registration (CVOR) Safety Rating dated November 19, 2012 be received.

VOTING IN FAVOUR: Councillors Bell, Findlay, Furfaro and Van Hellemond (4)

VOTING AGAINST: (0)

Carried

5. Moved by Councillor Furfaro
Seconded by Councillor Bell

THAT the Operations, Transit & Emergency Services Committee now hold a meeting that is closed to the public with respect to:

Citizen Appointments to the Transit Advisory Committee

S. 239 (2) (b) of the *Municipal Act* – personal matters about identifiable individuals

VOTING IN FAVOUR: Councillors Bell, Findlay, Furfaro and Van Hellemond (4)

VOTING AGAINST: (0)

Carried

Citizen Appointments to the Transit Advisory Committee

6. Moved by Councillor Furfaro
Seconded by Councillor Van Hellemond

THAT staff be given direction regarding the citizen appointments to the Transit Advisory Committee.

Carried

Adjournment

7. Moved by Councillor Furfaro
Seconded by Councillor Bell

THAT the November 19, 2012 Operations, Transit & Emergency Services Committee be adjourned.

The meeting adjourned at 6:07 p.m.

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Chairperson

**OPERATIONS, TRANSIT & EMERGENCY SERVICES COMMITTEE
CONSENT AGENDA**

December 10, 2012

Members of the Operations & Transit Committee.

SUMMARY OF REPORTS:

The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Operations, Transit & Emergency Services Committee Consent Agenda will be approved in one resolution.

A Reports from Administrative Staff

REPORT	DIRECTION
<p>OTES-2012.36 PROPOSED EMERGENCY MEDICAL SERVICES BASE – VILLAGE OF HILLSBURGH, IN THE TOWN OF ERIN</p> <p>THAT the Mayor and Clerk be authorized to execute an agreement as outlined in the Operations, Transit & Emergency Services Report OT121251, dated December 10, 2012 <u>Emergency Medical Services Base – Town of Erin, Village of Hillsburgh</u>, subject to the form and content of the agreement being satisfactory to the City Solicitor and the Executive Director of Operations, Transit and Emergency Services.</p>	Approve
<p>OTES-2012.37 NOISE BY-LAW AMENDMENTS</p> <p>THAT the Operations, Transit & Emergency Services Committee Report OT121253 <u>Noise Bylaw - Amendments</u> dated December 10, 2012 be received;</p> <p>AND THAT amendments to the Noise Bylaw as set out in Report OT121253 <u>Noise Bylaw - Amendments</u> dated December 10, 2012 be approved.</p>	Approve
<p>OTES-2012.38 TRANSIT PERFORMANCE</p> <p>To come under separate cover.</p>	

**OTES-2012.39 HEART AND STROKE FOUNDATION OF ONTARIO
– PUBLIC ACCESS DEFIBRILLATORS**

Receive

THAT the Operations, Transit & Emergency Services Committee Report
OT121252 Heart and Stroke Foundation of Ontario – Public Access
Defibrillators, dated December 10, 2012, be received.

attach.

COMMITTEE REPORT



TO	Guelph City Council
SERVICE AREA	Operations, Transit, and Emergency Services
Department	Emergency Services
DATE	December 10, 2012
SUBJECT	Proposed Emergency Medical Services Base - Village of Hillsburgh, in the Town of Erin
REPORT NUMBER	OT121251

SUMMARY

The establishment of a EMS Base is being proposed as a shared space component in the new Fire Station being constructed in the Town of Erin, Village of Hillsburgh.

Purpose of Report:

Seeking approval of an agreement to rent space in the Town of Erin, Village of Hillsburgh Fire Station.

Council Action:

Consider approving an agreement with the Town of Erin.

RECOMMENDATION

THAT the Mayor and Clerk be authorized to execute an agreement as outlined in the Operations, Transit & Emergency Services Report OT121251, dated December 10, 2012 Emergency Medical Services Base - Town of Erin, Village of Hillsburgh, subject to the form and content of the agreement being satisfactory to the City Solicitor and the Executive Director of Operations, Transit and Emergency Services.

BACKGROUND

Land Ambulance service became an internal service responsibility of the City of Guelph Emergency Services in 2009. Emergency Medical Service (EMS) provides land ambulance resources to the coverage area comprised of the City of Guelph and The County of Wellington. The services are provided from 2 stations in Guelph and 6 stations at various locations in Wellington County.

During the 2012 Budget deliberations, The City of Guelph approved added resources to the EMS compliment with the intent of improving responses times across the coverage area.

No capital funding was sought or included in this enhancement regarding a base station; the resources were added to the station at Centre Wellington (Fergus) for 12 hours per day. The deployment plan mobilized the ambulance vehicle to drive in a loop through the Town of Erin several times per shift.

The movement through this loop is subject to priority deployment needs and service demand across the coverage area.

Current deployment of these resources is not the most efficient or effective means of providing EMS services to the north east area of Wellington County area. For this model to have a positive outcome, 911 calls must be received while the ambulance is in the process of driving through the area. The deployment strategy of driving the loop uses additional diesel fuel and is difficult to safely sustain in adverse weather conditions.

REPORT

The EMS Bases serving the northeast area of Wellington County are located in Rockwood and Fergus (see Attachment 1). An analysis of responses shows that the service from the current base locations do not provide balanced coverage for this area as comparative to call volume and service demand across the coverage area. A more responsive base of service is required to better provide balanced EMS response to the population served.

Proposed EMS Base in Hillsburgh

The Fire Station currently being constructed by the Town of Erin, in the Village of Hillsburgh has available space that meets the immediate need for a response location.

The EMS Base at the fire station would include:

- Approximately 350 square feet of office and storage space, including a kitchenette
- A single ambulance bay
- Secure oxygen storage
- Shared washroom facilities
- Two parking spaces
- Other shared facilities in the Station (e.g. possibly a future gym/workout space)

The Town of Erin Council is supportive of this proposal and is prepared to enter into a lease or license agreement. At the time of writing this report, City staff are in negotiations with Town of Erin staff in regard to the terms of an agreement.

The following are some key aspects:

- Use of the space as outlined above
- Design work and construction of a kitchenette and lockers would be borne by the City at a cost expected to not exceed \$10,000.

- The City is paying \$12,000 per annum in Rockwood and a similar arrangement is being proposed for Hillsburgh, subject to finalizing negotiations.

Staff recognize the need to complete a longer-term strategic planning process to define the most efficient and effective EMS base locations for current and future populations served in the coverage area. Locating current resources at the proposed Hillsburgh station will serve current EMS needs and allow staff the time to develop the required longer term planning for the coverage area. Further information on response times across the area will be provided to assist with next year's Response Time Performance Planning for the year 2014.

Staff are recommending approval of a lease or license agreement with a term of five years, with a right to extend, subject to the final form and content being satisfactory to the City Solicitor and the Executive Director of Operations, Transit and Emergency Services.

CORPORATE STRATEGIC PLAN

This initiative supports the following Strategic Goals:

- 1.3 Build robust systems, structures and frameworks aligned to strategy,
- 2.2 Deliver public services better,
- 3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City

FINANCIAL IMPLICATIONS

Funding for the lease cost of the EMS Base is included in the proposed 2013 Operating base Budget. Capital costs for design work, kitchenette, and lockers will be provided for by the reallocation of Emergency Services previously approved Capital Project funding.

DEPARTMENTAL CONSULTATION

N/A

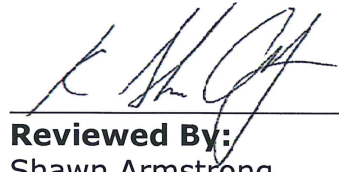
COMMUNICATIONS

This Report, together with a similar report going to the Town of Erin Council, will provide the first public communications regarding this matter. The City will be advising The County of Wellington and subsequently will provide a news release (including a tentative operational date), subject to approval of the proposed agreement.

ATTACHMENTS

Attachment 1 – EMS Station Locations

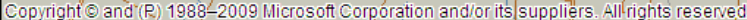
Prepared By: Jim Stokes, Manager of Realty Services
Reviewed By: Stephen Dewar, Chief of Emergency Medical Services



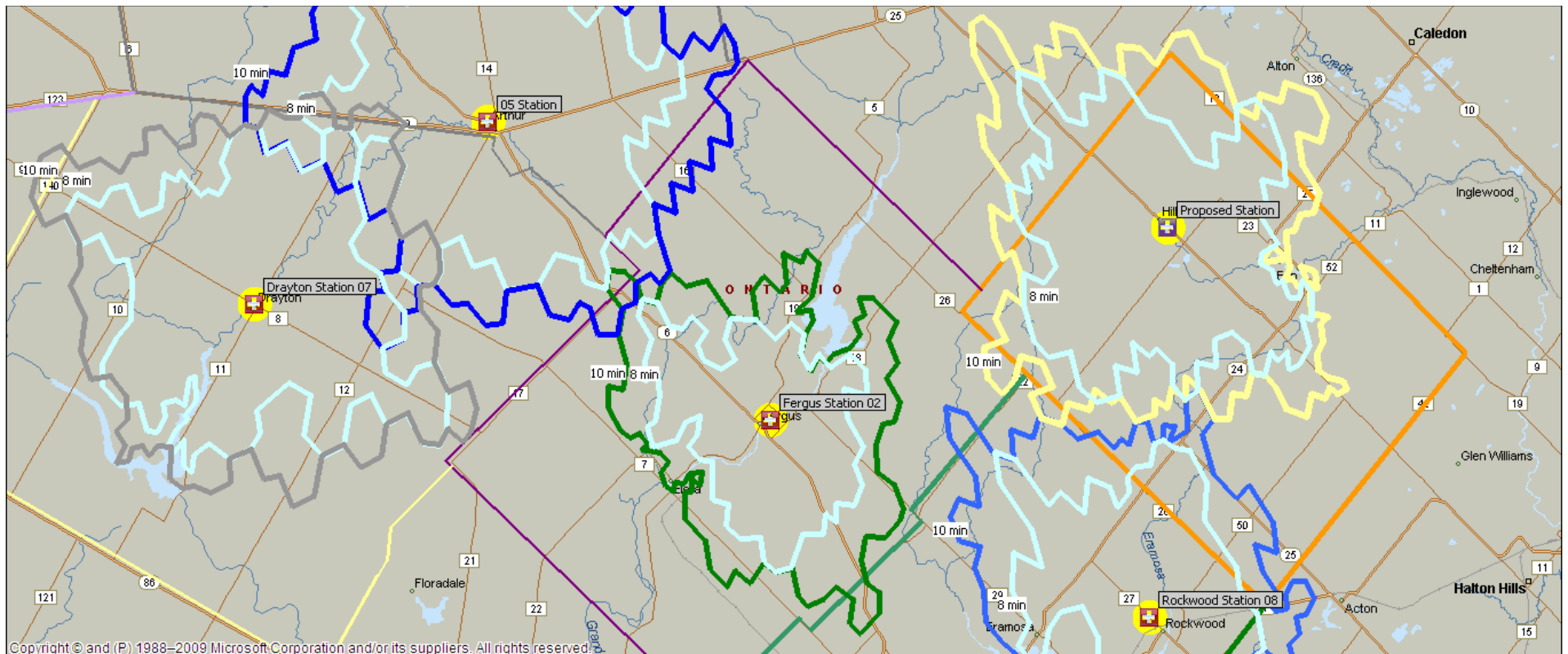
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Current EMS Station Locations, with 8 minutes and 10 minute coverage areas highlighted. Also includes the 'Erin Loop' as driven by an ambulance several times per day.



Current EMS Station Locations, with 8 minutes and 10 minute coverage areas highlighted. The proposed Hillsburgh Station and related coverage areas has been added.

COMMITTEE REPORT



TO **Operations and Transit Committee**

SERVICE AREA Operations, Transit & Emergency Services
DEPARTMENT Bylaw Compliance & Security
DATE December 10, 2012

SUBJECT Noise Bylaw- Amendments
REPORT NUMBER OT121253

SUMMARY

Purpose of Report:

To provide Council with recommendations for amendments to the Noise By-law respecting noise generated by motor vehicles, specifically motorcycles.

Council Action:

To receive report and approve amendments to the Noise by-law.

RECOMMENDATION

THAT the Operations, Transit & Emergency Services Committee Report OT121253 Noise Bylaw - Amendments dated December 10, 2012 be received;

AND THAT amendments to the Noise Bylaw as set out in Report OT121253 Noise Bylaw - Amendments dated December 10, 2012 be approved.

BACKGROUND

On October 24, 2011, Report #OT071153, Noise Bylaw Review (Attachment A) was provided to Council recommending amendments to the Noise By-law. These recommendations were approved by Council and staff were directed to create amendments to the Noise By-law, related specifically to residential air conditioners, yelling and noise in the downtown area.

On this date staff were also directed to review best practices with respect to establishing a possible noise decibel level in the Noise By-law for motor vehicles intended for road use.

Following this direction, as indicated in a May 4, 2012 Council Information Report OT051212 (Attachment B) staff did conduct a review of Bylaws and reports from other municipalities and met with a representative from the Motorcycle & Moped Industry Council. During this review, staff discovered that the road side test, titled

SAE J2825 developed by the Society of Automotive Engineers is the standard used by a number of Canadian and American Cities to measure motorcycle noise.

REPORT

As indicated in the May 4, 2012 Report OT051212, staff advised that amendments to the Noise Bylaw would be delayed until January 2013, to allow staff to hold volunteer clinics to provide opportunity for motorcyclists to have their motorcycles tested to determine compliance with SAEJ2825. Not only would the delay allow motorcyclists to make the necessary modifications to obtain compliance, but the delay would provide the opportunity for motorcyclists to provide comments on SAEJ2825.

As recommended by the Motorcycle and Moped Industry Council, staff advertised two clinics of voluntary testing of motorcycles to determine the incidence of motorcycles that would pass or fail the test. Two types of tests were performed on each motorcycle, an idle test and a set test where the engine is required to reach a set RPM during the test.

The two clinics held August 25, 2012 and September 1, 2012 attracted a total of 15 motorcycles. The motorcycles represented a good cross section of types, sizes and condition. Some of the motorcycles had factory installed exhaust systems but some had clearly been outfitted with after-market exhausts. Out of the motorcycles tested during the clinics, only one failed the tests.

One common comment received from motorcyclists and from the public in general has been that any amendment to address motorcycles will not address noisy cars and trucks. This concern is factual in that no such test that is simple and objective has been developed for cars and trucks at this time. Regardless, staff recommend since a test exists, that motorcycles, be addressed in an amendment and that when an appropriate measuring process is available for other types of vehicles that a further amendment be considered.

It was also frequently suggested by motorcyclists that excessively noisy exhaust systems provide protection to motorcycles. It should be noted there is no evidence, scientific or otherwise, to support this notion. The noise from a loud motorcycle is directional in nature and is only more conspicuous if a person hearing it is standing still when the motorcycle goes by. In staff's opinion, visibility through proper attire along with proper and safe driving practices affords the best protection for motorcyclists.

Given the above information and following Council's direction staff have created amendments to the Noise By-law to regulate motorcycle noise based on decibel levels (Attachment C).

Obtaining compliance with the recommended amendment will be a joint initiative by the Guelph Police Service and the Bylaw Compliance and Security Department. Motorcycles stopped by the Guelph Police Service can have a roadside test conducted by either trained Police or Bylaw staff and alternatively clinics can be set

up during the summer months, in which Bylaw staff can complete tests on motorcycles which have been directed to participate in the testing by Guelph Police.

Since this is a new initiative, staff will conduct an educational clinic to increase awareness of this new regulation in the spring of 2014, prior to the start of enforcement.

To ensure that those directed to participate in a test do so, it is also necessary to amend the By-law to include a section that prohibits a person from refusing to submit to a test of the noise limits.

CORPORATE STRATEGIC PLAN

3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City

FINANCIAL IMPLICATIONS

All costs associated with this initiative will be funded through the 2013 Operations, Transit & Emergency Services Operating budget.

COMMUNICATIONS

Throughout this process staff have provided information and encouraged public participation through the local media. Public notification of this report was advertised through local papers on November 29, 2012 in local papers.

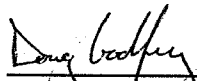
ATTACHMENTS

Attachment A – Report OT071153

Attachment B – Report OT051212

Attachment C – Proposed Amendments to Noise Bylaw (2000) – 16366

Prepared By: Randy Berg, Bylaw Compliance & Security Supervisor, x 2878



Reviewed By:

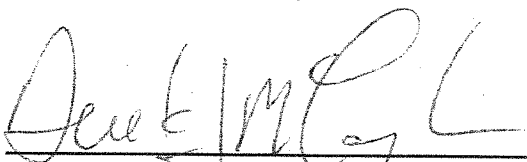
Doug Godfrey

Manager

Bylaw Compliance & Security

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Recommended By:

Derek McCaughan

Executive Director of Operations, Transit & Emergency Services

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COMMITTEE REPORT



TO **Operations and Transit Committee**

SERVICE AREA Operations & Transit
DATE October 17, 2011

SUBJECT Noise Bylaw Review
REPORT NUMBER OT071153

SUMMARY

Purpose of Report: To provide Council an update with respect to the Noise Bylaw Review.

Council Action:

To receive report and direct staff to create amendments to the City's Noise Bylaw based on public input.

RECOMMENDATION

THAT the Operations & Transit Committee Report OT071153 Noise Bylaw Review dated October 17, 2011 be received;

AND THAT amendments to the Noise Bylaw as set out in Operations & Transit Committee Report OT071153 Noise Bylaw Review dated October 17th, 2011 be forwarded to Council for approval.

BACKGROUND

On July 25, 2011, Council received the Operations & Transit Committee Report Noise Bylaw Service Review OT071141, and passed the following resolutions:

- that a review of the current set fine for noise violations be conducted;
- that staff be directed to obtain public input with respect to the effectiveness of the Noise Bylaw (2000)-16366 and report back to Council on recommended amendments to the Noise Bylaw

REPORT

Public Input

In August 2011, staff placed advertisements in the local papers encouraging the public to forward comments regarding the effectiveness of the City's Noise Bylaw. Within the 62 comments received, staff identified a total of 20 themes (attachment A). It is staff opinion the majority of issues could (and will) be addressed through enforcement practices of staff assigned to the Enhanced Enforcement Program.

Through the public survey, the three following specific topics were identified as issues that are currently not defined within the existing bylaw as offenses:

Air Conditioners:

- Currently only noise generated from improperly working air conditioners is regulated. This wording has caused difficulty for staff they do not have the expertise to determine if an air conditioner is in proper working order.
- To address this concern, staff suggest the Noise Bylaw be amended to regulate noise from air conditioners based on a maximum allowable decibel level. While there are a number of recommended guidelines from various organizations, other Municipalities such as Ottawa, London, Toronto and Kitchener often refer to the decibel levels and guidelines found in the Ministry of the Environment's Publication NPC-216 (attachment B).

Yelling:

- Currently, the City's Noise Bylaw only addresses noise generated from yelling between the hours of 11:00 p.m. to 7:00a.m. Monday to Friday and 11:00p.m. to 9:00a.m. Saturdays, Sundays and Holidays. Staff are often requested to attend to unnecessary yelling calls occurring outside of these hours but are unable to address the situation as is not an offense under the current Bylaw.
- Therefore, staff will bring forward to Council's attention an amendment to the City's Noise Bylaw prohibiting unnecessary yelling 24 hours a day. This amendment will require the enforcing officer to be subjective in the determination of whether an offense has occurred. Specifically, the officer will need to determine if the yelling was unnecessary based on the activity occurring. For example, yelling during a sporting activity may be appropriate, whereas a person berating another would not.

Downtown Noise:

- Currently the City's Noise Bylaw includes the Downtown area in the same category as Industrial Parks and the University Lands (attachment C). This inclusion has often caused dissatisfaction to residents within the downtown as they are not afforded the same protection against noise as other residential neighbourhoods. Noise generated in the downtown is often not enforceable until after 11:00 p.m.
- Recognizing the mixed land use of the downtown, staff will bring forward an amendment to creating a specific category for the downtown. This category will allow for noise created within the downtown related to music and other events provided the activity is either approved by City staff or for events taking place within the activity court of St. George's square by the Downtown Guelph Business Association.
- This recommendation (which is supported by both the Downtown Guelph Business Association and the Downtown Neighbourhood Group) will allow approved events to occur and at the same time allow Bylaw Compliance and Police staff to address unwanted noise occurring within the downtown.

In addition to the items listed above, concerns regarding noise generated by Churches and other religious activities were raised through the public input process. Staff received comments from organizations requesting general exemptions to the noise Bylaw and also received comments from residents requesting additional noise restrictions. Given this information, staff are recommending that Churches and other religious organizations wishing to hold special events apply for a noise exemption. Once an application for an exemption is received, staff will work with the organization and the neighbourhood to assist the success of the event while limiting the impact to residents.

Staff will forward amendments to the Noise Bylaw for Council's consideration, specifically noise associated with air conditioners, yelling and noise generated within the downtown area.

Set Fines

Set Fines are not approved by City Council or by staff but are established by the Regional Senior Judge of the Ontario Court of Justice on application made by a municipality. If approved, such fines become the amount payable when an enforcement officer issues a ticket for an offence. The practice of issuing tickets is intended to be for relatively minor offences and is intended that a person receiving a ticket can satisfy the offence by making an "out of court" payment by paying the set fine.

While Council may direct a specified fine amount when making application for Set Fines, historically, determining the requested fine amount has been an administrative responsibility. The requested amount is determined after considering Set Fines of similar Bylaws of the City of Guelph and those of surrounding municipal jurisdictions. A review of our comparable municipalities found the average Set Fine for noise violations is \$274 (attachment D). Given this information and to maintain consistency with the Set Fines of similar City of Guelph Bylaws, staff will make an application to the Senior Regional Justice requesting the current Set Fine of \$130 for noise offences be increased to \$150 for general noise violations and to \$300 for violations which have proven more contentious including activities involving music, yelling, fireworks and improper mufflers (attachment E).

For repeat offences, or where circumstances warrant, both Bylaw Compliance and Police staff have the option of summoning a person(s) permitting or causing noise to occur to Court and upon conviction a higher fine can be sought.

CORPORATE STRATEGIC PLAN

5.2 A consultative and collaborative approach to community decision making

FINANCIAL IMPLICATIONS

N/A

COMMUNICATIONS

Staff will provide public notice through local newspapers prior to bring forward amendments to the City's Noise Bylaw.

ATTACHMENTS

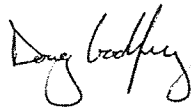
Attachment A - Summary of Public Input results

Attachment B - Ministry of the Environment's Publication NPC-216

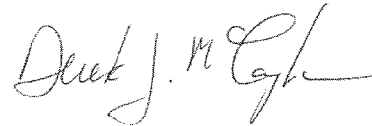
Attachment C - Noise Bylaw including map of categorized areas.

Attachment D - Survey of Set fines from Comparator Municipalities

Attachment E - Set fine proposal to be submitted to Senior Regional Justice



Prepared & Recommended by:
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Recommended by:
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ATTACHMENT A TO QT071153 REPORT

Concern	Number of Concerns	Public Comments	Staff Review
Motorcycle and Vehicular Exhaust Noise	8	Increased Signage More Enforcement & Higher Fines Education Specified levels - decibel Reroute traffic Increased fines to \$400-600	No amendment required Enforcement issue Enforcement issue Difficult to enforce or address by decibel level Better addressed through Traffic Bylaw Enforcement issue
Leaf Blowers & Whippers & Chains	2	Decibel Limit restriction Restrict use of equipment	Difficult to enforce or address by decibel level Activity already restricted during specific hours
Noise from Idling Vehicles	1	No idling at all implemented	Not appropriate Bylaw to address better addressed through Idling Bylaw
Recorded Music Noise and Parties in Parks Loud Parties	1 12	Enforcement Higher fines, More officers, More enforcement, Zero Tolerance Limitations on Party size with size of residence Proactive Enforcement, No Warnings Shared Rental Housing implementations	Amendment would be required, already restricted by time of day Enforcement issue No authority to address Enforcement issue Currently under review
Campus, Neighborhood Noise and Church Barking Dogs	5	Applied Noise Limits Information, Zero Tolerance Enforcement Implement a Barking Dog Report Line, not police Shouldn't need to hear offense, just issue ticket Increased fines for dog owners, limit to number of dogs per household	Staff recommend that the use of noise exemptions for this type of activity Enforcement issue Enforcement issue Enforcement issue Not appropriate Bylaw to address better addressed through Animal Control Bylaw
Overall Noise Bylaw Amendment		Radio Station in downtown area, prohibiting some events, noise provisions enforcement	Enforcement issue Enforcement issue
Vehicle Radio Noise	4	Increased fines to \$500 or offence, more enforcement	Enforcement issue
Fire Alarms for Noise Violations		Updated to be pertinent, changed to 50db	Enforcement issue
Air Conditioner and Pool Pump Noise	7	Minimum distance from property line New Guidelines implemented Decibel Limit restriction More Enforcement, more definite wording in bylaw	Not appropriate Bylaw to address, better addressed through Zoning Bylaw (restrictions recently removed) Staff recommend amendment Staff recommend amendment Enforcement issue
Church bells	1	No increase in fines to be enforced Zero Tolerance enforcement	No change in Bylaw, however noise exemptions be used for special events No change in Bylaw, however noise exemptions be used for special events
Radio, Television and Stereo	7	New Guidelines implemented	Enforcement issue
Music Noise (Neighbors and Loud in Area)	6	Contractor Shared Noise - No Restrictions Pro-Signage and Enforcement No Engine Exhaust Prohib, signage	Enforcement issue Safety issue cannot be regulated Safety issue cannot be regulated
Yelling and Shouting Noise	4	More Enforcement, Zero Tolerance, Higher Fines Education Backyard Pools provision in bylaw	Staff recommend amendment Enforcement issue Enforcement issue
Fireworks	1	Banned Completely, Sign and Discharge	Not appropriate Bylaw to address, better addressed through Fireworks Bylaw (recently reviewed)
Heavy Machinery Noise	1	Strict Enforcement on start times, education	Enforcement issue
Construction Events	1	Systematic approach rather than enforcement	Staff recommend amendment
Restaurant Exhausts	1	Outside of noise bylaw restrictions	Health and Safety issue
General Bylaw Changes	1	Update Noise Warnings Bylaw	Staff recommend amendment to Downtown area
	1	Restrict hours, even 12 to 5:00 a.m.	Staff recommend amendment to Downtown area
	2	Fines going to be dealt with attending to it, study completed	Enforcement issue
	1	New definition of noise, sound measurement and where responsible party visited five times noise	Enforcement issue

ATTACHMENT B

**RESIDENTIAL
AIR CONDITIONING
DEVICES
PUBLICATION NPC-216**

OCTOBER 1993



**Ministry of
Environment
and Energy**

NPC-216

This Publication establishes sound level limits and sound emission standards for residential air conditioning devices.

This document replaces Technical Publication NPC-116 "Residential Air Conditioners" of the "Model Municipal Noise Control By-Law, Final Report, August 1978".

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Publication NPC-216

Residential Air Conditioning Devices

1. Scope

This Publication sets sound level limits and sound emission standards for residential air conditioning devices including heat pumps installed in urban areas of Ontario.

2. References

Reference is made to the following publications, or revisions thereof:

- [1] NPC-101 - Technical Definitions
- [2] NPC-102 - Instrumentation
- [3] NPC-103 - Procedures
- [4] NPC-104 - Sound Level Adjustments
- [6] NPC-206 - Sound Levels due to Road Traffic
- [10] ORNAMENT, Ontario Road Noise Analysis Method for Environment and Transportation, Technical Document, Ontario Ministry of the Environment, ISBN 0-7729-6376 (1989).
- [12] Survey of Outdoor Air Conditioner Noise, Final Report. RAC Report #458G, Ontario Ministry of the Environment, ISBN 0-7729-9094-8 (1991).
- [13] Environmental Noise Guidelines for the Installation of Residential Air Conditioning Devices, Ontario Ministry of Environment and Energy, ISBN 0-7778-1616-4 (1994).
- [14] ARI* Standard 270 - 84. Sound Rating of Outdoor Unitary Equipment.
- [15] ARI* Standard 275 - 84. Application of Sound Rated Outdoor Unitary Equipment.
- [16] ANSI Standard S12.32 - 1990. Discrete-Frequency and Narrow-Band Noise Sources in Reverberation Rooms, Precision Methods for the Determination of Sound Power Levels.

References [1] to [6] are also part of the
Model Municipal Noise Control By-Law, Ontario Ministry of the
Environment.

3. Technical Definitions

"Ambient sound level"
is the sound level that is present in the environment, produced by
noise sources other than the source under impact assessment. See
Background sound level;

"Background sound level"
means Ambient sound level;

* Air-Conditioning and Refrigeration Institute, 4301 North Fairfax Drive, Suite 425,
Arlington, VA 22203

"Class 1 Area"

means an area with an acoustical environment typical of a major population centre, where the background noise is dominated by the urban hum.

"Class 2 Area"

means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 Areas, and in which a low ambient sound level, normally occurring only between 23:00 and 07:00 hours in Class 1 Areas, will typically be realized as early as 19:00 hours.

Other characteristics which may indicate the presence of a Class 2 Area include:

- absence of urban hum between 19:00 and 23:00 hours;
- ambient sound level is defined by natural environment and infrequent human activity; and
- no clearly audible sound from stationary sources* other than from those under consideration.

"Class 3 Area"

means an area with an acoustical environment that is dominated by natural sounds typical of agricultural or wilderness areas and having little or no road traffic, such as the following:

- a small community with less than 1000 population;
- farm land or land zoned rural or agricultural;
- a rural recreational area such as a cottage or a resort area; or
- a wilderness area.

4. Sound Level Limits for Air Conditioning Devices

Either the general sound level limit in Section 4.(1) or the specific sound level limit in Section 4.(3) shall apply to an air conditioning device. The less restrictive of these two limits shall prevail.

(1) General Sound Level Limit

The general sound level limit (shown in Table 216-1 and determined in accordance with Section 4.(2)) is 5 dBA greater than a one hour equivalent sound level (L_{eq}) caused by road traffic at the point of reception during the period of 07:00 to 21:00 hours. The specific hour is to be determined by the noise control officer based on the assessment of annoyance by the complainant.

* In the context of this Publication, the stationary sources under consideration are residential air conditioning devices.

TABLE 216-1
GENERAL SOUND LEVEL LIMIT

All Air Conditioning Devices	
Area Type	L_{eq} (dBA)
Class 1 and Class 2	One Hour Equivalent Sound Level (L_{eq}) of road traffic plus 5 dBA measured during the period of 07:00 to 21:00 hours

(2) Establishment of the General Sound Level Limit

The general sound level limit shall be established through measurements or calculation of the One Hour Equivalent Sound Level (L_{eq}) caused by road traffic as obtained pursuant to Reference [6] at the point of reception.

(3) Specific Sound Level Limits

Specific sound level limits are identified in Table 216-2 for two types of residential air conditioning devices as minimum limits of compliance.

TABLE 216-2
SPECIFIC SOUND LEVEL LIMITS

Central Air Conditioning Devices	
Area Type	One Hour L_{eq} (dBA)
Class 2	45
Class 1	50*
Window or Through-the-Wall Air Conditioning Devices	
Area Type	One Hour L_{eq} (dBA)
Class 2	45
Class 1	50

* When the devices are mandatory requirements for noise control in the interior living spaces of new land use developments, the specific sound level limit is one hour L_{eq} = 55 dBA.

5. Sound Levels from Installed Air Conditioning Devices

To determine if an installed air conditioning device complies with the sound level limits, the sound level due to the device must be measured following the procedure described in Reference [3].

The procedure assumes that the measured sound is dominated by the source under investigation (air conditioning device). To ensure that the measured sound is dominated by the air conditioning device, sound level measurements must be carried out separately with, and without the device in operation.

The measurement of the background sound level, i.e. without the air conditioning device operating, is carried out in accordance with the procedure described in Reference [3].

If the change in sound level measured separately with, and without the air conditioning device operating is less than 10 dBA, a correction shall be made to determine the contribution of the existing background sound levels to the overall measured sound level. Table 216-3 provides correction values and an example of the calculation.

TABLE 216-3
PROCEDURE RECOMMENDED TO SEPARATE THE SOUND LEVEL OF AN AIR
CONDITIONING DEVICE FROM THE BACKGROUND SOUND LEVEL

Change in dBA of Sound Level With and Without Unit in Operation	Correction in dBA to Be Subtracted from Higher Sound Level to Obtain Sound Level from Device
10 or more	0
7 to 9	1
4 to 6	2
3	3
2	4
1	6
0	10
Example: Sound level without unit in operation = 45 dBA Sound level with unit in operation = 50 dBA Change = 5 dBA Correction from Table = 2 dBA Unit sound level = 50 - 2 = 48 dBA	

6. Sound Emission Standards

Table 216-4 gives the sound emission standards for new residential central air conditioning devices.

TABLE 216-4
SOUND EMISSION STANDARDS FOR
RESIDENTIAL CENTRAL AIR CONDITIONING DEVICES

Date of Manufacture	Size (BTUH)	Maximum ARI Standard* Sound Rating (bels)
After 1990-12-31 and Before 1992-01-01	38,900 or less	8.0
After 1991-12-31 and Before 1995-01-01	38,900 or less	7.6
After 1994-12-31	38,900 or less	(Under discussion with the industry to assess the feasibility of reduction.)
BTUH = British Thermal Unit for an Hour		

Measurement procedure as per Reference [14].

ANNEX

EXPLANATORY NOTES TO

PUBLICATION NPC-216
RESIDENTIAL AIR CONDITIONING DEVICES**A.1. Sound Level Measurements - Summary**

Verification of compliance of the air conditioner and heat pump units with the sound level limits can be accomplished through measurements using a properly calibrated sound level meter which meets the required standard specifications.

Details of the instrument specifications are included in Reference [2].

The measurements shall be performed outdoors at a sensitive location on neighbouring residential property in the vicinity of the air conditioning device, where the sound of the device may cause annoyance. Typically this would be a patio or a window.

The measurements may also be required at a point of reception in the plane of an open window facing the unit to ensure that the sound level at noise sensitive indoor spaces in a neighbouring residence is not in excess of the guideline limits. Details of the measurement procedure are included in Reference [3].

A.2. Sound Level Limits

People's response to noise varies depending upon the community's, as well as the individual's economic and social relationship to the source. The sound level limits for air conditioner and heat pump noise were established based on the results of sociological surveys of large numbers of people and represent what is considered to be the onset of significant degradation of the noise environment relative to the expectations of the general population.

The sound level limits are receptor oriented, i.e. they apply at any noise sensitive location within a Class 2 or Class 1 Area (as defined in NPC-216) at which sound from the air conditioning device may cause annoyance.

The specific limits shown in Table 216-2 are expressed in terms of the one hour equivalent sound level L_{eq} , and apply to receptor locations in Class 1 and Class 2 Areas.

A separate limit applies to those receptor locations in Class 1 Areas where the unit was a mandatory requirement for noise control of the interior living space in new land use developments.

A preemption in the form of a general limit applies in an area of a relatively high background noise caused by road traffic as shown in Table 216-1. In accordance with this pre-emption, the existing background sound level, if higher than the limits in Table 216-2, represents the criterion of acceptability for the air conditioning device operation. In addition, the general limits are increased by 5 dBA for any hour from 07:00 to 21:00 hours. The period of assessment was chosen in accordance with the findings of a sociological survey conducted in 1990, Reference [12].

A.3. Complaint Investigation

Investigators of a complaint against installed air conditioning devices must carry out sound level measurements at the receptor location(s). The measurements are to be made in accordance with methods identified in Section A.1. The operating sound of the air conditioning device and the background sound consisting of the road traffic noise must be measured at the same location, separately. While the background sound level is measured the air conditioning device must be turned off. Contributions from aircraft and rail noise sources must be inhibited at all times. Unattended measurements are not recommended. Atmospheric conditions may have significant influence on the ambient sound levels, for details see Reference [3].

The sound level of an installed air conditioning device may be calculated from the sound levels measured with the device operating (device plus background noise) and without it operating (background only). The procedure is described in Section 5. A correction value is determined between these two sound levels. Subtracting this correction from the higher sound level (measured with the device in operation) gives the sound level due to the air conditioning device itself. See Table 216-3.

Determination of the road traffic sound level is to be made by the noise control officer based on the assessment of the annoyance by the complainant(s). The time of highest annoyance within the time period of 07:00 to 21:00 is to fall in the selected one hour of the road traffic noise.

A.4. Installation of Air Conditioning Devices

Purchasers and installers of air conditioning devices have to be cognizant of the MOEE guideline on the Sound Emission Standards listed in Table 216-4. Further explanation of the standards is provided in Section A.5. Only units meeting the requirements of Table 216-4 may be installed in Ontario.

For guidance on the selection, location or sound rating of the air conditioning devices or for the method to estimate the sound levels, installers should refer to Reference [13].

Installation of units that are in compliance with the sound emission standard must also be in compliance with the point of reception sound level limits, i.e. complying with the least restrictive sound level limit of Tables 216-1 and 216-2.

If the calculated sound level of the unit is in excess of the specific sound level limit (Table 216-2), the general sound level limit is to be determined. If both limits are exceeded by the calculated levels then alteration is needed in one or more of the following: the size or make of unit, its location or the type of noise reducing installation treatment (use of barrier or enclosure).

Owners of installed units producing a sound level in excess of the sound level limits will be required to reduce the noise of the unit, when faced with complaints.

Noise abatement is more expensive and less cost effective than a proper installation.

A.5. Sound Emission Standards

In contrast to the sound level limits which apply at the point of reception, sound emission standards are source oriented, and are based on the concept of sound power level which is a basic measure of the acoustic output of a noise source.

The sound level of the air conditioner or heat pump at a receptor location depends on many factors such as distance separation, unit's orientation with respect to the receptor, presence of shielding objects or structures, intervening terrain, topography and ground cover between the unit and receptor, as well as on atmospheric conditions, all of which are independent of the actual sound emission of the unit.

Sound power on the other hand is a fundamental property of the acoustic source alone and is, therefore, an important absolute parameter which is widely used for rating and comparing sound sources.

The rating of air conditioner and heat pump equipment is designated as the ARI Sound Rating (SR*) and is provided by the manufacturer of the device.

The Sound Rating is based on laboratory tests performed at Standard Rating Conditions in accordance with References [14] and [16]. The SR is an indicator of the sound power level of the equipment; the lower the SR, the lower the sound power of the air conditioner or heat pump.

Sound Emission Standards in Table 216-4 apply to central air conditioning devices only and not for window or through-the-wall units.

The maximum acceptable ARI Standard Sound Ratings shown in Table 216-4 are set in accordance with the date of manufacture. Two Sound Emission Standards, 8.0 and 7.6 bels are specified for air conditioner and heat pump units manufactured during 1991, and during 1992 through 1994 respectively. The Sound Emission Standard applies to units that are sized at 38,900 BTUH capacity or less. The emission limits projected after 1994 are under discussion with the industry to assess the feasibility of reduction.

* SR is a tone corrected A-weighted sound power level, expressed in bels.

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2000)-16366

A by-law to prohibit and regulate unusual noises or noises likely to disturb the inhabitants of the City of Guelph, and to adopt Municipal Code Amendment #248, which amends Chapter 190 of the Corporation of the City of Guelph's Municipal Code, and to repeal By-law Number (1998)-15760.

**THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS
AS FOLLOWS:**

SHORT TITLE

1. This By-law may be cited as the "Noise Control By-law".

INTERPRETATION

2. For the purposes of this By-law the following terms shall have the corresponding meanings:

"City" means the Corporation of the City of Guelph;

"construction equipment" includes a bulldozer, excavator, trencher, jack hammer, crane, loader, scraper, paver, compactor, roller, grader, concrete mixer and the like;

"Council" means the Council of the City;

"holiday" means any holiday set out as a holiday in the Retail Business Holidays Act, R.S.O. 1990, Chap. R. 30, or any successor thereof;

"noise" means sound that is of such a volume or nature that it is likely to disturb the inhabitants of the City of Guelph;

"other area" means all of the area of the City of Guelph set out on Schedule AB of this By-law which is denoted by shading;

"person" includes a corporation, organization, association, partnership and the like; and

"residential area" means all of the area of the City of Guelph set out on Schedule "B" of this By-law which is not shaded.

GENERAL EXEMPTIONS

- 3.- (1) This By-law does not apply:
 - (a) during an emergency involving the health, safety or welfare of the public;

- (b) where the City, its servants, employees, contractors or agents are carrying out City operations or operating, maintaining or installing municipally-owned infrastructure, facilities or the like, except for the detonation of explosives;
- (c) to noise created by the activity of snow removal;
- (d) to road or bicycle races, parades, circuses, entertainment activities in public parks or neighbourhood social activities when such events are approved by Council and such activity or event is in compliance with the conditions set by Council in approving such activity or event;
- (e) to sport or recreational events in public parks where a permit has been issued by the City authorizing such event and the event complies with all of the conditions of such permit;
- (f) to the use of implements of husbandry in the operation of agricultural endeavours; or
- (g) to the operation of excavation equipment when used in a cemetery in conjunction with interment services.

EXEMPTIONS BY COUNCIL

- 4.- (1) Despite the provisions of this By-law, any person may apply to Council for an exemption to any provision of this By-law with respect to any noise to allow such person to emit, cause or permit such noise for the period of time set out in such application, and Council may grant such exemption, grant an alternative exemption or refuse such exemption, and may set out conditions to be met as Council sees fit for any exemption granted.
- (2) Where an exemption is granted by Council, breach of any of the terms or conditions of the exemption shall render the exemption null and void.
- (3) Every person applying for an exemption shall, at least 10 business days prior to the Council meeting at which the request for exemption is to be addressed by Council, provide to the Chief Building Official of the City:
- (a) a complete and accurate application form as provided by the City setting out the particulars respecting the exemption requested; and
 - (b) payment of the exemption processing fee in the amount set by Council and in effect at the time of such exemption request.

GENERAL PROHIBITIONS

- 5.- (1) No person shall, at any time, emit, cause or permit to be emitted or caused any noise created by:
- (a) the persistent barking, calling or whining of any domestic pet or any animal, except an animal used for and located on the property of an agriculture, livestock based use as set out in the City's Zoning By-law;
 - (b) the squealing of motor vehicle tires while such vehicle is on property other than a highway as set out in the Highway Traffic Act, R.S.O. 1990, Chap. H.8, or any successor thereof;
 - (c) the use of a horn, whistle, alarm, bell, gong or the like, except for an auditory safety or warning device or chimes used in association with a religious establishment;
 - (d) the detonation of explosives;
 - (e) the operation of an air conditioner, pool pump or filter, heat pump or the like that is not in proper working order;
 - (f) the idling of a vehicle motor in excess of 10 minutes, except:
 - (i) when such idling is recommended by the manufacturer of such vehicle and proof of such recommendation is provided by the vehicle operator upon the request of a police officer;
 - (ii) when such idling is necessary to the basic function of the equipment on a vehicle such as a concrete mixer on a concrete mixing truck, a lift platform, a refuse compactor or a heat exchange system; or
 - (iii) when the weather conditions require the vehicle to idle in order to keep in operation a heating or refrigeration system necessary for the welfare or preservation of the cargo of such vehicle;
 - (g) the operation of a combustion engine without an effective exhaust muffling device in proper working order; or
 - (h) the operation of a vehicle radio, stereo or the like.

PROHIBITIONS BY TIME AND PLACE

6. No person shall emit, cause or permit to be emitted or caused any noise created by an activity listed in Schedule "A" of this By-law during the time and in the area such noise is prohibited as set out in such Schedule.

OFFENCE

7. Every person who contravenes any provision of this By-law is guilty of an offence.

PENALTY

8. Every person who is convicted of an offence under any provision of this By-law shall be liable to a penalty as set out in Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, or any successor thereof.

SCHEDULES FORM PART OF BY-LAW

9. Schedules "A" and "B" attached hereto shall form part of this By-law.

MUNICIPAL CODE AMENDED

10. Chapter 190 of the Corporation of the City of Guelph's Municipal Code is hereby deleted and this By-law substituted therefor.

PRIOR BY-LAWS REPEALED

11. By-law Number (1998)-15760 is hereby repealed as of the date and time of this By-law coming into effect.

EFFECTIVE DATE OF BY-LAW

12. This By-law shall come into effect at 12:01 a.m. on July 18, 2000.

PASSED this SEVENTEENTH DAY of JULY, 2000.


JOE YOUNG - MAYOR

LOIS A. GILES - CITY CLERK

SCHEDULE "A"

to By-law Number (2000)-16366 the Noise Control By-law

"NOISE" CREATED FROM THE FOLLOWING ACTIVITIES IS PROHIBITED	PROHIBITED TIME OF DAY	PROHIBITED AREA
The operation of a radio, television, stereo or other electronic device including any amplification device, or any musical or other sound producing instrument.	At all times	residential
	11:00 p.m. to 9:00 a.m.	other
Yelling, shouting or the like.	11:00 p.m. to 7:00 a.m. (to 9:00 a.m. on Saturdays, Sundays and holidays)	residential and other
The operation of a car wash.	9:00 p.m. to 7:00 a.m. (to 9:00 a.m. on Saturdays, Sundays and holidays)	residential and other
The venting or release of steam, the operation of a generator or air filtration system, noise from grinding, milling, the operation of machinery, or the like.	9:00 p.m. to 7:00 a.m. (to 9:00 a.m. on Saturdays, Sundays and holidays)	residential
	11:00 p.m. to 7:00 a.m. (to 9:00 a.m. on Saturdays, Sundays and holidays)	other
The operation of waste collection machinery or refuse compacting equipment.	9:00 p.m. to 7:00 a.m. (to 9:00 a.m. on Saturdays, Sundays and holidays)	residential
	11:00 p.m. to 7:00 a.m. (to 9:00 a.m. on Saturdays, Sundays and holidays)	other
Loading, unloading, packing, delivering or otherwise handling any container, product or material unless necessary for the maintenance of essential services or for the moving of private household effects.	9:00 p.m. to 7:00 a.m. (to 9:00 a.m. on Saturdays, Sundays and holidays)	residential
	11:00 p.m. to 7:00 a.m. (to 9:00 a.m. on Saturdays, Sundays and holidays)	other
The operation of any tool including a hammer, saw, nail gun, lawnmower, staple gun, hedge trimmer, drill, or the like.	9:00 p.m. to 7:00 a.m. (to 9:00 a.m. on Saturdays, Sundays and holidays)	residential and other
The operation of a combustion engine for a toy or a replica of a larger device such as a remote controlled toy aeroplane.	9:00 p.m. to 9:00 a.m.	residential and other
The operation of a dirt bike, all-terrain cycle, snowmobile, go-cart, dune buggy or like conveyance.	7:00 p.m. to 7:00 a.m. (to 9:00 a.m. on Saturdays) and at all times on Sundays and holidays	residential and other
The operation of construction equipment.	7:00 p.m. to 7:00 a.m. (to 9:00 a.m. on Saturdays) and at all times on Sundays and holidays	residential and other



ATTACHMENT D TO OT071153

Noise Bylaw Set Fine Survey	
Municipality	Set Fine Amount (\$)
Barrie	\$410
Oshawa	\$300
London	\$200
Pickering	\$200
Richmond Hill	\$300
Vaughan	\$350
Oakville	\$400
Kitchener	\$245
Cambridge	\$245
Waterloo	\$400
Niagara Falls	\$200
Ajax	\$150
Brantford	\$365
Chatham-Kent	\$300
Thunder Bay	\$150
Whitby	\$140
Kingston	\$250
St. Catharines	\$300
Greater Sudbury	\$200
Burlington	\$400
Windsor	\$250
Markham	\$200
Brampton	\$350
Hamilton	\$250
Ottawa	\$305
Mississauga†	N/A
Wellington County*	N/A
Halton Region*	N/A
Waterloo Region*	N/A
Peel Region*	N/A
Average	\$274

Guelph \$130

*Noise violations are usually set by the lower tier municipality

† Staff indicate that set fines are not used for noise violations. All violations are processed by way of summons.

Where noise fines ranged based on violation, the highest fine amount has been indicated

ATTACHMENT E OF REPORT OT071153

CITY OF GUELPH BY-LAW (2000)-16366 PROHIBIT AND REGULATE NOISE WITHIN THE CITY OF GUELPH

	Short Form Wording	Offence Creating Provision	Set Fine
1	Permitting noise made by an animal	5(1)(a)	\$150
2	Causing noise made by squealing tires	5(1)(b)	\$300
3	(Causing)(Permitting) noise made by a (whistle) (alarm)(bell)(gong)(horn)	5(1)(c)	\$150
4	(Causing)(Permitting) noise made by the detonation of explosives	5(1)(d)	\$300
5	Permitting noise made by a (pool pump) (pool filter)(air conditioner)	5(1)(e)	\$150
6	(Causing)(Permitting) noise made by the idling of a vehicle	5(1)(f)	\$150
7	(Causing)(Permitting) noise made by a combustion engine without an effective muffling device	5(1)(g)	\$300
8	(Causing)(Permitting) noise made by a vehicle (radio)(stereo)	5(1)(h)	\$300
9	(Causing)(Permitting) noise made by a(n) (electronic device)(musical instrument)(sound producing instrument) in a "residential" area	6	\$300

10	(Causing)(Permitting) noise made by a(n) (electronic device)(musical instrument)(sound producing instrument) in an "other" area between 11 p.m. and 9 a.m.	6	\$300
11	(Causing)(Permitting) noise made by shouting	6	\$300
12	(Causing)(Permitting) noise made by a car wash between 9 p.m. and 7 a.m. (9 a.m. on Saturdays, Sundays and Holidays)	6	\$150
13	(Causing)(Permitting) noise made by (the release of steam)(a generator)(an air filtration system) (grinding)(milling)(the operation of machinery) in a "residential" area between 9 p.m. and 7 a.m. (9 a.m. on Saturdays, Sundays and Holidays)	6	\$150
14	Causing)(Permitting) noise made by (the release of steam)(a generator)(an air filtration system) (grinding)(milling) (the operation of machinery) in an "other" area between 11 p.m. and 7 a.m. (9 a.m. on Saturdays, Sundays and Holidays)	6	\$150
15	(Causing)(Permitting) noise made by the operation of (waste collection machinery)(refuse compacting equipment) in a "residential" area between 9 p.m. and 7 a.m. (9 a.m. on Saturdays, Sundays and Holidays)	6	\$150
16	(Causing)(Permitting) noise made by the operation of (waste collection machinery)(refuse compacting equipment) in an "other" area between 11 p.m. and 7 a.m. (9 a.m. on Saturdays, Sundays and Holidays)	6	\$150

17	(Causing)(Permitting) noise made by (loading) (unloading)(packing)(delivering)(handling) a (container)(product)(material) in a “residential” area between 9 p.m. and 7 a.m. (9 a.m. on Saturdays, Sundays and Holidays)	6	\$150.
18	(Causing)(Permitting) noise made by (loading) (unloading)(packing)(delivering)(handling) a (container)(product)(material) in an “other” area between 11 p.m. and 7 a.m. (9 a.m. on Saturdays, Sundays and Holidays)	6	\$150
19	(Causing)(Permitting) noise made the operation a tool between 9 p.m. and 7 a.m. (9 a.m. on Saturdays, Sundays and Holidays)	6	\$150
20	(Causing)(Permitting) noise made by the operation of a combustion engine for a (toy)(replica of a larger device) between 9 p.m. and 9 a.m	6	\$150
21	(Causing)(Permitting) noise made by the operation of a (dirt bike)(all-terrain cycle)(snowmobile) (go-cart)(dune buggy)(conveyance) between 7 p.m. and 7 a.m. (9 a.m. on Saturdays)	6	\$150
22	(Causing)(Permitting) noise made by the operation of a (dirt bike)(all-terrain cycle)(snowmobile) (go-cart)(dune buggy)(conveyance)on a (Sunday) (Holiday)	6	\$150
23	(Causing)(Permitting) noise made by the operation of construction equipment between 7 p.m. and 7 a.m. (9 a.m. on Saturdays)	6	\$150

24

(Causing)(Permitting) noise made by the
operation of construction equipment on a
(Sunday)(Holiday)

6

\$150

INFORMATION REPORT



TO Guelph City Council

SERVICE AREA Operations & Transit
DATE May 4, 2012

SUBJECT Noise Bylaw - Motorcycle Decibel Levels
REPORT NUMBER OT051212

SUMMARY

Purpose of Report: To provide an update on the establishment of a maximum permitted decibel level generated by motorcycles.

BACKGROUND

On October 24, 2011, during the review of the Noise Bylaw, Council passed a resolution directing staff to review best practices with respect to establishing a maximum permitted noise decibel level for motor cycles intended for road use.

REPORT

Staff conducted a review of Bylaws and reports from other municipalities on decibel levels for motorcycles. Staff also met with a representative from the Motorcycle & Moped Industry Council to discuss options for regulating noise levels.

Through this review, staff determined that a reliable roadside test to measure motorcycle noise known as SAE J2825 (attachment A) had been developed by the Society of Automotive Engineers. This test developed in cooperation with the Motorcycle & Moped Industry Council and major motorcycle manufacturers has been implemented or is currently being implemented by a number of municipalities across Canada and the United States (attachment B). The implementation of this standard within the City's Noise Bylaw is supported by the Guelph Police Service.

Through their experience in implementing this Standard in other municipalities, the Motorcycle & Moped Industry Council recommends an educational campaign be created prior to incorporating SAE J2825 into the City's Noise By law. The campaign's intent is to allow opportunity for motorcyclists to assess whether their motorcycle will comply with SAE J2825 prior to the implementation of any restrictions. Staff concur with this approach and will undertake clinics in conjunction with the Guelph Police Service throughout the summer and then introduce amendments to the Noise Bylaw in January 2013. This delay will allow owners whose motorcycle will not comply with the pending restriction time to affect the necessary modifications that may be needed to comply.

It should be noted, while motorcycle noise can be tested and regulated by decibel level, a simple roadside objective test has not yet been developed to allow enforcement of noise generated from other types of vehicles, such as passenger vehicles or trucks.

CORPORATE STRATEGIC PLAN

Goal 2: A healthy and safe community where life can be lived to the fullest

FINANCIAL IMPLICATIONS

All costs associated with this initiative will be funded through the 2012 Operations, Transit & Emergency Service Area Operating budget.

ATTACHMENTS

Attachment A – SAE J2825

Attachment B – Motorcycle & Moped Industry Council Brochure



Prepared By:

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Operations & Transit
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doug.godfrey@guelph.ca



Reviewed & Recommended By: Derek McCaughan, Executive Director

ATTACHMENT A
Noise Bylaw - Motorcycle Decibel Levels
OT051212

SAE J2825 –May 2009 can be found at:

http://standards.sae.org/j2825_200905/



Motorcycle & Moped Industry Council
Le conseil de l'industrie de la motocyclette et du cyclomoteur

**SOUND
ADVICE**

MOTORCYCLE ROADSIDE SOUND TEST

**A Sensible Solution
to Identify Noisy
Motorcycle Exhaust
Systems!**

ATTACHMENT B Noise Bylaw-Motorcycle Decibel Levels OT051212

MOTORCYCLE INDUSTRY UNITES TO DEVELOP SOUND POLICY

The major motorcycle manufacturers from Canada and the United States joined forces with the SAE to find a solution to loud exhaust systems.

After years of research and testing the SAE has come up with a standard that enables law enforcement officers to measure noise emissions on-the-spot accurately, easily and quickly.

We can now have uniform standards and testing that's easy to administer.

NEW ROADSIDE SOUND TEST

The new SAE J2825 standard meets the need for a practical, consistent roadside sound test.

Now there is a simple, quick, economical and science-based tool for accurately identifying motorcycles with excessively loud exhaust systems.

HOW DOES IT BENEFIT RIDERS

The SAE standard benefits riders everywhere by accurately identifying excessively loud exhausts.

Riders will no longer be subjected to questionable sound-level checks. This standard has the potential to provide fair and consistent testing for riders travelling in provinces, cities and municipalities across Canada.

TEST : QUICK, EASY, ACCURATE!

- The SAE J2825 roadside test is conducted by holding a sound meter behind the exhaust outlet
- The procedure includes two possible tests: an Idle Test and a Set RPM Test.
- The Idle Test can be used to screen various mufflers.
- The Set RPM Test will identify excessively loud exhaust systems.

MMIC, its member manufacturers and distributors recommend the new **SAE J 2825** stationary sound test procedure for on-highway motorcycles and encourage the implementation of these standards across Canada.

To order the SAE J2825 standard go to http://www.sae.org/technical/standards/J2825_200905

The MMIC, a national, non-profit, trade association, represents the responsible interests of major motorcycle and scooter manufacturer and distributors in Canada.

Visit us at one of our seven major motorcycle shows across the country or check out www.mmic.ca

Motorcycle and Moped Industry Council
Suite 201, 3000 Steeles Ave., East
Markham, On L3R 4T9
Tel: 416-491-4449
Toll-Free: 1-877-470-6642



Motorcycle & Moped Industry Council
Le conseil de l'industrie de la motocyclette et du cyclomoteur

L'INDUSTRIE DE LA MOTOCYCLETTE S'UNIT POUR DÉVELOPPER UNE POLITIQUE SUR LE NIVEAU SONORE

Les grands fabricants de motocyclettes du Canada et des États-Unis serrent les rangs avec la SAE pour trouver une solution aux systèmes d'échappement bruyants.

Après des années de recherche et d'essais, la SAE est arrivée à une norme qui permet aux agents de la force publique de mesurer sur place les émissions sonores de façon précise, rapide et facile.

Nous pouvons maintenant avoir des normes uniformes et des procédures d'essai faciles à administrer.

NOUVEAU TEST SONORE ROUTIER AVANTAGES POUR LES CONDUCTEURS

La nouvelle norme SAE J2825 répond aux besoins pour un test sonore routier pratique et uniforme.

Il existe maintenant un outil simple, rapide, économique et scientifique pour identifier avec précision les motocyclettes à système d'échappement excessivement bruyant.

LE TEST : RAPIDE, FACILE, PRÉCIS!

- L'essai routier SAE J2825 est exécuté en tenant un compteur sonore derrière l'orifice d'échappement.
- La procédure inclut deux tests possibles: le test au ralenti et le test au régime déterminé.
- Le test au ralenti peut servir à présélectionner divers silencieux.
- Le test au régime déterminé identifiera les systèmes d'échappement excessivement bruyants.

Le CIMC, ses fabricants et ses distributeurs membres recommandent la nouvelle procédure d'essai sonore stationnaire SAE J2825 pour les motocyclettes routières et prônent l'application de ces normes partout au Canada.

Pour commander la norme SAE J2825, visitez http://www.sae.org/technical/standards/J2825_200905.

Le CIMC, une association commerciale nationale sans but lucratif, représente les intérêts responsables des grands fabricants et distributeurs de motocyclettes et de scooters au Canada.

Visitez l'un de nos sept grands salons de la motocyclette à travers le pays ou www.mimc.ca.

Conseil de l'industrie de la motocyclette et du cyclomoteur
Suite 201, 3000 Steeles Ave., East
Markham, ON L3R 4T9
Téléphone : 416-491-4449
Sans frais : 1-877-470-6642

ATTACHEMENT C

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2012) –

Being a By-law to amend By-law Number (2000) – 16366 (to amend the Noise By-law), specifically to address motorcycle noise.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

3. That Section 5. of By-law Number (2000) - 16366 be amended by adding the following:

- 5.(2) No person shall operate a motorcycle on any highway if the motorcycle fails to meet the noise limitation criteria as set out in the Society of Automotive Engineers test procedure SAE J2825.
- 5.(3) No person shall refuse to provide a motorcycle owned and/or operated by that person to an officer duly authorized to enforce the provisions of this by-law.

PASSED this XXXXXXXXX day of February, 2013.

KAREN FARBRIDGE - MAYOR

BLAIR LABELLE - CITY CLERK

TO **Operations Transit and Emergency Services Committee**

SERVICE AREA Operations, Transit & Emergency Services
DEPARTMENT Emergency Services
DATE December 10, 2012

SUBJECT Heart and Stroke Foundation of Ontario – Public Access Defibrillators

REPORT NUMBER OT121252

SUMMARY

The Heart and Stroke Foundation is requesting the opportunity to provide a delegation to the Operations Transit and Emergency Services Committee to speak to strengthening our current partnership to make Ontario communities the “most cardiac safe in Canada”. Heart and Stroke has further interest in developing and implementing a broad public education campaign to raise awareness about community CPR training and the ease of using a Public Access Defibrillator to save a life.

Purpose of Report:

To provide opportunity for the Heart and Stroke Foundation to share their success with the Operations, Transit & Emergency Services Committee.

Committee Action:

To receive the report.

RECOMMENDATION

That the Operations, Transit & Emergency Services Committee Report OT121252 Heart and Stroke Foundation of Ontario – Public Access Defibrillators, dated December 10th, 2012, be received.

BACKGROUND

The City of Guelph supports the provision of Public Access Defibrillators across the Land Ambulance Service coverage area of Guelph and Wellington County. A program ‘*The Guelph Wellington EMS Public Access Defibrillator (PAD) Program*’ is in partnership with the Heart and Stroke foundation of Ontario, (HSFO). The partnership involves working with HSFO to ensure Public Access Defibrillation Units are placed in facilities such as schools, sports and recreational facilities for use by occupants prior to the arrival of emergency responders, thereby providing faster response to a person in need than would be otherwise possible.

Funding for Public Access Defibrillators and related CPR training is provided by Heart and Stroke Foundation of Ontario.

Guelph Wellington Emergency Medical Service supports the program by providing information to interested participants, coordinating CPR training and providing on duty Paramedics to assist Heart and Stroke Trainers with teaching CPR skills.

Through the end of the 2011 Calendar year, this program has placed 88 Automated External Defibrillators (AEDs) in the community. A CPR training program for up to 10 people at each of these sites was conducted. Guelph Wellington EMS works cooperatively with HSFO providing free public CPR education and certification sessions.

A list of previously installed AED locations is included as appendix A

REPORT

In 2012, the HSFO initiative was renamed the Ontario Defibrillator Access Initiative (ODAI). Guelph Wellington EMS was pleased to be part of the process whereby this initiative provided funding for an additional 38 AEDs to be purchased and installed in our area, and an additional 38 training programs to be facilitated. The AEDs have been purchased and installation and training are occurring through the end of the year.

The approved sites for AED installation and training in 2012 include:

St. James Catholic High School	Rockwood Centennial Public School
Westwood Public School	Maryborough Public School Moorefield
Mitchell Public School	Palmerston Public School
Brant Avenue Public School	Erin Public School
Willow Road Public School	Eramosa Public School
St Patrick School Guelph	Brisbane Public School
Tytler Public School	Centre Wellington Sportsplex
St John School Guelph	Belwood Community Hall
Sir Isaac Brock Public School	Lions Roy Grant Pool Mount Forest
Priory Park Public School	Damascus Community Hall
Minto Clifford Public School	Harriston Pool
St Ignatious School Guelph	Palmerston Pool
June Avenue Public School	Township of Centre Wellington
Holy Trinity Catholic School	Wellington North Municipal Office
Fred A. Hamilton Public School	Kenilworth
St Peter School Guelph	GRCA - Rockwood Conservation Authority
Victoria Terrace Public School	GRCA - Guelph Lake Conservation Authority
Arthur Public School	GRCA - Belwood Lake Conservation Authority
Bishop Maddonnell Catholic High School	GRCA - Elora Gorge Conservation Authority
St Josephs School Fergus	

Emergency Services staff support the current partnership in its current form and will continue to update the committee on its achievements and any substantive changes to the Guelph Wellington Emergency Medical Service Public Access Defibrillator Program.

CORPORATE STRATEGIC PLAN

2.2 Deliver public services better.

3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City.

FINANCIAL IMPLICATIONS

There are no direct financial implications of this report. Activities of the Guelph Wellington Emergency Medical Service is funded through approved operating budgets.

DEPARTMENTAL CONSULTATION

None required.

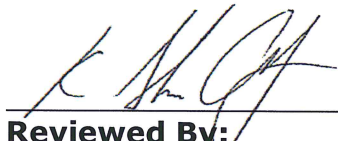
COMMUNICATIONS

A press release and updates on Guelph.ca will be provided.

ATTACHMENTS

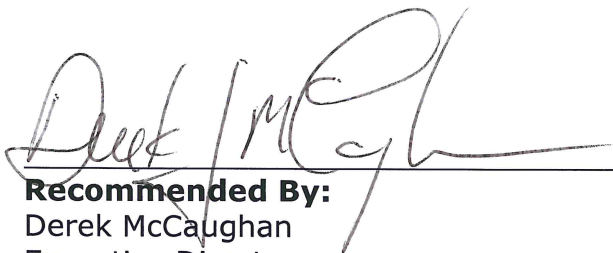
Appendix A – PAD Program AED Locations

Prepared By: Stephen Dewar, Chief, EMS Division, x 2805
Emergency Services



Reviewed By:

Shawn Armstrong
General Manager
Emergency Services
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Shawn.armstrong@guelph.ca



Recommended By:

Derek McCaughan
Executive Director
Operations, Transit & Emergency Services
519-822-1260 x2018
derek.mccaughan@guelph.ca

PAD Program AED Locations	
Location	Address
Harriston Seniors Centre	Harriston
Mt. Forest Arena	850 Princess St., Mount forest
Puslinch Community Centre -	36 Brock Road, Aberfoyle
Clifford Community Centre	Clifford
Wellington County - Landfill Rothsay	8495 Wellington Road 7, Mapleton Twp
Wellington County - Landfill Site Harriston	5668 Highway 23, Town of Minto
Wellington County - Landfill Site Aberfoyle	6922 Concession 4, Puslinch Twp
Wellington County - Landfill Site Elora	6549 Gerrie Road, Centre Wellington Twp
Wellington County - Landfill Site Belwood	8585 Wellington Road 19, Centre Wellington Twp
Wellington County - Landfill Site Riverstown	7254 Sideroad 5 West, Wellington North Twp
Wellington County - Library - Fergus	190 St Andrew St W, Fergus, Ont.
Wellington County - Library - Arthur	110 Charles St., E., Arthur, Ont.
Wellington County - Library - Aboyne	552 Wellington Rd 18, Fergus, Ont.
Wellington County - Library - Clifford	7 Brown St., N., Clifford, Ont.
Wellington County - Library - Drayton	106 Wellington St., Drayton, Ont.
UGDSB - Alma Public School	12 Simpson St. E., Alma
Wellington County - Garage Elora	7454 Wellington Road 21, Elora
Wellington County - Elora Library	144 Geddes Street, PO Box 280, Elora
Salem Public School	23 Woolwich Street East, Elora
St. Mary's School - Elora	251 Irvine Street, Elora
UGDSB - Erin High School	14 Boland Drive, Erin
Wellington County - Garage Erin	9506 Wellington Road 124, Erin
Wellington County - Erin Library	14 Boland Drive, Erin, Ontario
St. John Brebeuf School	30 Millwood Road, Erin
UGDSB - Ross R. MacKay School - Hillsburgh	PO Box 190, Hillsburgh
Badenoch Community Centre	4217 Watson Rd, Puslinch
Wellington County - Green Legacy Tree Nursery	6714 Wellington Road 34, Puslinch
Twp of Guelph-Eramosa	8248 Wellington Rd 124, PO Box 700, Rockwood
Twp of Guelph-Eramosa	8248 Wellington Rd 124, PO Box 700, Rockwood
Twp of Guelph-Eramosa	8248 Wellington Rd 124, PO Box 700, Rockwood
Wellington County - Garage Bruce Dale	8436 Wellington Road 124, Rockwood
Wellington County - Rockwood Library	85 Christie Street, Rockwood
Wellington County - Hillsburgh Library	98 B Trafalgar Road, PO 490, Hillsburgh
Arthur Community Centre	158 Domville St., Arthur
Wellington County - Garage Arthur	399 Eliza Street, Arthur
St. John's School - Arthur	315 Tucker St., Arthur
Clifford Arena	Allan & Brown St., Clifford
Wellington County - Clifford Library	7 Brown St., Clifford
Wellington County - Garage Drayton	30 John Street, Drayton
UGDSB - Drayton Heights Public School	75 Wellington st., S., Drayton
Harriston Arena -	111 George St., S., Harriston
Wellington County - Garage Harriston	9160 Wellington Road 5, Harriston
UGDSB - Kenilworth Public School	7478 Sideroad 7 W, Kenilworth, PO Box 40
Stoltz - Mildmay	PO Box 285, Hwy 9, Mildmay

Wellington County - Mt. Forest Library	118 Main Street North, Mount Forest
Palmerston Community Centre	520 Cavan St., Palmerston
St. Mary's School - Mount Forest	390 Parkside Drive, Mount Forest
UGDSB - Norwell District Palmerston	135 Cumberland St., Po Box 160, Palmerston
Wellington County - Palmerston Library	265 Bell Street, Palmerston
UGDSB - John F Ross	21 Meyers Drive, Guelph
Separate School Board - St. James HS	57 Victoria Rd N., Guelph
UGDSB - Centennial HS	289 College Ave., W., Guelph
University of Guelph FRT	50 Stone Rd., E., Guelph
UGDSB - College Heights	371 College Ave., W., Guelph
UGDSB - GCVI	155 Paisley St., Guelph
Wellington Cty -Child Care Services	21 Douglas St., Guelph
Wellington Cty -Child Care Services	15 Douglas St., Guelph
Wellington Cty - IT Department	27 Douglas St., Guelph
Wellington Cty - Landfill Site Terrace SWS Office	474 Wellington Road 18, Fergus
Wellington Cty - Main Flr Admin	74 Woolwich St., Guelph
Wellington County - Top Flr Admin	74 Woolwich St., Guelph
Wellington County - Gymnasium	74 Woolwich St., Guelph
Wellington Cty - Jail	74 Woolwich St., Guelph
Wellington County - Basement Admin	74 Woolwich St. Guelph
Guelph Police Department	15 Wyndham St., Guelph
Guelph Police Department	15 Wyndham St., Guelph
Guelph Police Department	15 Wyndham St., Guelph
Wellington Cty - Dominion Building	138 Wyndham St., Guelph
Wellington Cty - Dominion Building	138 Wyndham St., Guelph
Wellington Cty - Ontario Works	129 Wyndham St., Guelph
Guelph Civic Museum	6 Dublin St., S., Guelph
Separate School Board - Lourdes	54 Westmount Rd., Guelph
Puslinch Municipal Office	7404 Wellington Rd 34, Aberfoyle, RR3 Guelph
Wellington County - Garage Aberfoyle	7396 Wellington Road 34, Guelph
UGDSB - Aberfoyle Public School	16 Old Brock Rd., Guelph, ON N1H 6H9
Wellington County - Garage Central	7468 Wellington Road 51, Guelph
UGDSB - Ponsonby Public School	5923 Wellington Rd 7, RR#5 Guelph
Conestoga College Guelph	460 Speedvale Ave W., Guelph
Separate School Board - Bishop Macdonnell	200 Clair Rd., W., Guelph
Police HQ - New HQ	160 Clair Road W., Guelph
St. Pauls School - Guelph	182 Clairfields Dr., E., Guelph
Wellington Terrace NH	474 Wellington Rd #18, Fergus
Wellington County - Fergus Library	190 St. Andrew Street West, Fergus
Victoria Park Seniors Centre	150 Albert St., W., Fergus
UGDSB - Centre Wellington HS	905 Scotland St., Fergus
Wellington Cty Museum	0536 Wellington Rd. 18, Fergus
Wellington Cty - Museum	0536 Wellington Rd. 18, Fergus

From: R GRAY

Sent: December 1, 2012 12:05 PM

To: Clerks

Subject: Motorcycle Noise.

Hi. I have been made aware of a report being made for the Operations Transit and Emergency Committee by Mr Godfrey and would like to make some comments regarding motorcycle noise. I have been involved in the repair and maintenance as well as a keen motorcyclist for 50 years culminating in being an Auto Mechanic instructor for 23 years. In the era of protecting the environment I think that reducing environmental noise has to be one of the priorities. I live on a main artery road and vehicle noise especially motorcycles has become increasingly annoying over the past 10 years. A close second to that is pick up trucks and large tractor trailers who insist on using Jake Brakes to slow down within the city.

The excuse to having a noisy motorcycle is that it is safer because other traffic is made more aware of their presence is utter rubbish. If this were true then loud motorcycles should have there exhausts facing forward to or approaching traffic. If you were to ask these riders to wear a fluorescent jacket as a way of becoming more noticeable as is now becoming the law in some countries in Europe they would scoff at such a proposal. As far as testing for noise is concerned there are various ways for that as used by manufacturers and Federal Agencies before a motorcycle is allowed to be sold in the Canada. There is also the fact there is a visual stamp on all motorcycle exhausts to identify it as conforming to federal standards. Lets follow the example of other city's to get Guelph a little quieter.

Regards.

Raymond Gray.

To city Council and Transit and City Services Committee Dec 3 2012

Subject : Proposed By laws regulating Motorcycle Noise

I have presented many communications to the City and had discussions with Doug Godfrey on this matter the proposal in any form I find disturbing and concerning from many fronts:

The communities which have enacted similar type bylaws using decibel reading equipment are heading down a slippery slope. Edmonton has experienced cases dismissed in court when challenged due to the equipment, and methods proposed. This case law is now available to motorcycle communities across the country.

There are laws in place already to deal with excessive noise or illegal exhaust by vehicles including motorcycles in place note Oakville whom asked the province to include decibel reading in the HTA was told by the ministry no as this area is covered already.

This bylaw in regards to motorcycles profiles them.

Consultation was done with the moped industry and one motorcycle organization that are not qualified motorcycle mechanics that understand all issues around engine displacement. The organization discussed with is only considering the lesser of evils rather than cyclists

Mopeds do not equate in this discussion they have no noise and for that as well as other reasons are much less safe to ride than a proper motorcycle

All Common sense factors and skilled Motorcyclists know that all means possible to maintain awareness around the rider lights and sound protects the rider. Any other statement is ridiculous and only comes from riders whom clearly are inexperienced and lucky so far.

A 900 CC sport bike will emit almost nil decibel reading at even 10000 rpm but can shift and rev anywhere up to 16000 rpm where the level will certainly exceed such suggestions.

There is also the underlying concern that this will be an identifiable CHECKPOINT issue resulting in unnecessary detain of bikes on summer days where motorcyclists are simply enjoying their time. This already occurs with a contentious law that exists re handlebar height currently being challenged and other provinces have already removed

Modern motorcycles fuel injected cannot run without baffles without harming engines and destroying performance.

What do you do with bikes built pre mid 80's that have what was a stock exhaust that exceed the decibel reading?

What do you do with out of town visitors to Guelph on bikes whom have no way of knowing this bylaw?

To those whom go out of there way CLEARLY to offend their neighbours apply what exists to deal with it. Bylaws serve one purpose to pit neighbour against neighbour i.e. The articles written in paper where

because one neighbour has ppl next door that ride bikes or have a vintage car. This one I know the guy goes out with a blow horn when ppl even drive on the street period .

By laws are often enacted to provide consoling to the smallest few something I have always found very questionable to begin with . This one don't forget the paper reported it was from TWO ppl coming to council ? I read the other day that a proposal for a nuisance bylaw because a few ppl were opposed is going to be looked at . This one is also VERY disturbing as it has some hidden issues in there about private parties that I find offensive where it seems that a shortcut is being undertaken to deal with issues whether a real problem or not . Discretion does not work when applying losses of freedom.

The fiction that somehow factory exhaust cannot fail a reading . Anyone knows there are brands of motorcycles stock legal that have failed this test . I saw it

The illusion that somehow having a free period where your bike is shown to be loud you will be given time to change exhaust ? Why would someone change something in place that gives them sense of safety? Are they being asked to change something on a vintage bike ie mid 80's that is unavailable ?

The volunteer test system

This whole concept is a waste of time and tax payers dollars . Deal with the small minority for a REAL issue not the I heart a bike 5 miles away and it disturbs my tranquility . These ones you will never satisfy until there is not a motor vehicle left on the road . I have heard that the challenges were looked into in Edmonton and not felt to be a problem . This I assure you is larger than you think as in most bylaw charges the expectation is that people will just pay it rather than show to avoid lost wages or fear of extra charges added on . This one can result in a motorcyclist's safety being put at risk and or high mechanical costs and parts to try to change his bike if that in fact is an option

Doak McCraney