File No.: 04-1000-20-2025-249

May 1, 2025

s.22(1)

Dear s.22(1)

Re: **Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of April 24, 2025 under the ***Freedom of Information and Protection of Privacy Act*** for:

> **Records showing how the City's By-Law officers enforce noise violations, including issuing work orders, fines, or referrals to the City's Prosecutor's Office. Date range: January 1, 2024 to March 31, 2025.**

All responsive records are attached. Some information in the records has been severed (blacked out) under s.22(1) of the Act. You can read or download this section here: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00.

Please note that the Manager of Property Use Inspections has advised our office that the Property Use Inspections Branch follows a progressive enforcement model, beginning with community education and encouraging voluntary compliance on a case-by-case basis. When voluntary compliance is not achieved, staff escalate enforcement through formal measures, such as issuing letters, orders, or referring the matter to the City Prosecutor with a request to approve charges under the applicable By-law(s). To view the current consolidated Noise Control By-law, please visit: https://vancouver.ca/your-government/noise-control-bylaw.aspx.

Under Part 5 of the Act, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (2025-249); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,

[Signed by Cobi Falconer]

Cobi Falconer, MAS, MLIS, CIPP/C
Director, Access to Information & Privacy

If you have any questions, please email us at foi@vancouver.ca and we will respond to you as soon as possible. You may also contact 3-1-1 (604-873-7000) if you require accommodation or do not have access to email.

Encl. (Response package)

:pm

CITY OF VANCOUVER

COMMUNITY SERVICES GROUP
Licences and Inspections
Inspections

Property Use Noise Measurement Report

Noise Control By-Law 6555

Primary Address _____ IR: _____ EN: _____

Date of Measurement _____ Measured By: _____

Address of Sound Source _____ Noise Zone: □ Activity □ Intermediate □ Quiet

Address of Recipient _____ Noise Zone: □ Activity □ Intermediate □ Quiet

Weather Conditions: □ Sunny □ Cloudy □ Overcast □ Ground Wet □ Other _____

Temperature: _____ Wind Velocity: _____ Time Taken: _____

Wind Screen: □ Yes □ No Windmeter: □ Yes □ No Other/Note : _____

Calibration/Battery Checks : □ Before: Time _____ □ After :Time _____ □ Every Hr:Time _____
□ Pass (114.0) □ Pass □ Pass

Description of Instrumentation:

	Kit #	Make	Model #	ANSI Type	Serial #	Last Certified
Sound Level Meter		Quest	2200	2		
Sound Level Calibrator		Quest	QC-10	N/A		

Description of Sound Source: □ Continuous □ Non-Continuous □ Mechanical □ Construction
□ Amplified □ Non-Amplified □ Other _____

Description of Duty Cycle: (If applicable) _____ Relevant By-Law section(s) _____

Description and Location of Background Sounds: (Fairly Constant in Nature) _____

_____

Description and Location of Extraneous Sounds: (Intermittent in Nature and Not from Source Facility) _____

_____

Measurement of Background Sound:

Start Time Finish	Reading (dBA/dBC)	Type of Residual (Source Off, Walkaway, Behind Barrier, Similar Neighborhood)	Measurement Location

Measurement of Total Sound:

Start Time Finish	Reading (dBA/dBC)	Duration (min)	Corrected Source Level	Measurement Location

Findings/Comments: _____

_____

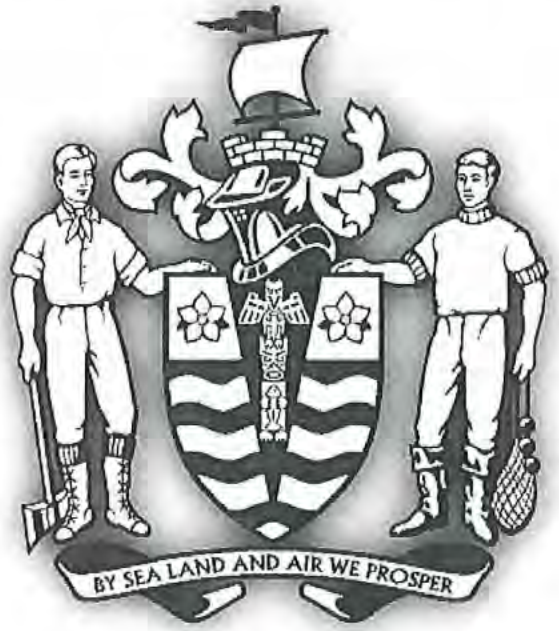
_____

COMMUNITY NOISE ENFORCEMENT

JUNE 2013

RUTGERS
THE STATE UNIVERSITY
OF NEW JERSEY
NOISE TECHNICAL ASSISTANCE CENTER
DEPARTMENT OF ENVIRONMENTAL SCIENCES

COMMUNITY NOISE ENFORCEMENT



A manual to accompany the certification course:
"Community Noise Enforcement."
The certification conferred by this course is recognized in jurisdictions throughout the United States and internationally.

Editor
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Director, Rutgers Noise Technical Assistance Center

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Rutgers, The State University of New Jersey
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Vancouver
June 2013

1) BACKGROUND - STEADY NOISE IN THE ENVIRONMENT

2) EXTRANEOUS - SPIKES OF NOISE NOT NORMAL TO BACKGROUND NOISE + SHOULD BE TAKEN OUT OF ULTIMATE READING.

TABLE OF CONTENTS

VANCOUVER - 2013

Introduction

Unregulated sources of noise can have impacts far beyond the obvious transitory nuisance, and complainants may be enduring more than simple annoyance. Exposure to loud noise has been shown to result in uncontrollable stress which can result in alterations in mood as well as hormonal and nervous system changes in healthy subjects (Brier, 1987; Babish, 2003). A lack of control over noise results in a variety of neurobiological and behavioral alterations, a phenomenon known as "learned helplessness" (Brier, 1987). It has been demonstrated that blood pressure is reproducibly elevated in response to intermittent loud noise (Sawada, 1993). The noxious stimulus of noise has been used as a laboratory model for producing stress because it results in the same biological and physiological responses as other stressors (Suter, 1992). Noise has been clearly implicated in sleep disturbance (Lukas, 1977), resulting in a cascade of negative effects (WHO, 2009). The stress, tension and fatigue associated with long-term exposure to noise has destroyed marriages, cost people their jobs and forced other people to sell their houses at significant losses (RNTAC, 1991-2013).

In 1974, the United States Environmental Protection Agency estimated that nearly 100 million Americans lived in areas where the daily average noise levels exceeded its identified safe L_{dn} (Day Night Level) of 55 dB (EPA, 1974). In 1990, that estimate had risen to 138 million people (Eldred, 1990).

In a 2003 study, 23% of the population of the Netherlands, a densely populated jurisdiction similar to the urban and suburban areas of Vancouver, described themselves as "highly disturbed by noise during sleep," as compared to five years earlier when that number was 19% (WHO, 2009).

In 2005, Canada Health conducted a nation-wide survey and asked: "over the past 12 months or so, when you are at home, are you bothered, disturbed or annoyed by noise from outside your home?" In their sample of 5,232 individuals, 23.7% responded that they were moderately, very or extremely annoyed (Michaud, 2005).

While most enforcement officers may have no jurisdiction over noise sources such as aircraft, road noise and railroads, we can still improve the quality of life for complainants who are exposed to a whole range of noise sources. It is equally as important to educate the regulated community as to what their legal responsibilities are. Once it has been demonstrated that a noise source is not in compliance with the applicable by-law, there exists significant leverage to gain compliance.

The course "Community Noise Enforcement," and this manual by the same name, have been designed to aid enforcement officers, the regulated community and noise consultants to gain a clear understanding of applicable noise ordinance, and the

requirements for their proper enforcement. They are both geared towards real-world enforcement situations, and the possible tactics that might be used to challenge the validity of an enforcement action. Attention to detail is vital.

The certification conferred by this course is required of all enforcement officers in the State of New Jersey, and is also recognized in jurisdictions across the entire United States and internationally.

We sincerely appreciate this opportunity to assist you in bringing a better quality of life to the residents of the beautiful city of Vancouver.

Eric M. Zwerling, M.S., INCE, ASA
Director, Rutgers Noise Technical Assistance Center

Babisch, W. 2003. Stress hormones in the research on cardiovascular effects of noise. Noise & Health, 5 (18):1-11

Breier, A., A. Margot, D. Pickar, et al. 1987. Controllable and Uncontrollable Stress in Humans: Alterations in Mood and Neuroendocrine and Psychophysiological Function. Am. J. Psychiatry 144:1419-1425.

Eldred, K. M. 1990. Noise at the Year 2000. In: Berglund, B. and Lindvall, T., eds. *Noise as a Public Health Problem*, Vol 5, Swedish Council for Building Research, Stockholm.

EPA, 1974. Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety. EPA 550/9-74-004, U.S. EPA, Washington, D.C.

Lukas, J. 1977. Measures of Noise Level: Their Relative Accuracy in Predicting Objective and Subjective Responses to Noise During Sleep. USEPA Report No. 600/1-77-010. February 1977.

Michaud, D, S. Keith, D. McMurchy. 2005. Noise Annoyance in Canada. Noise Health 7:39-47

Rutgers Noise Technical Assistance Center (RNTAC) 1991-2013. Personal communications received between 1991-2007 at the Rutgers Noise Technical Assistance Center.

Sawada, Yukihiro. 1993. Reproducible increases in blood pressure during intermittent noise exposure: underlying haemodynamic mechanisms specific to passive coping. Eur. J. Appl. Physiol. 67:367-374.

Suter, A. 1992. Noise Sources and Effects. Sound and Vibration. V.26. Jan., 18-38.

World Health Organization. 2009. Night Noise Guidelines for Europe. Copenhagen, Denmark.

ASSORTED NOISE IMPACTS

NOISE PRODUCES ELEVATED BLOOD PRESSURE, FASTER HEART RATES AND INCREASED NEUROENDOCRINE HORMONE LEVELS

NOISE HAS BEEN USED BY THE PHARMACEUTICAL INDUSTRY TO INDUCE STRESS FOR DRUG TRIALS

NOISE CAN CAUSE REGULAR AND PREDICTABLE STRESS ON THE HUMAN BODY

PERCEIVED LACK OF CONTROL - THE "LEARNED HELPLESSNESS" SYNDROME

PEOPLE DO NOT GET USED TO NOISE - THE BODY CONTINUES TO REACT

NOISE EFFECTS THE QUANTITY AND QUALITY OF SLEEP

WHEN SLEEP IS DISTURBED, WORK EFFICIENCY AND HEALTH MAY SUFFER

NOISE MAY AGGRAVATE EXISTING DISEASE

THE SICK AND ELDERLY ARE MORE SENSITIVE TO DISRUPTIVE NOISE

THE FETUS IS NOT FULLY PROTECTED FROM NOISE

NOISE DISRUPTS THE EDUCATIONAL PROCESS & HINDERS LANGUAGE DEVELOPMENT

NOISE CAN OBSCURE WARNING SIGNALS, CAUSING ACCIDENTS TO HAPPEN

NOISE INTERFERES WITH CONVERSATION AND SOCIAL INTERACTION

NOISE DISRUPTS THE PEACEABLE ENJOYMENT OF ONE'S PRIVATE PROPERTY

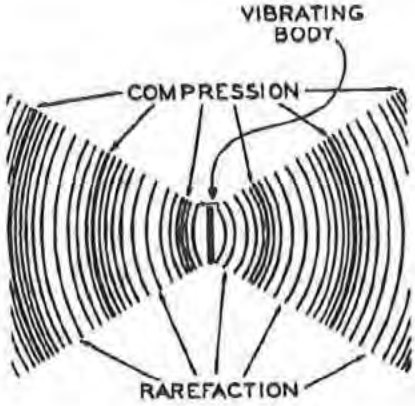
NOISE CAN CAUSE EXTREME EMOTIONS AND BEHAVIOR

ANTI-SOCIAL BEHAVIOR CAUSED BY NOISE MAY BE MORE PREVALENT THAN IS REALIZED

THERE ARE DOCUMENTED CASES OF NOISE-INDUCED ARSON - ASSAULT - MURDER - SUICIDE

SOUND

Sound waves are a series of compressions and rarefactions within a medium

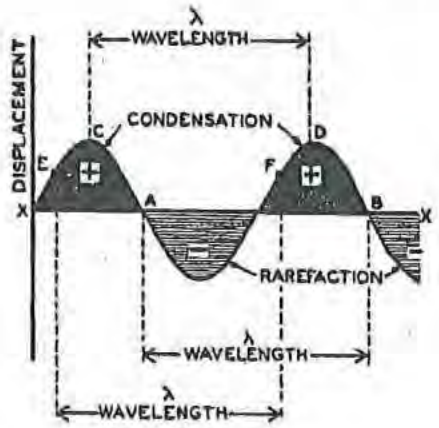


Propagation of a sound wave due to a vibrating body

NOISE

Occurs when these sound waves reach a sensitized receptor

PROPERTIES OF SOUND



Displacement-time graph of a sound wave

INTENSITY

The bigger the compression,
the larger the amplitude,
the more the energy,
the 'louder' it is.

dB- Decibel
The unit of measure and reporting

The decibel scale is logarithmic,
3 dB = a doubling of intensity.
However,
10 dB = a doubling of perceived loudness
(6 dB at the lowest frequencies).

$$SPL\ (dB) = 20 \log_{10} P_{Measured}/P_{Reference}$$

The average threshold of human perception
is 20 micropascals (μPa) or 0.0002 microbar
-this is set as the reference number-

Therefore,
0 (zero) decibels is the average threshold of human hearing,
not the absence of sound pressure.

0 dB threshold of hearing - - - 130,140 dB threshold of pain

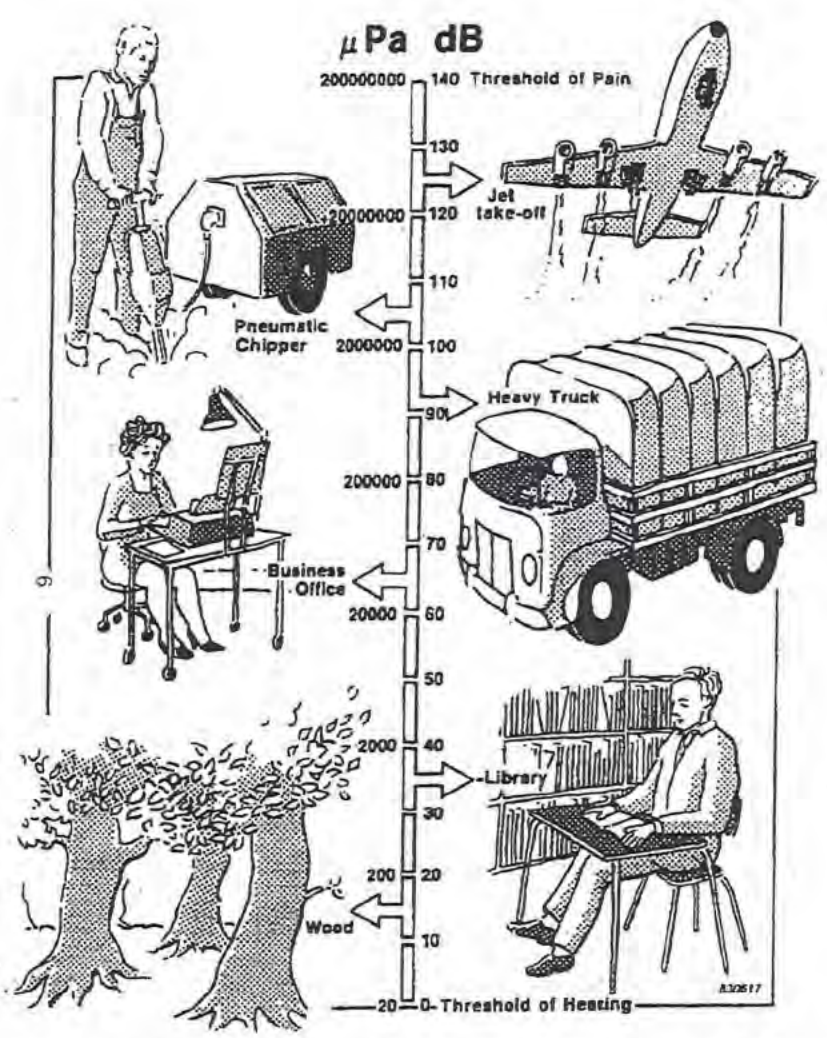


Fig. 5–3. Examples of some typical sound levels, expressed in micropascals on the left side of the scale and decibels on the right. (From Bruel & Kjaer, 1984, reproduced with permission.)

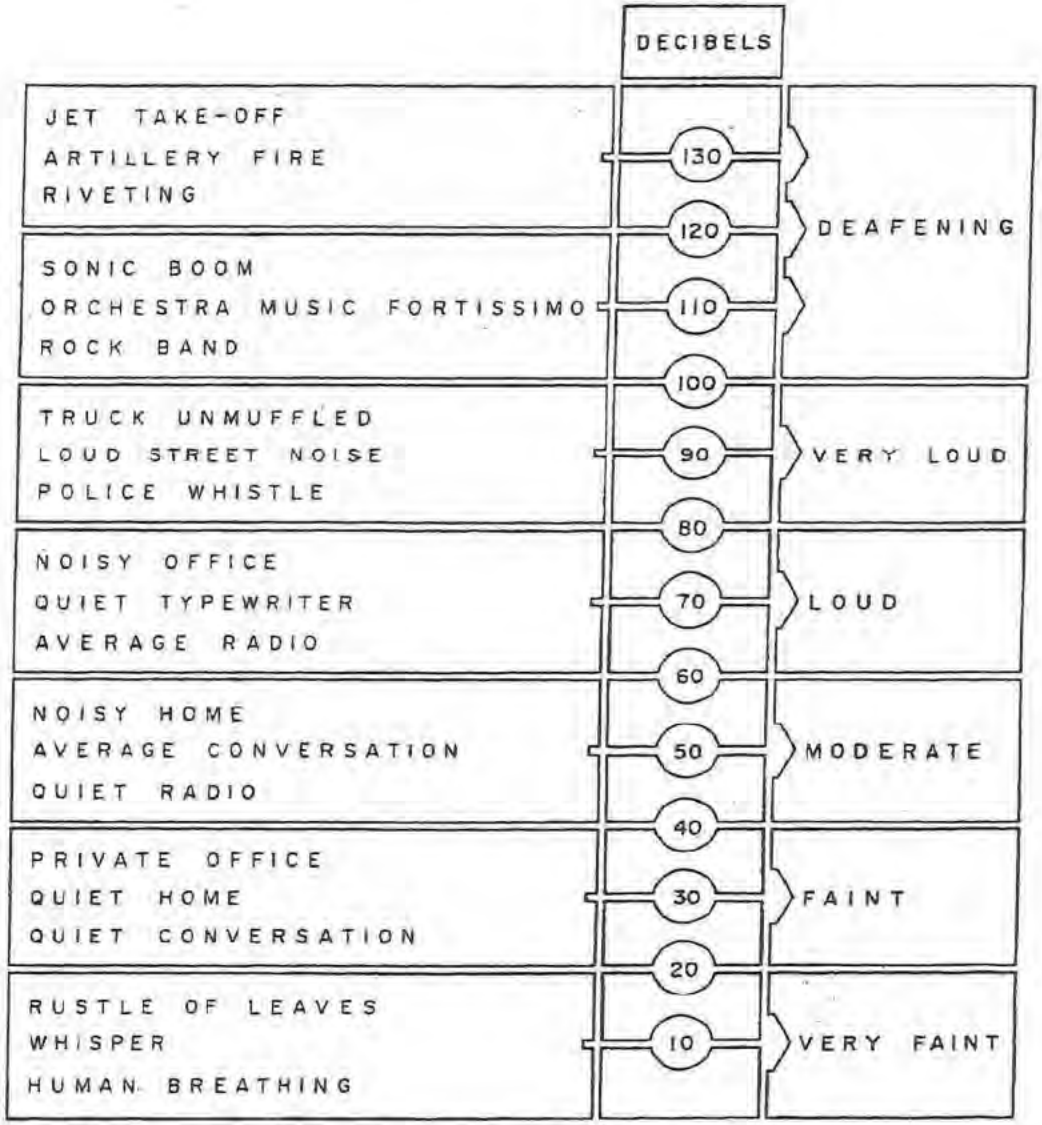


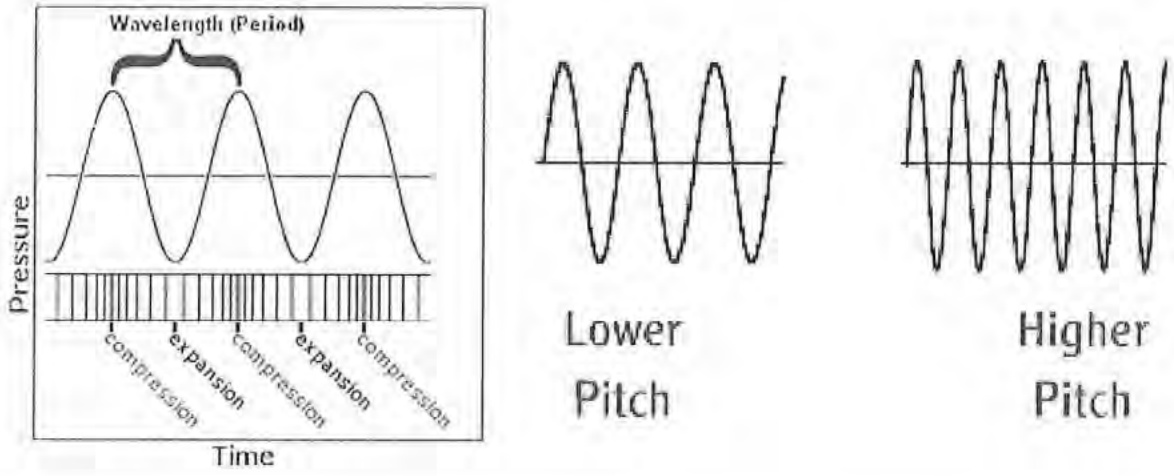
Fig. 3.5 Sound pressure levels of representative sounds and noises.

PROPERTIES OF SOUND
FREQUENCY (PITCH)

Unit of Measure
Hertz (Hz) – cycles per second

Range of Human Hearing – 20 Hz to 20,000 Hz

Humans are most sensitive to 1000 Hz to 4000 Hz



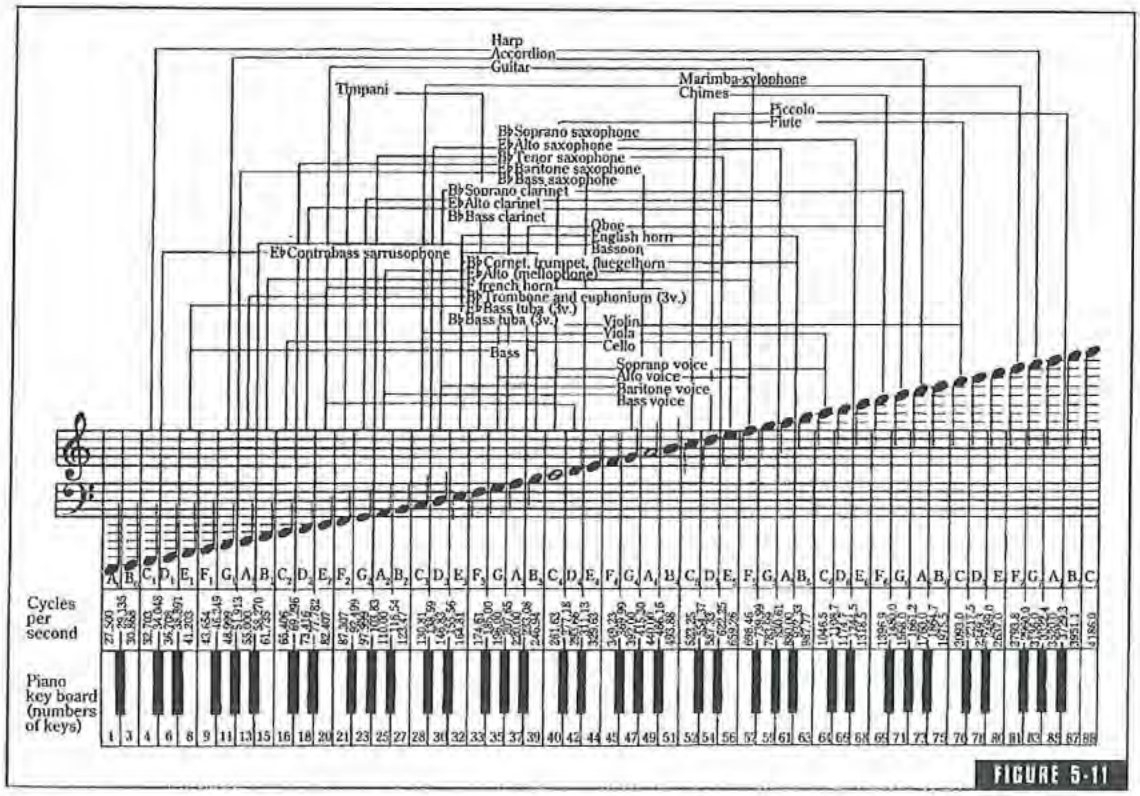


FIGURE 5-11

The audible frequency range of various musical instruments and voices. Only the fundamental tones are included; the partials go much higher. The very low piano and organ notes are perceived largely through their partials. Not shown are the many high-frequency incidental noises produced by the instruments. ***C. G. Conn, Ltd., Oak Brook, Illinois.***

From: Master Handbook of Acoustics. F. A. Everest. McGraw Hill 2001.

FREQUENCIES, HUMAN RESPONSE AND WEIGHTING SCALES

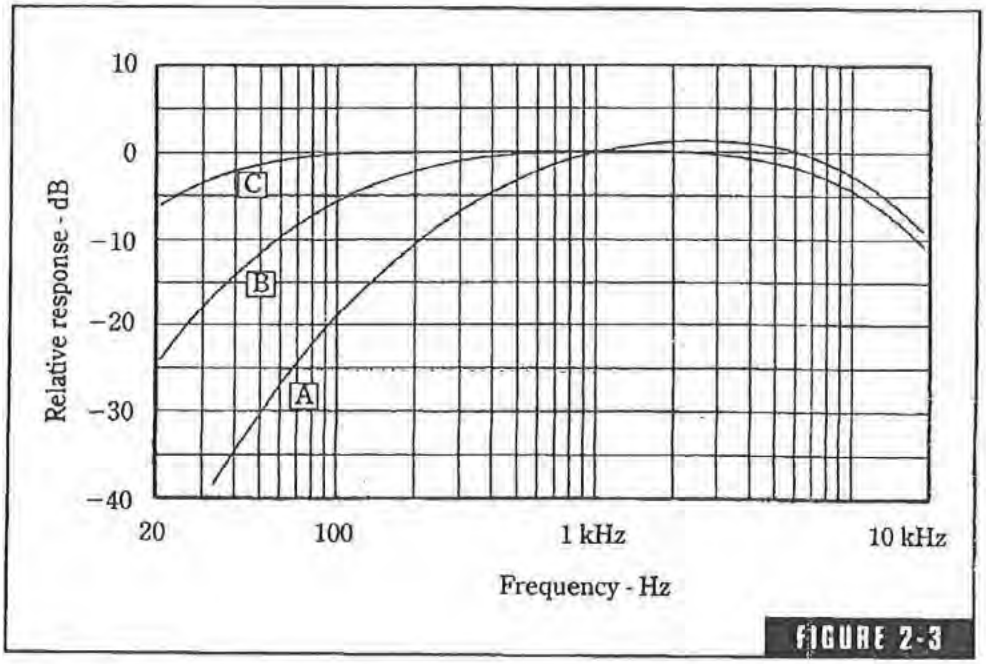


FIGURE 2-3

A, B, and C weighting response characteristics for sound level meters. (ANSI S1 .4-1971.)

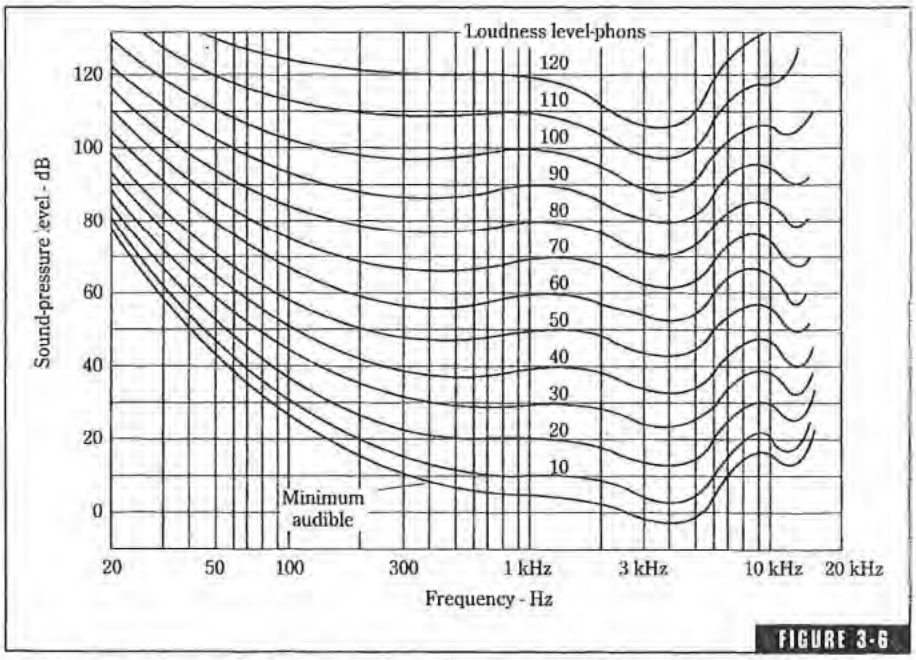


FIGURE 3-6

Equal-loudness contours of the human ear. These contours reveal the relative lack of sensitivity of the ear to bass tones, especially at lower sound levels. Inverting these curves give the frequency response of the ear in terms of loudness level. (After Robinson and Dadson.[8])

From: Master Handbook of Acoustics. F.A. Everest. McGraw-Hill. 2001.

The A-scale (dBA) is a weighting system which approximates human perception to sounds of moderate intensity. The A-scale discriminates against low frequencies. While humans are relatively insensitive to low frequency sound at low intensities, we are much more sensitive to those same low frequencies at higher intensities – when they are highly amplified.

Conversion of Sound Levels from Unweighted Sound Pressure (flat or Z-scale response) to A- and C-scale Weighting

1/3 and 1/1 Octave Bands

Frequency (Hz)	A Weighting (dB)	C Weighting (dB)
10	-70.4	-14.3
12.5	-63.4	-11.2
16*	**-56.7**	**-8.5**
20	-50.5	-6.2
25	-44.7	-4.4
31.5	**-39.4**	**-3.0**
40	-34.6	-2.0
50	-30.2	-1.3
63	**-26.2**	**-0.8**
80	-22.5	-0.5
100	-19.1	-0.3
125	**-16.1**	**-0.2**
160	-13.4	-0.1
200	-10.9	0
250	**-8.6**	**0**
315	-6.6	0
400	-4.8	0
500	**-3.2**	**0**
630	-1.9	0
800	-0.8	0
1,000	**0**	**0**
1,250	+ 0.6	0
1,600	+ 1.0	-0.1
2,000	**+ 1.2**	**-0.2**
2,500	+ 1.3	-0.3
3,150	+ 1.2	-0.5
4,000	**+ 1.0**	**-0.8**
5,000	+ 0.5	-1.3
6,300	-0.1	-2.0
8,000	**-1.1**	**-3.0**
10,000	-2.5	-4.4
12,500	-4.3	-6.3
16,000	**-6.6**	**-8.5**
20,000	-9.3	-11.2

*Note: Center frequencies of 1/1 octave bands appear in bold.

After: The Science and Applications of Acoustics. Daniel R Raichel. Springer. 2000.

METER AND WEATHER REQUIREMENTS

A. General Instrumentation Requirements:

1. **Sound Level Meter**
   - Must meet the specifications of ANSI S1.4-1983 or its successor
   - Type II (General Purpose) or Type I (Precision)

2. **Sound Level Calibrator**
   - Must meet the recommendation of the sound level meter manufacturer

3. **Windscreen**
   - Must meet the recommendation of the sound level meter manufacturer
   - May be spherical or cylindrical
   - Made of foamed polyvinyl, open-celled polyurethane or silk covered grid
   - Should not distort microphone frequency response by more than:
     +/- 1.0 dBA Frequency: 20-4,000 Hz
     +/- 1.5 dBA Frequency: 4,000-10,000 Hz

4. **Wind Speed Indicator**
   - Pressure tube or rotating vane anemometer
   - Manufacturer must provide accuracy rating in MPH or percent
   - There are relatively inexpensive handheld weather meters available (ex. "Kestrel 3000 Wind Meter," [no endorsement implied]) which can quickly determine wind speed, temperature and relative humidity in the field.

B. Weather Conditions:

1. **Wind**
   - Always use windscreen. A sound level meter can misread wind pressure as sound pressure and introduce significant error. A windscreen can also provide some protection to the microphone from dust and accidental impacts.
   - Windspeed must be measured at the time and place of sound level measurements.
   - Do not take sound level measurements when the windspeed exceeds the manufacturer's recommendations for the meter and the specific windscreen employed. Generally, the limit is 12 MPH. Some manufacturers offer windscreens that can be used up to 25 MPH.

2. **Temperature**
   - At high temperatures the sensitivity of the meter can be permanently altered.
   - Low temperatures affect batteries and other electrical components
   - The meter should be calibrated when its internal temperature is close to the ambient temperature at which it will be used.
   - The ANSI standard states that measurements may not be taken when the ambient temperature is below 14°F or above 122°F .

3. **Humidity**
   - Most sound level meters can be operated up to 90-95% relative humidity.
   - Condensation can cause arcing which results in false readings. The error is not subtle, and will be obvious.

4. **Precipitation**
   - Measurements should not be taken under any condition which allows the meter to become wet, such as rain, snow or condensation, unless specifically equipped to do so.
   - Even if your jurisdiction's code does not prohibit measurements during precipitation, do not use the meter beyond the parameters recommended by the manufacturer (fog, rain, snow). If these parameters are met, readings may be taken while protecting the meter and the microphone. All readings must be taken in a similar manner.
   - Instruments are not waterproof. Waterproof housings are available for some units from the manufacturer for the meter and the microphone.
   - The ambient sound levels are significantly higher when it's raining down on horizontal sheet metal surfaces such as automobiles and air conditioners.
   - Wet pavement can cause higher sound level readings (tires, etc.).

5. **Electromagnetic Fields**
   - Do not take readings immediately next to electrical transformers, radio or television transmission towers, or power lines, unless the manufacturer states that the meter is properly shielded. These may contribute to internal electrical noise of the sound level meter.

KNOW YOUR METER.
READ YOUR MANUAL.

ALWAYS ASSUME THAT COUNSEL FOR THE DEFENSE HAS.

1. **Is a warm-up period required for the meter and the calibrator?**

- Older meters may require a warm-up period of up to 30 seconds.
- Newer meters usually require at most a five second warm-up.

2. **What scale must you employ for calibration?**

- Newer meters generally specify calibration on the A-scale.

3. **At what angle should you hold the microphone with relationship to the sound source?**

- The angle is specific to the microphone, and some meters can be supplied with a range of microphones.

4. **What is the stated accuracy of your meter?**

- ANSI S1.4-1983 specifies that a Type I meter should have an accuracy of +/- 1 dB or better, and a Type II meter should have an accuracy of +/-2 dB or better.
- Newer meters often exceed ANSI standards.
- Know that in court it may be assumed that the meter is reading high, at the maximum of the accuracy range. Take this into consideration when determining whether to proceed to prosecution.

5. **Octave Band Analysis**

- Does your meter automatically reset to "linear, "flat," or "Z-scale" when you engage the octave filter? Some do not, and if you do not manually select unweighted measurements, you may be taking A-weighted octave band sound pressure level measurements. These measurements can not then be used for enforcement purposes, without correction.
- Conversely, if necessary, make sure to reset your meter for A-weighting when returning to broadband measurements. Otherwise, you will be taking unweighted broadband measurements which will be unusable for enforcement purposes.

LEQ - AVERAGE LEVEL

CALCULATING SOURCE SOUND LEVELS

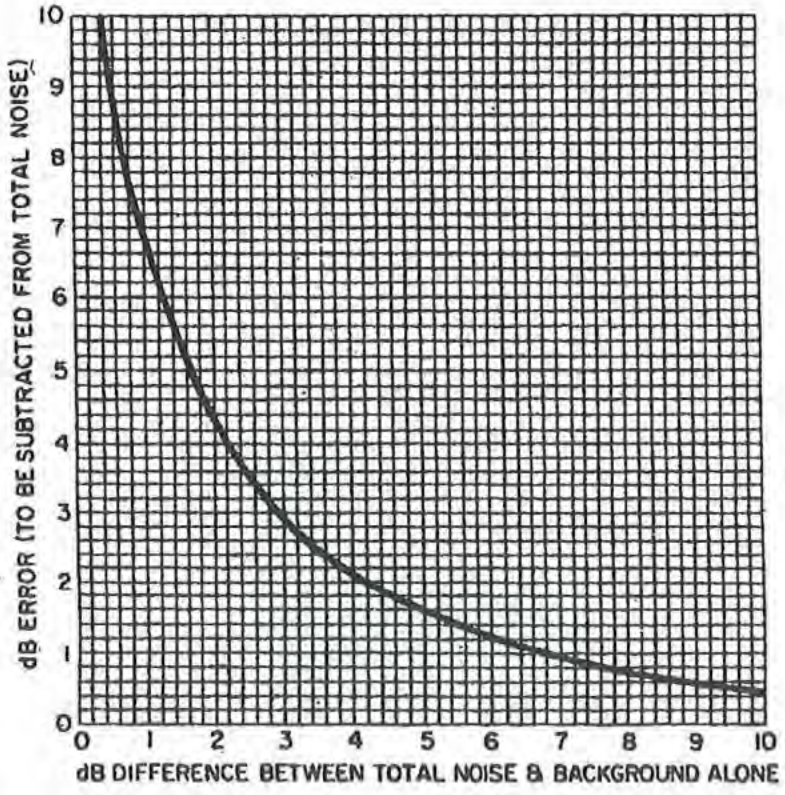
How do you subtract out the ambient (background) sound?

Table 1
Correction for Background Noise Levels in Decibels

Difference Between Total Sound Level and Background Noise Level (in dB)	Correction Factor to Be Subtracted From Total Level to Calculate Source Level
0-2	Source < Background, therefor unenforceable
3	3 (but source would equal NR)
4,5	2
6-9	1
10 or more	0

Adapted from:

Handbook of Environmental Acoustics. James P. Cowan, 1994.
Van Nostrand Reinhold, New York. ISBN 0-442-01644-1



From: Handbook of Noise Measurement. Arnold P.G. Peterson. 1980. GenRad, Concord, MA.

CALIBRATE ONCE/HR.

CALCULATING SOURCE SOUND LEVELS

Total Sound Level - Background Sound Level = Corrected Source Sound Level

City of Vancouver

When you're in the field, you take two types of measurements: ***background*** and ***total***. From these measurements you have to *calculate* the source sound level. The potential violation is based solely on the level of noise being emitted from a specific activity; you can't fine someone because they 're operating in a noisy neighborhood. Yet, you can't directly measure the sound level from the activity in question. That's why you have to subtract the background from the total to determine the source sound level.

Here's how it's done:

1. Subtract the background level from the total noise level. (total - background = "X").
2. Using Table I on the previous page, find "X" in the left hand column.
3. Match "X" to a number in the right hand column.
4. Subtract the number in the right hand column from the total noise level.
5. The number you now have is called the *CORRECTED (SOURCE) LEVEL*, and this is the number that you record on the Noise Report Form.

Example A

1. You have a total noise level of 69 dBA, and a background level of 63 dBA.

2. 69 dBA - 63 dBA = **6** dB. This is "X", the number you look for in Table I, left column.

3. 6 dB in the left column gives you 1 dB in the right column.

4. Subtract 1.0 dB from the TOTAL SOUND LEVEL to get the CORRECTED SOURCE SOUND LEVEL.

   69 dBA - 1 dB = 68 dBA **the CORRECTED SOURCE LEVEL **

Example B

1. After measuring the background sound level decide which sample set you want to use as your background. Usually, a source-off measurement is used if possible.

   Example: 56 dBA Leq
   55 dBA
   57 dBA CHOOSE THIS ONE (THE HIGHER BACKGROUND W/O ANY EXTRANEOUS LEVEL

(Continued)

- CALIBRATE BETWEEN 50-120 LEVEL @ SPL
* MORE THAN ½ A DECIBAL DIFFERENCE BEFORE & AFTER READINGS, THEN THAT READING IS NOT TO BE TAKEN

CALCULATING SOURCE SOUND LEVELS

(Continued)

Now, remember - you must use the higher number in a background set, so the number that you'll use for all further calculations is 57 dBA

BACKGROUND = 57 dBA

2. You will have a series of total sound measurements taken while the sound source is on, at the "point of reception," or some other location dictated by the code.. Let's say one reading period gives you a total level of 64 dBA.

3. To determine the corrected source level, perform the subtraction: 64 dBA - 57 dBA = 7 dB. Look at Table I, and you'll see that 7 dBA in the left column gives you 1 dBA in the right column.

64 dBA - 1 dBA = 63 dBA THIS IS THE CORRECTED SOURCE LEVEL

This is what is reported on the Noise Measurement Report, and compared to the permissible limits.

Example C:

Background 62 dBA
64 ←
63

TOTAL	CALCULATION	CORRECTED SOURCE SOUND LEVEL (dBA)
69 dBA	69-64 = 5	69 - 2 = 67
71	71-64 = 7	71 - 1 = 70
77	77-64 = 13	77
67	67-64 = 3	-- (Unenforceable)

IMPORTANT NOTES:

1) If "X" is 10 dB or greater, THEN NO CORRECTION IS NECESSARY. TOTAL = SOURCE.

2) If "X" is less than 3 dB, it means that the source sound level is at or below the background level. Many jurisdictions simply write "U.E." (unenforceable), or "–", or simply leave it blank.

3) *Do not include* your calculations to find "X" on your report form.
Do include any calculations, if necessary, for arriving at the corrected source.

SEE SAMPLE REPORT FORMS

BACKGROUND NOISE[1] LEVELS
Vancouver

There are two critical reasons you need to accurately determine the Background Noise Levels (BNL).

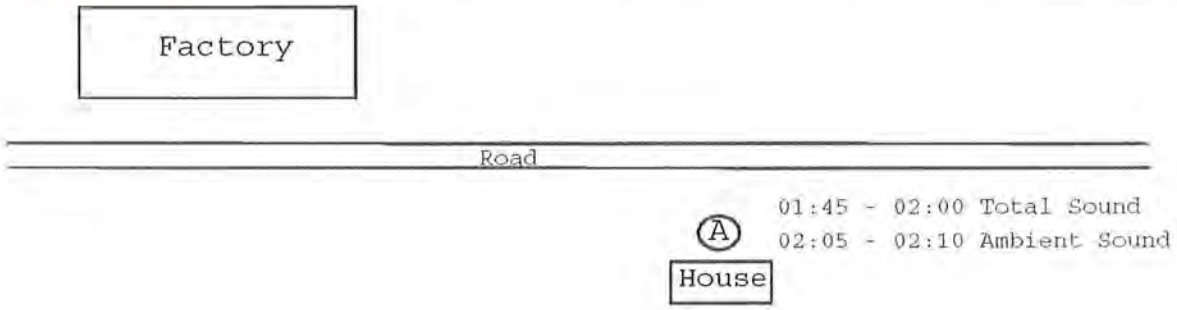
- You must determine the Source Sound Level of the source under investigation and almost every sound source you will investigate occurs within a complex acoustical environment. The Source Sound Level can only be calculated when the Background Noise Level is known.
- When investigating extended hours liquor establishments (6555.11E) the Permissible Noise Limit (PNL) is set relative to the BNL; accurate quantification of the BNL is critical.

Your goal is to isolate and quantify the sound levels of the sound source, alone. In order to accomplish that, you must accurately assess and measure the BNL, which is the sound level of all the sound sources that are relatively constant when observed from the location at which you conduct the compliance measurements (whether that is at the property line of a bar or at the property line of a complainant). The BNL excludes sound from the source under investigation, as well as extraneous sounds which are relatively intense and of short duration (such as airplanes, unmuffled vehicles, etc.).

While taking your measurements, you have to note which sounds constitute the BNL, and which are to be classified as extraneous. Remember, the only BNL sounds that matter are those impacting on the precise location at which you are measuring the source sound level (Total Sound Levels). It doesn't matter whether there's an active cement plant three blocks over if you can't hear it on the complainant's property.

BACKGROUND NOISE MEASUREMENT METHODS

SOURCE OFF measurements are obviously the truest measure of the BNL. The approach is simple: you take a measurement of the sound levels when the sound source under investigation is



not operating, at the same location at which the Total Sound Level measurements were conducted.

Source-off (SO) measurements are always preferable to any other method. Many strategies can be employed to collect such data:

[1] As a simple matter of semantics, there is a difference between sound and noise, the latter term generally refers to that which is unwanted, excess or legally violative. While the terms sound and noise may be used interchangeably in the By-law and this text, the distinction should be noted. The By-law defines and refers to "background noise".

- Very simply, ask the source to terminate operations for a few minutes.

- If you know the hours of operation of the source, schedule the measurements so that you can take SO measurements prior to operations or after they terminate for the day (see illustration, previous page).

- If you can discern a duty cycle for the equipment, then take BNL measurements during a low- or off-cycle period. Air compressors turn off after re-pressurizing the tank. HVAC and refrigeration equipment is often controlled by a thermostat. Once demand is satisfied, the unit throttles down or off, affording an opportunity to measure BNL. Some equipment is completely demand operated, such as a garage door opener. If possible, position yourself where you can observe the location from where the demand will arise (in this case, a view of the driveway), and be prepared to conduct your BNL and TSL measurements based upon your observations.

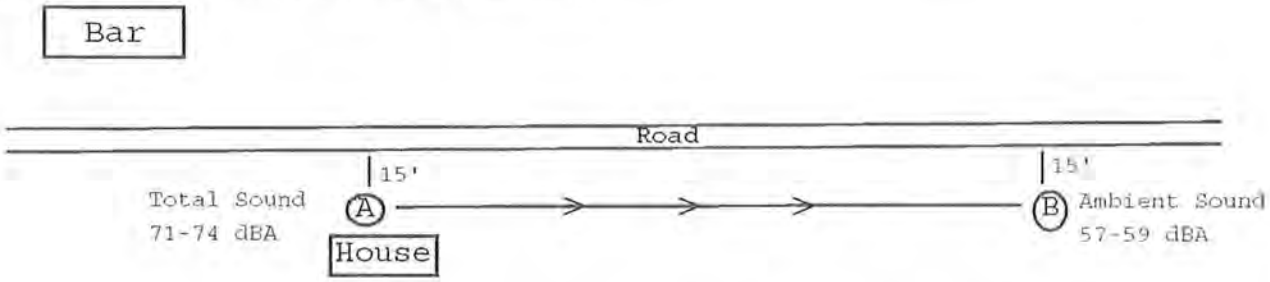
- If the duty cycle of a device is demand driven, it may be weather dependent, and thus more predictable. Any device that provides chilling or cooling may be forced to operate non-stop when the temperature and humidity are high, precluding the collection of SO data. Conversely, if the temperature and humidity are lower, the unit may occasionally cycle off providing an opportunity to collect SO data. If the investigation can wait, scheduling it based upon weather reports may well increase the possibility of SO measurements.

- A useful strategy is to ask the complainant to keep a log of their observations of the sound source and its emissions. Explain that the log will aid you, increasing the possibility of a fruitful investigation and that you need an opportunity to measure the source when it is operating at full load, and also the ambient levels when it is off. If the source is only intermittent in its operation, their records will increase the possibility that you will be there to measure it. Conversely, if the source tends to run relatively constantly, their log may allow you to predict a time when you will be able to collect SO measurements. Their records should include: their subjective evaluation of the relative sound level; day of the week; time of the day; weather conditions; and, any other conditions that they think may be relevant. These records may also assist in establishing a pattern for the purposes of prosecution. As an additional benefit, it is comforting for some complaints to participate in resolving their problem; it gives them some perceived (if not real) control over the matter.

- Sources which emit fluctuating sound levels, such as music, will usually offer short periods of time when the sound levels drop considerably. This may occur: between sets; when a song is winding down; or, a relatively quiet vocal passage in an otherwise loud instrumental piece. Remain aware and vigilant for such an opportunity and jump on it when it presents itself.

- Source sound levels may increase significantly when a door is opened regularly, or a thermostatically-controlled fan opens louvers. You may find this at facilities such as a distribution center, bar, workshop, or garage. Even if the sound source inside is audible or loud when the building is closed, the sound levels may increase to a level that is in violation when the door opens.

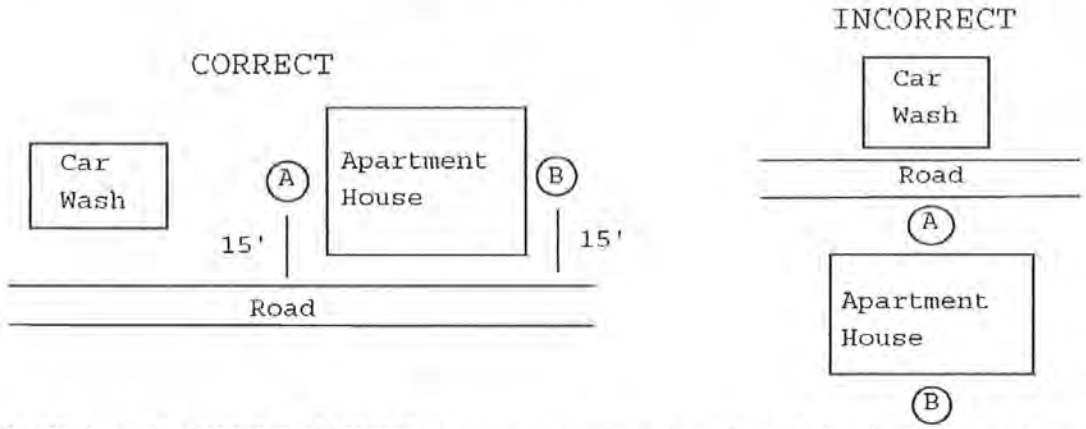
WALK AWAY measurements work if the sound source under investigation is a point source (a bar, factory, etc.), and the primary source of ambient sound is not another point source. You simply walk along the sidewalk, away from the source under investigation, remaining equidistant to the primary source of ambient sound. Walk until the sound level drops by 10 dB or more, and you can be certain that all of the Total Sound Level is due to the emissions of the source under investigation. If you walk towards a new sound source, that was not present at the location of the Total Sound Measurements, then these measurements should not be used. In the case below, the level of the source (Corrected Source Sound Level) is 74 dBA.



The choice of location of measurements (both Total and Background) should have some relation to the direction from which the complaints are being lodged.

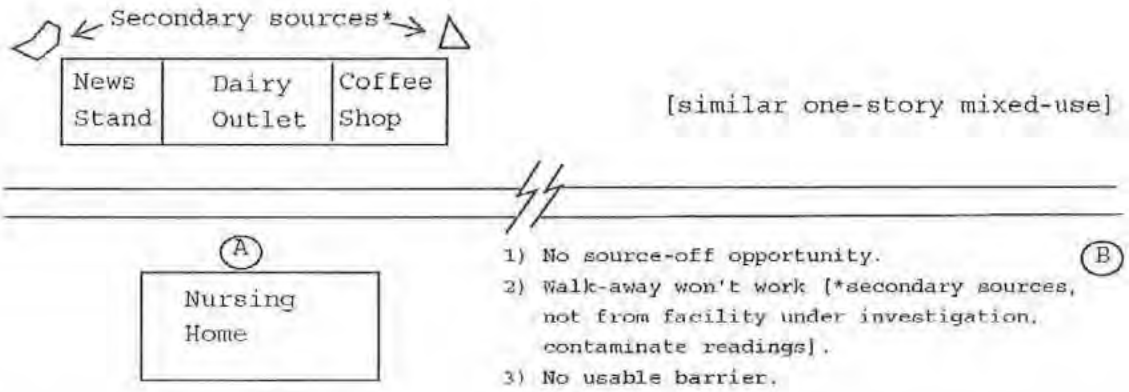
- If you are investigating an extended hours liquor establishment, the measurements are conducted "at least three metres from any exterior wall of the building" (6555.11E).
- If you are investigating the "operation of power equipment" or "beach screening equipment" the measurements are conducted "at the greater of 50 feet (15.2 metres) or a point of reception" (6555.14)
- If you are investigating the "noise emanating from a source on a street" the measurements are conducted "at the point of reception or at least 6.1 metres from the source… whichever is greater" (6555.9).
-

BEHIND BARRIER measurements work when the barrier blocks your line of sight to the source under investigation, but not to the primary source of neighborhood residual sound.

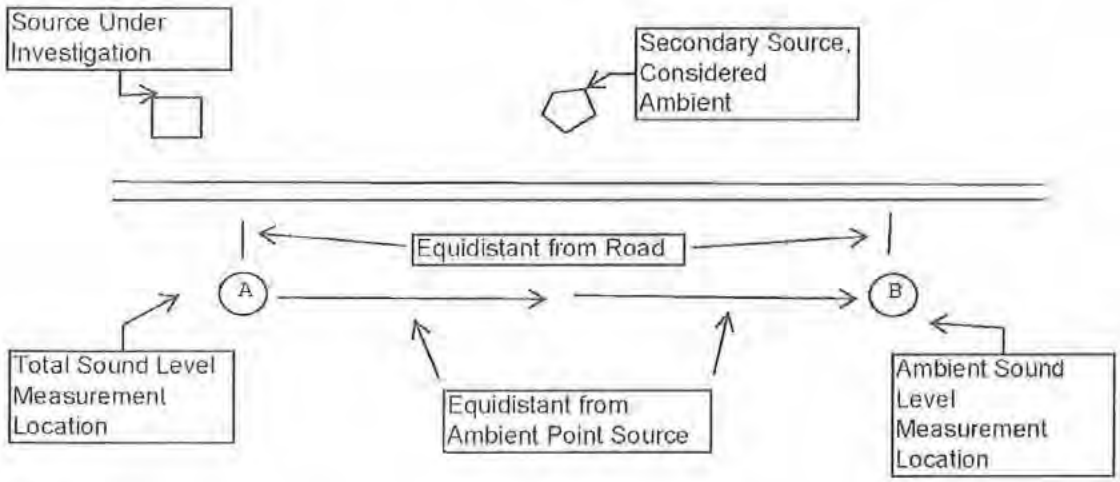


SIMILAR NEIGHBORHOOD measurements may be taken if all other methods are unsuccessful. You must make sure that you remain equidistant from the primary source of neighborhood residual sound (such as two blocks from a major road), and in an area where the makeup of the buildings is the same as in the location at the complainant's property.

[Note: these procedures are the interpretation of the Rutgers Noise Technical Assistance Center, and are not legally binding in any way whatsoever.]



What if the ambient consists of a road and another source such as a carwash, large air-handling unit or another bar in the distance? A defendant will say, "it's not me, it's them". You have to make sure you measure "them" and subtract "them" out. First, you try to get a source-off measurement, if at all possible (at Location "A" below, where you measured the source under investigation, also), maybe between duty cycles. You can do this when the refrigeration unit cycles on and off or between songs. If that's not working, then you simply go the same distance beyond that second source of ambient ("them"), on the other side, as you were at Location "A". In the illustration below, you can see that both Locations A and B are the same distance from the road and the same distance from "them". If the sound levels at Location "A" are more than 10 dBA above those at Location "B", it's certain that all the sound is from the source under investigation and not from the road or "them", because they have been measured and accounted for.



INDOORS

A strict interpretation of the Noise By-law would indicate that investigations may be conducted within the residence of a complainant, when they share a common wall, floor or ceiling with the noise source. This is based upon the By-law's definitions of "point of reception" and "premises". This, however, is just our interpretation. IF indoor measurements are conducted for enforcement purposes in Vancouver, then BNL measurements must be conducted:

- ***Source-off measurements are always preferable to any other method.***

- The sound from the source under investigation should have as little influence as possible on measurements of BNL. That does not mean, however, that the source under investigation must be completely inaudible.

- The measurement of BNL must include all ambient sounds that were present when the measurements of Total Sound were conducted. For example, if the measurements of Total Sound included traffic outside or air handling inside, then the measurements of BNL must contain these, as well. Thus, you can't use BNL measurements taken in a sheltered interior hallway if Total Sound measurements were taken in a bedroom whose single-pane windows overlook a busy street, filling the room with traffic noise.

- If a SO measurement is not possible, carefully consider what alternative location will yield acoustical conditions that are substantially the same as those at the location at which you measure the Total Sound Levels.

  If forced to choose between two poor choices – BNL measurements in a location which is too sheltered, or, BNL measurements in a location which is somewhat contaminated with sound from the source – choose the latter. You must err to the benefit of the potential violator. A higher BNL is to their benefit. That said, don't 'give away the store'.

REMEMBER

Accurate measurement of the Background Noise Level is absolutely critical In determining the sound levels emanating from the sound source under investigation, and in some cases sets the Permissible Sound Level Limit.

PROCEDURE
FOR THE COMPLETION OF
A NOISE MEASUREMENT REPORT

City of Vancouver

NOTE: The procedures outlined within this section should all be performed during an investigation, but they do not necessarily have to be performed in any given order. It is important for you to know what data must be collected for a valid investigation, and then gather that data in the order in which it presents itself during the flow of the investigation.

1. Survey the site on foot to confirm that the suspected source is the actual source (a walk-around), and to determine the best locations from which to measure neighborhood residual and background sound levels. If the suspected source is proven to be the source, draw a map of the site on the back of the report form, including the path of the walk-around, the source and the exact points of measurement.

2. Record the name and address of the property from which the sound is being emitted, including street number if possible. If the source is not a fixed property, attempt to describe it with identifying characteristics, such as license plate number, and vehicle make and model.

3. Fill in day and date of measurement

4. Fill in your name and agency

5. List the name and title of any responsible party who has been notified of the investigation. Attempt to notify a representative of the management of the facility.

6. Determine and record the property zone of both the sound source and the receptor. These zones include: Activity, Intermediate and Quiet. Keep a mental note of the permissible sound level limit that applies in your investigation.

7. Describe the noise sources under investigation, including the location of the noise source, the operation of the facility or noise source, and if this measurement represents the normal operation of the noise source. Note whether the sound emissions are continuous or non-continuous, and whether they arise from an amplified source or not. If amplified, is the source commercial or non-commercial? Is the source an extended hours liquor establishement? Do the source and the receptor share a common wall? **All of these factors influence the permissible limits** (see code).

8. Describe any background (ambient) sounds which are fairly constant, including their location. Once you have categorized a specific sound as being background you must be careful to include it in all of your measurements (see #13).

9. Describe any extraneous sound which are intermittent, intense and of short duration. These sounds are noted but are specifically excluded or ignored when taking either total or background sound level measurements.

10. Provide a description of the sound level measurement equipment being used including manufacturer, model number, serial number, and the date of last calibration.

[NOTE: these procedures are the interpretation of the Rutgers Noise Technical Assistance Center, and are not legally binding in any way whatsoever.]

11. Conduct and report the times of field calibration and battery checks, which must be before, after and at least as often as required by the jurisdiction's code. In general, it is best to calibrate every hour. Such *field calibration checks are absolutely required for a valid noise measurement form.*

12. Report whether there was precipitation or if the ground is wet. Measure and report wind velocity, with the time.

13. Measure and report background sound levels. The background sound levels may be measured by one of the following methods:

- **Source off - the preferred method**
- Walk away
- Behind barrier
- Similar neighborhood

Background sound level is measured as follows:

Background sound level measurements shall be conducted while the source under investigation is not operating, at the same location at which source sound level measurements are made. If this is not possible, background sound level measurements may be taken at an alternative location which should be as close as feasible to the location where the source sound levels are measured, but so located that the sound from the source has as little effect on the background sound level measurements as possible. The primary source of background sound must be equidistant to the location of the source sound level measurements and any alternate location for background sound level measurements. Any background sound level measurements must be made prior to or following any set of source sound level measurements.

- Determine whether the investigation is to be conducted on the A-scale or the C-scale (the C-scale can be used to investigate commercial premises with amplified and unamplified music, and extended hours liquor establishements.
- Set the meter weighting for the proper scale, A- or C-.
- Take a sound level measurement using one of the above methods.
- Note which background measurement method was used.
- Record the reading for the measurement (ex. 51.7 dBA Leq).
- Note the location of the measurement and any relevant comments.
- Record finish time.
- Determine which background measurement is to be used for the purposes of correction based on the following criteria:
  - **Source off is always to be used, if it is available**. Use the highest source off, being careful to exclude measurements that may include extraneous sounds.
  - All other background measurement methods are equivalent, and the highest is used, again, excluding any that may contain extraneous sounds.
- Circle the background level used for correction purposes on the form.

14. Measure and report the Total Noise levels.

- Determine whether the investigation is to be conducted on the A-scale or the C-scale (the C-scale can be used to investigate commercial premises with amplified and unamplified music, and extended hours liquor establishements.
- Set the meter weighting for the proper scale, A- or C-.
- Record starting time.

[NOTE: these procedures are the interpretation of the Rutgers Noise Technical Assistance Center, and are not legally binding in any way whatsoever.]

- **Make certain that you are measuring sound levels that represent the normal and usual operations of the source under investigation.** Do not include accidental impacts or the like. Be fair.
- Take several sound level measurements at the location that is appropriate for your specific investigation:

  - **In General** - "at a point of recepton," defined as:
    - (a) a point in a lane or street, adjacent to but outside of the property occupied by the recipient of the noise or sound, that represents the shortest distance between that property and the source of noise; or
    - (b) where no lane, street, or other public property exists between the recipient and the source, any point outside the property line of the real proeprty from which the noise or sound emanates...
  - **Indoor Measurements** - may be taken when a commercial source and receptor share a common party-wall.
  - **After Hours Liquor Establishments** - may be measured at 3 meters from the outside wall of the facility.

- Record the specific location of the measurement (on the site map) and any relevant comments (on the form).
- Record the sound level for the measurement (ex. 71 dBC), and the specific times of the reading.
- Record finish time, and the duration of the measurement. Make sure the total duration of your measurements are sufficient to determine compliance with the specific provision of the code (e.g., 3 minutes above the limit within any 15 minute period, if you are measuring the sound as continuous sound).
- At each location, subtract (using the decibel subtraction technique) the maximum background level from the total noise level to obtain the corrected (source) level in dBA or dBC, as dictated by the provision you are enforcing.
  - You may only 'correct' A-scale total measurements with A-scale background measurements, and you may only 'correct' C-scale total measurements with C-scale background measurements
- This calculated number is the source sound level and should be compared to the permissible limits in the ordinance being enforced, to determine if a violation exists.

15. Report your findings, specifically noting whether there was a violation of the code, and what provision was violated. Note whether the permissible limit was adjusted due to some characteristic of the sound such as duration.

16. Sign form

17. Submit form for review and approval (if necessary), and enforcement action if appropriate.

The better prepared you are to go to court, the less likely it is to happen. A well executed and documented investigation can prove very intimidating.

[NOTE: these procedures are the interpretation of the Rutgers Noise Technical Assistance Center, and are not legally binding in any way whatsoever.]

CITY OF VANCOUVER

COMMUNITY SERVICES GROUP
Licences and Inspections
Inspections

Property Use Noise Measurement Report

Noise Control By-Law 6555

Primary Address _____ IR: _____ EN: _____

Date of Measurement _____ Measured By: _____

Address of Sound Source _____ Noise Zone: ☐ Activity ☐ Intermediate ☐ Quiet

Address of Recipient _____ Noise Zone: ☐ Activity ☐ Intermediate ☐ Quiet

Weather Conditions: ☐ Sunny ☐ Cloudy ☐ Overcast ☐ Ground Wet ☐ Other _____

Temperature: _____ Wind Velocity: _____ Time Taken: _____

Wind Screen: ☐ Yes ☐ No Windmeter: ☐ Yes ☐ No Other/Note : _____

Calibration/Battery Checks : ☐ Before: Time _____ ☐ After :Time _____ ☐ Every Hr:Time _____
☐ Pass (114.0) ☐ Pass ☐ Pass

Description of Instrumentation:

	Kit #	Make	Model #	ANSI Type	Serial #	Last Certified
Sound Level Meter		Quest	2200	2		
Sound Level Calibrator		Quest	QC-10	N/A		

Description of Sound Source: ☐ Continuous ☐ Non-Continuous ☐ Mechanical ☐ Construction
☐ Amplified ☐ Non-Amplified ☐ Other _____

Description of Duty Cycle: (If applicable) _____ Relevant By-Law section(s) _____

Description and Location of Background Sounds: (Fairly Constant in Nature) _____

_____

Description and Location of Extraneous Sounds: (Intermittent in Nature and Not from Source Facility) _____

_____

Measurement of Background Sound:

Start Time Finish	Reading (dBA/dBC)	Type of Residual (Source Off, Walkaway, Behind Barrier, Similar Neighborhood)	Measurement Location

Measurement of Total Sound:

Start Time Finish	Reading (dBA/dBC)	Duration (min)	Corrected Source Level	Measurement Location

Findings/Comments: _____

_____

_____

CITY OF VANCOUVER

COMMUNITY SERVICES
Licences and Inspections
Inspections - Property Use

PLEASE REFER TO:
<>
District Property Use Inspector
Property Use Branch
at 604.87<>
I.R. No. <>/EN<>

May 21, 2013

<>

Dear <>:

RE: <>

On <>, daytime sound meter readings of <> to <> (decibels) were taken of the <> located <>. These readings exceed the allowable decibel levels stated in the City of Vancouver's Noise Control By-law No. 6555, Section 5(a).

The by-law requires that noise from equipment such as a <> must not exceed a daytime reading of 55 dbA and a night time reading of 45 dbA. The day time hours are defined as 7:00a.m. to 10:00p.m. on weekdays or Saturdays and 10:00a.m. to 10:00p.m. on Sundays or holidays; and night time hours mean anytime not included within the definition of daytime.

Therefore, to avoid further action, you are to immediately take steps to ensure the mechanical equipment complies with Vancouver Noise Control By-law Section 5(a) and 5(b).

The District Property Use Inspector will take another sound meter reading within 14 days of the date of this letter.

Yours truly,

<>
District Property Use Inspector

<Author's initials>/<Typist's initials>

cc:

CITY OF VANCOUVER

COMMUNITY SERVICES
Licences and Inspections
Inspections - Property Use

REGISTERED AND REGULAR MAIL

PLEASE REFER TO:
Mrs. C. Robbins
Manager,
Property Use Branch
at 604.873.7563
I.R. No. < >/EN< >

May 21, 2013

< >

Dear < >:

RE: < >

This is further to our letter dated < >.

Noise Control By-law No. 6555 states that continuous sound in a < > zone from equipment, such as < >, must not exceed a night time reading of 45 dbA (decibels). The day time hours are defined as 7:00a.m. to 10:00p.m. on weekdays or Saturdays and 10:00a.m. to 10:00p.m. on Sundays or holidays; and night time hours mean anytime not included within the definition of daytime.

However, on < > the District Property Use Inspector attended the property and night time sound meter readings of < > to < > (decibels) were taken of the < > of your house. These readings are still in violation of the Noise Control By-law No. 6555, Section 5(b).

Pursuant, to Vancouver Noise Control By-law No. 6555, you are **ORDERED** TO take the necessary steps to reduce the continuous sound level emitting from your property so that it is in compliance with the by-law, by < >.

If a re-inspection reveals that the violation is still not rectified, this matter will be referred to the City Prosecutor for the laying of charges.

Yours truly,

W.M. Johnston, P. Eng.
Director, Licences and Inspections

< Author's initials>/< Typist's initials>

CITY OF VANCOUVER

COMMUNITY SERVICES GROUP
Licences and Inspections
Inspections

Property Use Noise Measurement Report

Noise Control By-Law 6555

Primary Address: KAR KLEAN KAR WASH 2145 FRASIER ST — IR: 08822 — EN: 737409

Date of Measurement: 30 FEB 2013 — Measured By: Johnny Decibel, DPU1

Address of Sound Source: 2145 FRASIER ST — Noise Zone: ☒ Activity ☐ Intermediate ☐ Quiet

Address of Recipient: 2151 FRASIER ST — Noise Zone: ☐ Activity ☒ Intermediate ☐ Quiet

Weather Conditions: ☒ Sunny ☐ Cloudy ☐ Overcast ☐ Ground Wet ☐ Other _____

Temperature: 8°C — Wind Velocity: 4-8 KPH — Time Taken: 11:34 AM

Wind Screen: ☒ Yes ☐ No — Windmeter: ☒ Yes ☐ No — Other/Note: _____

Calibration/Battery Checks: ☐ Before: Time 11:32 AM ☒ Pass (114.0) — ☐ After: Time 12:15 PM ☒ Pass — ☐ Every Hr: Time _____ ☐ Pass

Description of Instrumentation:

	Kit #	Make	Model #	ANSI Type	Serial #	Last Certified
Sound Level Meter		Quest	2200	2	Q012457	9/11/12
Sound Level Calibrator		Quest	QC-10	N/A	CA 47329	9/11/12

Description of Sound Source: ☒ Continuous ☒ Non-Continuous ☐ Mechanical ☐ Construction ☐ Amplified ☐ Non-Amplified ☐ Other _____

Description of Duty Cycle: (If applicable) STEADY NOISE W/ SOME SPIKES — Relevant By-Law section(s) 6555.6(a) 6555.7

Description and Location of Background Sounds: (Fairly Constant in Nature) STEADY LIGHT TRAFFIC ON FRASIER HUM OF ACTIVITY IN ZELL'S SAFECO PARKING LOT, ZELL'S HVAC

Description and Location of Extraneous Sounds: (Intermittent in Nature and Not from Source Facility) UNMUFFLED VEHICLES ON FRASIER, ALL VEHICLES ON E 27TH & E 28TH, PARKING LOTS OF APT HOUSE & BUSINESSES ON 27 & 28TH.

Measurement of Background Sound:

Start Time Finish	Reading (dBA/dBC)	Type of Residual (Source Off, Walkaway, Behind Barrier, Similar Neighborhood)	Measurement Location
11:59-12:01	61-63	BEHIND BARRIER	B
12:02-12:04	61-64	BEHIND BARRIER	B
12:14-12:17	60-63	SOURCE OFF	A - EQPT OFF - ON LUNCH BREAK (3)

Measurement of Total Sound:

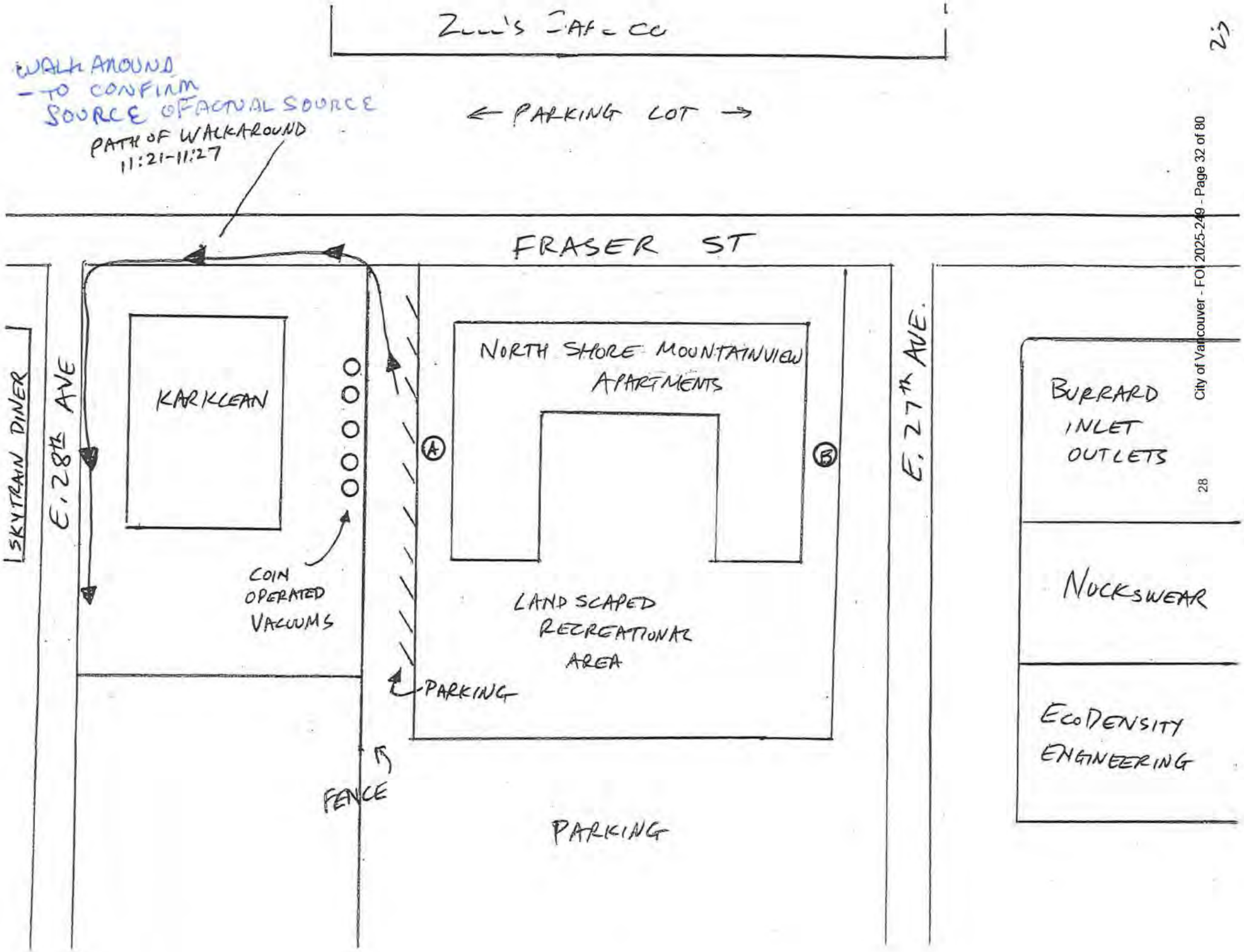
Start Time Finish	Reading (dBA/dBC)	Duration (min)	Corrected Source Level	Measurement Location
11:36-11:39	63-66	3	VE	A FAN BLOWER LOW
11:40-11:42	65-67	2	VE-65	A FAN BLOWER LOW
11:42-11:45	72-74	3	71-74	A FAN HIGH + WATER JETS
11:46-11:49	75-77	3	75-77	A FAN HIGH + WATER JETS
11:52-11:53	79-81	1	79-81	A COIN OPERATED VACUUM

Findings/Comments:

CAR WASH WITH MANY SOUND SOURCES: BLOWERS, WATER JETS COIN OPERATED VACUUMS SOME PATRONS PLAY CAR STEREO WHILE VACUUMING/DETAILING.

VIOLATIONS: CONTINUOUS NOISE (3MIN) EXCEEDS 70 dBA (6555.6(a))

NON-CONTINUOUS NOISE EXCEEDS 75 dBA (6555.7)



CITY OF VANCOUVER

COMMUNITY SERVICES GROUP
Licences and Inspections
Inspections

Property Use Noise Measurement Report

Noise Control By-Law 6555

Primary Address: 956 BEACH AVE IR: 11557 EN: 309774

Date of Measurement: 31 FEB 2014 Measured By: PETER PARKER, DPU1

Address of Sound Source: VANIERVIEW LOUNGE 958 BEACH AVE Noise Zone: ☐ Activity ☐ Intermediate ☒ Quiet

Address of Recipient: 956 BEACH AVE SUITE 204 Noise Zone: ☐ Activity ☐ Intermediate ☒ Quiet

Weather Conditions: ☐ Sunny ☒ Cloudy ☐ Overcast ☐ Ground Wet ☐ Other

Temperature: 14°C Wind Velocity: <2KPH Time Taken: 01:34

Wind Screen: ☒ Yes ☐ No Windmeter: ☒ Yes ☐ No Other/Note:

Calibration/Battery Checks: ☐ Before: Time 01:35 ☒ Pass (114.0) ☐ After: Time 02:23 ☒ Pass ☐ Every Hr: Time ☐ Pass

Description of Instrumentation:

	Kit #	Make	Model #	ANSI Type	Serial #	Last Certified
Sound Level Meter		Quest	2200	2	0012345 7	9/7/13
Sound Level Calibrator		Quest	QC-10	N/A	CA 2347	9/7/13

Description of Sound Source: ☒ Continuous ☐ Non-Continuous ☐ Mechanical ☐ Construction ☒ Amplified ☐ Non-Amplified ☐ Other

Description of Duty Cycle: (If applicable) Relevant By-Law section(s) 6555 11A, 11D(b)

Description and Location of Background Sounds: (Fairly Constant in Nature) STEADY TRAFFIC ON BEACH AVE, MECHANICAL HUM (HVAC?)

Description and Location of Extraneous Sounds: (Intermittent in Nature and Not from Source Facility) FERRY HORN, AIR TRAFFIC, CAR HORN, UNMUFFLED VEHICLES ON BEACH AVE, VEHICLES ON BROUGHTON ST, WATER FLOWING IN BLDG PIPES

Measurement of Background Sound:

Start Time Finish	Reading (dBA/dBC)	Type of Residual (Source Off, Walkaway, Behind Barrier, Similar Neighborhood)	Measurement Location
02:01 - 02:02	47-51	SOURCE OFF INDOORS	A - BAND ON BREAK
02:17 - 02:18	62-65	WALK-AWAY OUTDOORS	C -

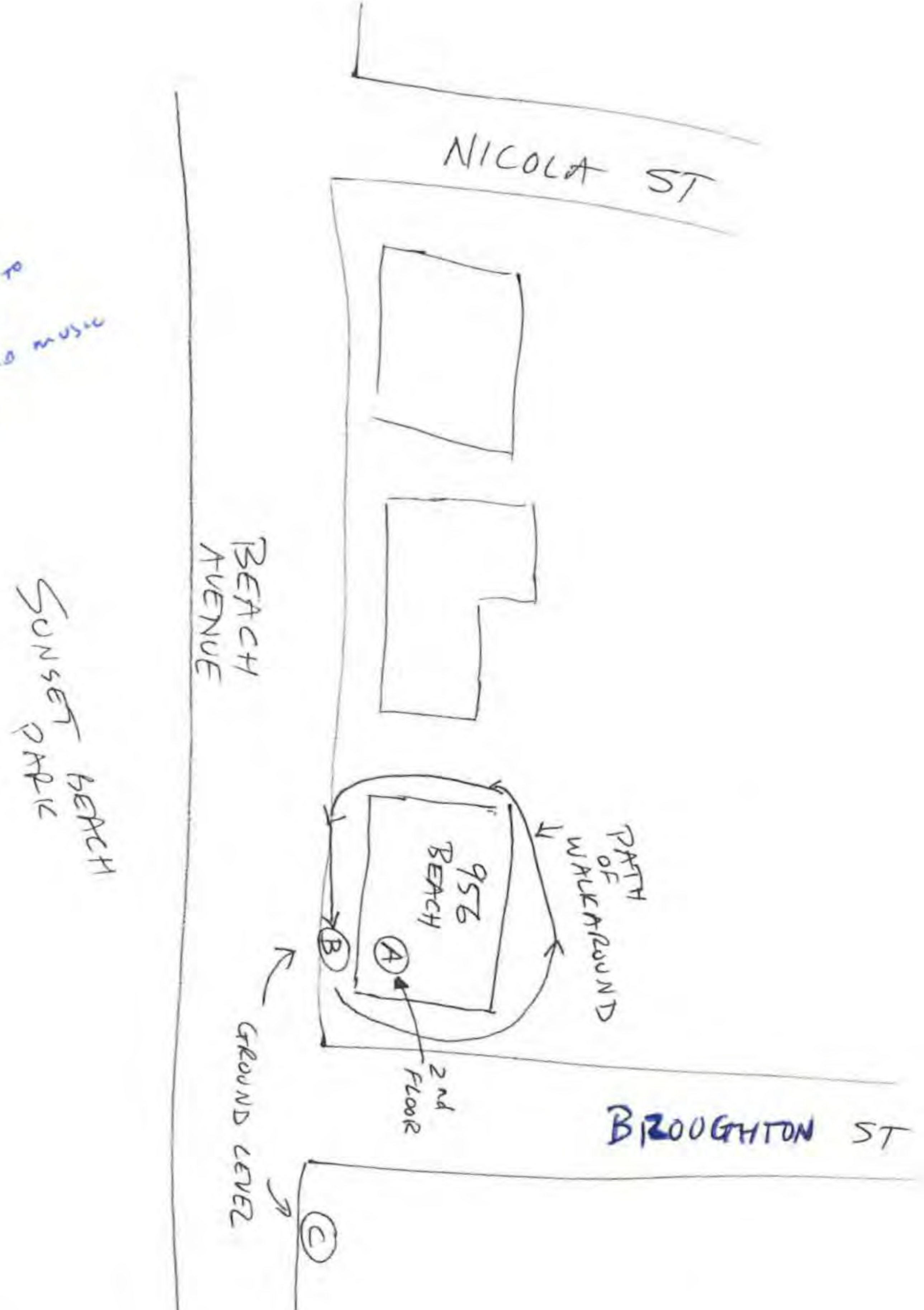
Measurement of Total Sound:

Start Time Finish	Reading (dBA/dBC)	Duration (min)	Corrected Source Level	Measurement Location
01:46 - 01:49	61-64	3	61-64	A INSIDE RESIDENCE
01:51 - 01:54	60-63	3	59-63	A " "
01:55 - 01:58	58-62	3	57-62	A " "
02:11 - 02:12	79-82	1	79-82	B 3 METERS FROM FRONT DOOR

Findings/Comments: MUSIC AUDIBLE & LOUD IN COMPLAINANT'S CONDO. MEASURED INSIDE RESIDENCE EXCEEDS LIMIT OF 55dBC (6555 SECT. 11 A). MEASURED OUTDOORS AFTER HOURS, AT 3 METERS FROM LOUNGE, EXCEEDS 75dBC LIMIT (6555 11 D(b))

2014
RVIEW LOUNGE

MORE SENSITIVE TO
LOW FREQUENCY
- FOR AMPLIFIED MUSIC
- MUSIC BASED



CITY OF VANCOUVER

COMMUNITY SERVICES
Licences and Inspections
Inspections - Property Use

PLEASE REFER TO:
Peter Parker
District Property Use Inspector
Property Use Branch
at 604.877.2313
I.R. No. 11557/EN 309777

5 March 2014

William Shatner, Owner
Vanierview Lounge
958 Beach Avenue
Vancouver, BC

Dear Mr. Shatner:

RE: Violations of Noise Control By-law

On 31 February 2014, sound meter readings were taken of the Vanierview Lounge, both within a residence in the same building above the lounge (pursuant to the City of Vancouver's Noise Control By-law No. 6555, Section 11A), and outside (pursuant to Section 11D(b). The indoor readings were 57-64 dB(C) (decibels), while those outside your facility were 79-82 dB(C). These readings exceed the allowable decibel levels stated in the by-law.

The by-law, at Section 11A, requires that noise from music amplification equipment within a commercial premises such as the Vanirview Lounge must not exceed 55 dB(C) when measured in a residence that is in the same building as the commercial premises.

The by-law, at Section 11D(b), requires that noise from music amplification equipment within an extended hours liquor establishment (located within the area outlined in Schedule 7 - Map 3 of the by-law) must not exceed 75 dB(C) when measured at a distance of 3 meters from the exterior wall of that establishment.

Therefore, to avoid further action, you are to immediately take steps to ensure the sound amplification equipment complies with Vancouver Noise Control By-law Section 11A and 11D(b).

Notes: 1) -This sample Notice is as interpreted by the Rutgers Noise Technical Assistance Center. 2) -This is obviously completely fictitious – not only does this bar not exist, but Spiderman is enforcing the Noise by-law on Captain Kirk.

The District Property Use Inspector will take another sound meter reading within 14 days of the date of this letter.

Yours truly,

Peter Parker
District Property Use Inspector

PP/PP
cc:

CITY OF VANCOUVER

COMMUNITY SERVICES
Licences and Inspections
Inspections - Property Use

REGISTERED AND REGULAR MAIL

PLEASE REFER TO:
Mrs. C. Robbins
Manager,
Property Use Branch
at 604.873.7563
I.R. No. 11557/EN 309777

21 March 2014

William Shatner, Owner
Vanierview Lounge
958 Beach Avenue
Vancouver, BC

Dear Mr. Shatner:

RE: **Violations of Noise Control By-law**

This is further to our letter dated 5 March 2014

Noise Control By-law No. 6555 at Section 11A, requires that noise from music amplification equipment within a commercial premises such as the Vanirview Lounge must not exceed 55 dB(C) when measured in a residence that is in the same building as the commercial premises.

The by-law, at Section 11D(b), requires that noise from music amplification equipment within an extended hours liquor establishment (located within the area outlined in Schedule 7 - Map 3 of the by-law) must not exceed 75 dB(C) when measured at a distance of 3 meters from the exterior wall of that establishment.

On 17 March 2014, the District Property Use Inspector conducted a follow-on investigation to the investigation conducted on 31 February 2014, which was documented in our letter dated 5 March. Upon reinvestigation, sound meter readings were taken of the Vanierview Lounge, both within a residence in the same building above the lounge (pursuant to Section 11A), and outside (pursuant to Section 11D(b). The indoor readings were again 57-64 dB(C) (decibels), while those outside your facility were 79-82 dB(C). These readings exceed the allowable decibel levels stated in the by-law.

Pursuant, to Vancouver Noise Control By-law No. 6555, you are **ORDERED** TO take the necessary steps to reduce the continuous sound level emitting from your property so that it is in compliance with the by-law, by 25 March 2014.

If a re-inspection reveals that the violation is still not rectified, this matter will be referred to the City Prosecutor for the laying of charges.

Yours truly,

W.M. Johnston, P. Eng.
Director, Licences and Inspections

WMJ/MJW

cc: Posted on Building

City of Vancouver
Noise Measurement Report

Name/Address of Sound Source: STANLEY PARKER'S, 16 COAL HARBOUR QUAY, VANCOUVER

Date of Measurement 7/26/08 **Day of Week** SAT.
Investigating Agent, Agency: SUZY METERMAN, DPVI
Name and Title of Responsible Party if Advised of Complaint MR. LOUDEN OBNOXUS, MANAGER

Source Property Zone (Activity, Intermediate, Quiet) INTERMEDIATE **Receiving Property Zone** INTERMEDIATE

Description and Location of Sound Sources to be Measured, Including Operation of Facility, and if This Represents the Normal Operation of the Facility. Is the Sound Continuous or Non-Continuous - Describe Duty Cycle. If Amplified: Is Source Commercial, Non-Commercial, or After Hours Liquor EXTENDED HOURS BAR. WITH LIVE BANDS UNTIL 4:30 AM. COMPLAINTS FROM PEOPLE ON COAL HARBOUR SEAWALK AND WESTIN RESORT

Description and Location of Background Sounds, Fairly Constant in Nature:
STEADY WAVES AGAINST SEAWALL

Description and Location of Extraneous Sounds, Intermittent in Nature and Not from Source Facility:
ALL LOCAL TRAFFIC, AIR TRAFFIC, PEDESTRIANS, BIRDS

Description of Instrumentation:	Make	Model#	ANSI Type	Serial #	Last Certified
Sound Level Meter	ACOUSTIMETER	14	II	4148	1/7/08
Sound Level Calibrator	ACOUSTICAL	-	N/A	1123	1/7/08

Wind Screen (yes/no) Y Windmeter (y/n) Y Other —
Time of Calibration/Battery Checks (Before, After, Every Hour) 03:14 AM 03:41

Weather Conditions: Precipitation (y/n) N Ground Wet (y/n) N Temperature: 20°C/68°F
Wind Velocity, With Time Taken (Before, After, Every Hour) 03:15 AM 9MPH/14.5KPH
03:43 AM <2

Measurement of Background Sound:

Time Start/Finish	Reading (dBA, dBC)	Type of Residual (source off, etc.)	Location of Measurement/Comments
3:29-3:30 AM	45 dBA	WALK AWAY	(B)
3:31-3:33 AM	(46) dBA	WALK AWAY	(B)

Measurement of Total Sound:

Time Start/Finish	Duration	Reading (dBA, dBC)	Corrected (Source) Level	Δ	Location /Comments
3:16-3:17 AM	1	50 dBA	50-2=48	2	(A) DOOR CLOSED
3:18-3:19	1	51 dBA	51-2=49	3	(A) " "
3:19-3:20	1	54 dBA	54-1=53	7	(A) DOOR OPEN - 1 PERSON
3:20-3:21	1	51 dBA	51-2=49	3	(A) DOOR CLOSED
3:23-3:24	1	57 dBA	57	11	(A) DOOR OPEN - GROUP LEAVES.

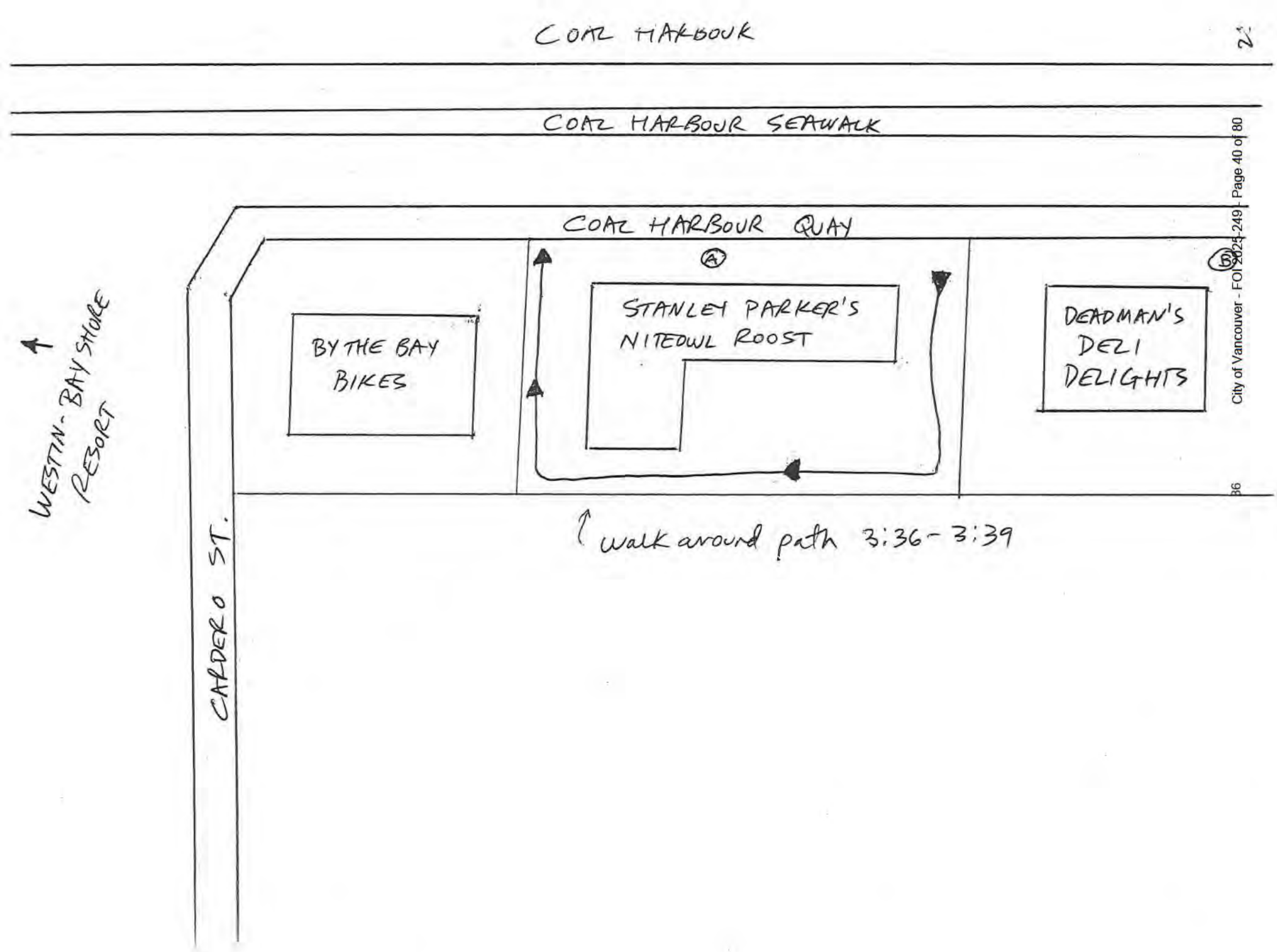
Δ = decibels by which corrected source level exceeds the background level.

Findings
VIOLATION — BAR EXCEEDS 3dBA ABOVE BACKGROUND, MEASURED AT 3 METERS. (6555.11E)

Sound Measured By: Suzy Meterman

Report Reviewed and Approved By (if necessary): Wile. E Coyote

INCLUDE SITE SKETCH ON REVERSE (with source, walkaround, and exact measurement locations)



CITY OF VANCOUVER
BRITISH COLUMBIA

NOISE CONTROL BY-LAW NO. 6555

This By-law is printed under and
by authority of the Council of
the City of Vancouver

(Consolidated for convenience only
to March 12, 2013)

BY-LAW NO. 6555

A By-law to regulate noise or sound within the City of Vancouver

[Consolidated for convenience only, amended to include By-law No. 10661 effective March 12, 2013]

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled, enacts as follows:

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

2. In this By-law where any abbreviation or technical standard is used but not defined specifically or by context, it shall be interpreted by reference to the definitions and technical standards last published by the Canadian Standards Association (CSA), the American Standards Institute (ANSI), the International Organization for Standardization (ISO), or the International Electro-Technical Commission (IEC), as applicable and, unless the context otherwise requires:

"activity zone" means those areas described in Schedule "A";

"approved sound meter" means an instrument calibrated to measure levels of sound pressure in accordance with the minimum specifications for type 2 general purpose sound level meters set out under ANSI S1.4 or IEC 123, and includes Bruel and Kjaer's Sound Level Meter Type 2232, 2230, and 2205 as well as Larson-Davis Laboratories Model 700;

"background noise" means noise the receiver would experience in the absence of the intruding noise, measured at the same point as the intruding noise for a period of three minutes;

"commercial premises" means premises used to sell or offer to sell goods or services;

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

"continuous sound" means any sound occurring for a duration of more than three minutes, or occurring continually, sporadically or erratically but totalling more than three minutes in any 15 minute period of time;

"Council" means the Council of the City of Vancouver;

"daytime" means:

(i) unless otherwise provided in this by-law, from 7 o'clock in the morning (0700 hours) to 10 o'clock in the evening (2200 hours) on any weekday or Saturday, and from 10 o'clock in the morning (1000 hours) to 10 o'clock in the evening (2200 hours) on any Sunday or holiday, and

(ii) in the case of B.C. Place Stadium, Rogers Arena, and a civic plaza in the event zone, from 7 o'clock in the morning (0700 hours) to 11 o'clock in the evening (2300 hours) on any weekday or Saturday, and from 10 o'clock in the morning (1000 hours) to 11 o'clock in the evening (2300 hours) on any Sunday or holiday;

"dBA" means the sound pressure level in decibels measured using the "A" weighting network setting of an approved sound meter and with slow response;

"dBC" means the sound pressure level in decibels measured using the "C" weighting network setting of an approved sound meter and with slow response;

"Director of Licences and Inspections" means the individual appointed by Council to be the Director of Licences and Inspections or a person duly authorized to carry out the powers and duties of the Director of Licences and Inspections;

"downtown area" means that area of the City shown outlined on Schedule "C";

"event zone" means those areas described in Schedule G and that portion of the city shown outlined in Schedule "B.2";

"extended hours" means the difference between the time at which any particular class of standard hours liquor establishment opens or closes for business in any particular area, and the time at which the same class of extended hours liquor establishment opens or closes for business in the same area;

"extended hours liquor establishment" has the meaning set out in the License By-law;

"holiday" includes:

(i) Sunday, Christmas Day, Good Friday and Easter Monday,

(ii) Canada Day, Victoria Day, British Columbia Day, Labour Day, Remembrance Day and New Year's Day,

(iii) December 26, and

(iv) a day fixed by the Parliament of Canada or by the Legislature, or appointed by proclamation of the Governor General or the Lieutenant Governor, to be observed as a day of general prayer or mourning, a day of public rejoicing or thanksgiving, a day for celebrating the birthday of the reigning Sovereign, or as a public holiday.

"intermediate zone" means those areas described in Schedule "B" and that portion of the City shown outlined on Schedule "B.1";

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

"leq" means the equivalent sound level of a steady state sound which has the same sound energy as that contained in the actual time-varying sound being measured over a specific time period;

"nighttime" means any time not included within the definition of daytime;

"non-continuous sound" means any sound other than continuous sound;

"point of reception" means:

(a) a point in a lane or street, adjacent to but outside of the property occupied by the recipient of the noise or sound, that represents the shortest distance between that property and the source of the noise; or

(b) where no lane, street, or other public property exists between the recipient and the source, any point outside the property line of the real property from which the noise or sound emanates; and

(c) in either case at least 1.2 metres above the surface of the ground;

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

"premises" means the area contained within the apparent boundaries of any legal parcel of land and any building situated within such boundaries, provided however that where a building contains more than one unit of commercial, industrial or residential occupancy each unit, the common areas of the building, and the land within the apparent boundaries of the lot, shall each be deemed to be separate premises;

"quiet zone" means any portion of the City not defined as an activity zone, intermediate zone or event zone;

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

"Restaurant - Class 1" means the use of premises for the primary purpose of selling and serving prepared food to the public during all hours of operation, where the premises include at least 17 indoor or outdoor seats for customers consuming food purchased on the premises, and where live entertainment, including the use of non-amplified or amplified musical instruments and disc jockey mixing turntables, but excluding patron participation such as karaoke, dancing and open microphone performing, may be available.

"Restaurant - Class 2" means the use of premises for the primary purpose of selling and serving prepared food to the public during all hours of operation, where the premises include at least 17 indoor or outdoor seats for customers consuming food purchased on the

premises, and where live entertainment, including the use of non-amplified or amplified musical instruments and disc jockey mixing turntables and patron participation such as karaoke, dancing and open microphone performing may be available.

"slow response" means the pre-determined setting of a sound level meter, which setting meets the minimum specifications set out in ANSI S1.4 or IEC 123;

"standard hours liquor establishment" has the meaning set out in the License By-law;

"sound level" means the sound pressure level in decibels measured using the "A" weighting network setting of an approved sound meter and with slow response.

3. No person shall make or cause, or permit to be made or caused, any noise or sound in a street, park or similar public place which disturbs or tends to disturb unreasonably the quiet, peace, rest, enjoyment, comfort or convenience of persons in the neighbourhood or vicinity.

3A. No person being the owner or occupant of any premises shall cause, allow, or permit the cry of an animal or bird which can easily be heard by a person not on the same premises and which disturbs or tends to disturb unreasonably the quiet, peace, rest, enjoyment, comfort or convenience of that person, except that this section does not apply to dog barking which the Animal Control By-law regulates.

4. Notwithstanding any other provision of this By-law the following are declared by Council to be noises or sounds which are, in its opinion, objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public and are hereby prohibited, and no person being the owner or occupant of any premises shall make, cause, allow, or permit:

(a) the noise resulting from a gathering of two or more persons at any time, where one or more human voice is raised beyond the level of ordinary conversation,

(b) the sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, provided that the sound does not emanate from a commercial premises, or

(c) the noise resulting from construction except during the hours and days during which section 16 permits a person to carry on construction,

which can easily be heard by an individual or member of the public who is not on the same premises, notwithstanding that such noise or sound might not constitute a breach of any other provision of this by-law.

4A. Notwithstanding any other provision of this By-law the sound from vehicle-mounted carpet cleaning equipment made before noon (1200 hours) and after 5 o'clock in the afternoon (1700 hours) on a Sunday or holiday is declared by Council to be a noise or sound which is, in its opinion, objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public and is hereby prohibited, and no owner or operator of vehicle-mounted carpet cleaning equipment shall during those times make, cause, allow or permit such noise or sound to be made.

4B. Council declares the noise or sound from live entertainment in a Restaurant -Class 1 or

Restaurant - Class 2, made after midnight and before 9 a.m. to be a noise or sound which, in its opinion, is objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public, and prohibits such noise or sound, and the owner or operator of a Restaurant - Class 1 or Restaurant - Class 2 must not, during that period of time, make, cause, suffer, allow, or permit the making of such noise or sound.

5. No person shall in a quiet zone make, cause or permit to be made or caused, continuous sound the sound level of which:

(a) during the daytime exceeds a rating of 55 on an approved sound meter when received at a point of reception within a quiet zone, or 60 on an approved sound meter when received at a point of reception within an activity zone, event zone or an intermediate zone; or

(b) during the nighttime exceeds a rating of 45 on an approved sound meter when received at a point of reception within a quiet zone, or 55 on an approved sound meter when received at a point of reception within an activity zone, event zone or an intermediate zone.

6. No person shall in an activity zone or an event zone make, cause or permit to be made or caused, continuous sound the sound level of which:

(a) during the daytime exceeds a rating of 70 on an approved sound meter when received at a point of reception within an activity zone or an intermediate zone, or 60 on an approved sound meter when received at a point of reception within a quiet zone; or

(b) during the nighttime exceeds a rating of 65 on an approved sound meter when received at a point of reception within an activity zone or an intermediate zone, or 55 on an approved sound meter when received at a point of reception within a quiet zone.

6A. No person shall in an intermediate zone make, cause or permit to be made or caused, continuous sound, the sound level of which

(a) during the daytime exceeds

i) 70 on an approved sound meter when received at a point of reception within an ACTIVITY ZONE or an EVENT ZONE

ii) 70 on an approved sound meter when received at a point of reception within an INTERMEDIATE ZONE

iii) 60 on an approved sound meter when received at a point of reception within a QUIET ZONE

(b) during the nighttime exceeds

i) 65 on an approved sound meter when received at a point of reception within an ACTIVITY ZONE or an EVENT ZONE

ii) 65 on an approved sound meter when received at a point of reception within an INTERMEDIATE ZONE

iii) 50 on an approved sound meter when received at a point of reception within a QUIET ZONE

7. No person shall in an activity zone, an intermediate zone, event zone or a quiet zone make, cause, or permit to be made or caused, non-continuous sound the sound level of which during the daytime exceeds a rating of 75 on an approved sound meter, or during the nighttime exceeds a rating of 70 on an approved sound meter when received at the point of reception.

8. Sections 3, 5, 6, 6A and 7 of this By-law shall not apply to noise or sound created:

(a) as a consequence of the construction, cleaning, or other maintenance of any building, street, sewer, water main, electrical duct, or other public utility; or

(b) by the sound of church bells, chimes, or carillons, whether amplified or not; or

(c) as a consequence of the lawful testing of an emergency generator provided that it is not operated more than once a month during the daytime, and for a maximum of 60 minutes, plus once a year for a maximum of 180 minutes, and its continuous sound level does not exceed a rating of 80 on an approved sound meter when measured at the point of reception or at least 6.1 metres from its source, whichever is the greater.

9. Noise or sound emanating from a source on a street shall, for the purposes of sections 5, 6, 6A, and 7, be deemed as emanating from an activity zone and shall be measured at the point of reception or at least 6.1 metres from the source of the noise or sound, whichever is the greater.

10. Where noise or sound emanating from a source on a parcel of real property is received on a street, the street shall be deemed to be an activity zone, and the noise or sound shall, for the purposes of sections 5, 6, 6A, and 7, be measured at the point of reception or at least 6.1 metres from the source of the noise or sound, whichever is the greater.

11. A person in any commercial premises must not make, cause, or permit to be made or caused continuous or non-continuous bass noise or bass sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, the level of which:

(a) during the daytime, exceeds a rating of 70 dBC (Leq); or

(b) during the nighttime, exceeds a rating of 65 dBC (Leq);

when measured on an approved sound meter for a period of three minutes at the point of reception.

11A. In addition to the requirements of section 11, if residential premises are in the same building as commercial premises or share a common wall or party wall with commercial premises, or if a wall of residential premises and a wall of commercial premises are flush against one another, then a person in such commercial premises must not make, cause, or permit to be made or caused continuous or non-continuous bass noise or bass sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, the level of

which exceeds a rating of 55 dBC (Leq) when measured on an approved sound meter for a period of three minutes, in such residential premises, at the centre of the living room or bedroom which is closest to the commercial premises in the same building or with which such residential premises shares a common wall or party wall or wall that is flush to a wall of the commercial premises.

11B. In addition to the requirements of sections 11 and 11A, a person in any commercial premises must not make, cause, or permit to be made or caused continuous or non-continuous sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, the level of which exceeds 3 decibels (Leq) dBA above the background noise on an approved sound meter when measured for a period of three minutes at the point of reception.

11C. In addition to the requirements of section 11B, if residential premises are in the same building as commercial premises or share a common wall or party wall with commercial premises, or if a wall of residential premises and a wall of commercial premises are flush against one another, then, subject to sections 11A and 11B, a person in such commercial premises must not make, cause, or permit to be made or caused continuous or non-continuous noise or sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, the level of which:

(a) during the daytime, exceeds a rating of 50 dBA (Leq); or

(b) during the nighttime, exceeds a rating of 45 dBA (Leq);

when measured on an approved sound meter for a period of three minutes, in such residential premises, at the centre of the living room or bedroom which is closest to the commercial premises in the same building or with which such residential premises shares a common wall or party wall or wall that is flush to a wall of the commercial premises.

11D. In addition to the requirements of section 11, a person in an extended hours liquor establishment must not make, cause, or permit to be made or caused, during extended hours, continuous or non-continuous bass noise or bass sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified of not, the level of which exceeds:

(a) 80 dBC (Leq) in respect of any extended hours liquor establishment located in any area outlined in black on Schedule F - Map 1 or Schedule F - Map 4; or

(b) 75 dBC (Leq) in respect of any extended hours liquor establishment located in any area outlined in black on Schedule F - Map 2, Schedule F - Map 3, Schedule F - Map 5, Schedule F - Map 6, or Schedule F - Map 7;

when measured on an approved sound meter for a period of one minute at a distance of three metres from an exterior wall of the building in which that liquor establishment is situate, and at least 1.2 metres above the ground.

732-266-1762.

11E. In addition to the requirements of sections 11 and 11D, a person in an extended hours liquor establishment, as defined under the License By-law, must not make, cause, or permit to be made or caused, during extended hours, continuous or non-continuous sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, the level of which exceeds three decibels dBA (Leq) above the background noise on an approved sound meter when measured for a period of one minute at a distance of three metres from an exterior wall of the building in which that liquor establishment is situate, and at least 1.2 metres above the ground.

12. (1) No person shall in a commercial premises make, cause, or permit to be made or caused continuous or non-continuous noise or sound of music whether recorded or live, whether amplified or not, the sound level of which exceeds a rating of 90 on an approved sound meter when measured within the premises at a distance of not less than 6.1 metres from the source unless a notice in the form prescribed in subsection (2) is posted in a prominent location at the entry to the premises.

(2) The notice referred to in subsection (1) shall contain the following information:

(a) the word "CAUTION" in bold face, followed by the words "THE SOUND LEVEL WITHIN THESE PREMISES MAY BE HAZARDOUS TO YOUR HEARING" in capital letters; and

(b) the symbol shown on Schedule "D"; and shall be constructed so that:

(c) it is rectangular in shape;

(d) it is at least 15 cm high and 30.5 cm wide;

(e) the lettering for the word "CAUTION" is at least 2 cm high and in red and for the balance of the script is at least 1 cm high and in any colour which contrasts with the background; and

(f) the symbol is at least 10 cm high.

12A. Despite anything to the contrary in this By-law, after 9 a.m. and before midnight, a person in a Restaurant - Class 1 or Restaurant - Class 2 must not make, cause or permit to be made or caused continuous or non-continuous noise or sound from live entertainment that exceeds an interior rating of 90 decibels (90 dBA) Leq over a three minute time period on an approved sound meter when measured within the restaurant at a distance of two metres, and at a height of 1.2 m above the floor, from an exterior or common or party wall.

13. Notwithstanding any provision of this By-law, a person may make or cause a noise or sound which exceeds the sound levels set out in this By-law when performing works of an emergency nature for the preservation or protection of property, life or health.

13A. Notwithstanding any provision of the By-law, a person may make or cause a noise or sound which exceeds the sound levels set out in this By-law, provided the sound level does not exceed a rating of 87 on an approved sound meter when received at a point of reception and the noise or

sound is made or caused by a chain saw.

14. Notwithstanding any provision of this By-law, but subject to sections 4A and 14C, a person must not, by using or operating:

(a) power equipment during the daytime; or

(b) beach screening equipment owned by the Vancouver Park Board;

cause a sound that exceeds a rating of 77 dBA on an approved sound meter, when received at the greater of 50 feet (15.2 metres) or a point of reception.

14A. Notwithstanding section 14(a), a person must not cause a noise by using power equipment at any time other than the daytime.

14B. Notwithstanding any provision of this by-law a person may make or cause a noise or sound which exceeds the sound levels set out in this by-law where such noise or sound

(a) is made by a participant in and as a consequence of a nuisance abatement program, festival, race, parade or other special event provided such program, festival, race, parade or event has been authorized by Council,

(b) emanates from B.C. Place Stadium and is caused by a concert or an event using motor vehicles, provided that the total number of such concerts or events does not exceed 10 in a year, or

(c) emanates from B.C. Place Stadium and is caused by the cheering of crowds at a sporting event.

14C. Despite anything to the contrary in this By-law:

(a) a person must not operate a leaf blower within the boundaries of that area of the city outlined in black on Schedule F attached to this By-law;

(b) subject to subsection (a) of this section, a person must not operate a leaf blower within 50 metres of the boundaries of any residential premises, except between the hours of 8 o'clock in the morning (0800 hours) to 6 o'clock in the evening (1800 hours) on any week day or between the hours of 9 o'clock in the morning (0900 hours) to 5 o'clock in the evening (1700 hours) on any Saturday; and

(c) subject to subsection (a) of this section, from and after January 1, 2003, a person must not operate a leaf blower unless the leaf blower has attached to it a manufacturer=s decal certifying that the leaf blower meets the Category 1 - db(A)$\leq$65 equipment standard set out in ANSI B175.2 - 2000, published by the Portable Power Equipment Manufacturers Association, and containing the information set out on the form of decal attached to and forming part of this By-law.

14D. Council declares any noise or sound from a leaf blower in contravention of section 14C to be a noise or sound which is, in its opinion, objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public, and Council hereby prohibits any such noise or sound, and a person being the owner or occupant of any premises must

not make, cause, allow, or permit any such noise or sound.

15. No person shall, in or adjacent to residential premises, but not including a street, make or cause sound or noise resulting from construction the continuous sound level of which exceeds a rating of 85 on an approved sound meter when measured at the property line, of the parcel of land where the construction is taking place, that is nearest to the point of reception of the sound or noise.

16. No person shall cause, permit or allow construction noise that disturbs the quiet, peace, rest or enjoyment of the public, except:

(a) between the hours of 7:30 o'clock in the morning (0730 hours) to 8 o'clock in the evening (2000 hours) on any week day that is not a holiday, and between 10 o'clock in the morning (1000 hours) to 8 o'clock in the evening (2000 hours) on any Saturday that is not a holiday; and

(b) for construction on a street between the hours of 7 o'clock in the morning (0700 hours) to 8 o'clock in the evening (2000 hours) on any week day or Saturday, and between 10 o'clock in the morning (1000 hours) to 8 o'clock in the evening (2000 hours) on any Sunday or holiday.

17. (1) In any case where it is impossible or impractical to comply with sections 15 or 16 or where, as the result of a special event section 3, 5, 6 or 7 cannot be complied with, an application, in the form prescribed in subsection (2) may be made to the Director of Licences and Inspections for an exception, and the Director of Licences and Inspections may give consent in writing to carry on any such works or events outside the prescribed limits and upon such terms as the Director of Licences and Inspections determines except that an exception must not be granted for a period longer than sixty days.

(2) An applicant under subsection (1) shall comply with the requirements set out in Schedule E to this By-law.

(3) In any case where, because of an emergency or other unforeseen circumstance, an application for an exception cannot be submitted within the time limit prescribed in Schedule "E", the Director of Licences and Inspections may waive that limitation.

18. (1) The owner of a parcel of land upon which construction, except for construction:

(a) of a single-family dwelling or two-family dwelling as defined in the Zoning and Development By-law; or

(b) that does not exceed a building permit value of $500,000.00;

is taking place shall post a sign on that parcel of land, and shall maintain the sign during the course of construction, in accordance with the requirements set out in this section 18.

(2) The owner referred to in subsection (1) shall post the sign in a prominent location on the parcel of land that is clearly visible from at least one adjacent street.

(3) The sign shall:

(a) be rectangular in shape;

(b) be at least 42.5 cm high and 27.5 cm wide;

(c) contain script that is at least 1.25 cm high, and is in a colour that contrasts with the background of the sign; and

(d) set out those sections of this By-law that apply to construction, the name of the general contractor for the construction on the parcel of land, the name and telephone number of an individual representative of that general contractor that persons may contact during all on-site working hours, and the City Noise Complaint telephone numbers.

19. No person involved in the collection of refuse shall make or cause or permit to be made or caused any noise to emanate from a motor vehicle while the vehicle is being used to collect refuse by means of a mechanical or hydraulic lift from a bulk refuse container in or adjacent to a residential premises:

(a) outside the downtown area except from 7 o'clock in the morning (0700 hours) to 8 o'clock in the evening (2000 hours) on any week day, or from 10 o'clock in the morning (1000 hours) to 8 o'clock in the evening (2000 hours) on any Saturday, Sunday, or holiday; or

(b) inside the downtown area except from 6 o'clock in the morning (0600 hours) to 12 o'clock in the evening (2400 hours) on any week day, or from 10 o'clock in the morning (1000 hours) to 12 o'clock in the evening (2400 hours) on any Saturday, Sunday, or holiday.

20. (1) Every person who violates any of the provisions of this By-law or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this By-law, or who does any act which violates any of the provisions of this By-law, is guilty of an offence against this By-law and liable to the penalties hereby imposed. Each day that a violation is permitted to exist shall constitute a separate offence.

(2) Every person who commits an offence against this By-law is liable to a fine and penalty of not more than $2,000.00 and not less than $250.00 for each offence.

(3) Notwithstanding the minimum fine referred to in subsection (2), every person who commits an offence against section 16 by carrying on construction other than within the times specified or section 19 by causing noise from refuse collection other than within the times specified is liable to a fine of not less than $500.00 for each offence.

(4) Despite the minimum fine referred to in subsection (2), every person who commits an offence against section 11, section 11A, section 11B, or section 11C is liable to a fine of not less than $500.00 for each offence.

21. It is the intention of the Council that each separate provision of this By-law shall be deemed independent of all other provisions herein and if any provisions of this By-law be declared to be invalid, all other provisions thereof shall remain valid and enforceable.

22. Schedules "A", "B", "B.1", "B.2", "C", "D", "E", "F", and "G" which are attached hereto are an integral part of this By-law.

23. By-laws No. 4984 and 5330 are hereby repealed.

24. This By-law comes into force and takes effect on the date of its passing, except for section 12 which shall come into force and take effect on November 1, 1989.

DONE AND PASSED in open Council this 12th day of September, 1989.

(Signed) "Gordon Campbell"
Mayor

(Signed) "Maria Kinsella"
City Clerk

Schedule A

Activity Zone

The following districts, which are more particularly described in the Zoning and Development By-law of the City of Vancouver, constitute part of the Activity Zone:

MC-1	DD	IC-3
MC-2	M-2	I-1
M-1	CWD	I-2
M-1A	IC-1	DEOD
M-1B	IC-2	

and those CD-1 Districts identified below by the by-law which created them:

CD #	By-law #	Approximate Location
177	5997	1060-80 Alberni
200	6263	1308-38 Alberni
233	6428	1500-20 Alberni
258	6718	Burrard Waterfront - east of Victoria
200	6263	738 Broughton
279	6884	550 Burrard

229	6421	900 Burrard
249	6654	3445-3541 Cornett
182	6057	322-424 Drake
155	5683	650 W. Georgia
249	6654	3003-3157 Grandview
230	6423	3185-91 Grandview
#3B	3656	3395 E. Hastings
243	6577	757 W. Hastings
164	5810	601 W. Hastings
278	6885	901 W. Hastings
273	6817	833 Helmcken
229	6421	935-53 Hornby
199	6260	1256-62 Howe
265	6747	Int'l Village
156	3865	Marine Drive
235	6448	131 W. Pender
163	5773	1095 W. Pender

232	6427	758 Prior
	6475	Riverside East
204	6304	800 Robson
164	5810	333 Seymour
70	4559	415 E. 5th
125	5060	3555 E. 5th (Site B)
198	6254	1700-81 W. 75th
187	6072	2615-85 Cambie
165	5818	3033 Cambie
1	3568	5733 Cambie
113	4940	800 Cassiar
117	4986	Champlain Heights
238	6479	2800-3100 Commercial
248	6564	1523 Davie
286	6965	430 Dunlevy
142	5411	3243 Findlay
20	4015	1601 W. Georgia

24	4065	1701-79 W. Georgia
231	6425	2782-96 Grandview
30	4123	5716 Granville
206	6307	8118-8298 Granville
169	5852	1020 Harwood
205	6305	2889 E. Hastings
80	4665	4949-51 Heather
58	4446	900-990 W. King Edward
111	4930	373-75 Kingsway
100	4861	2280 Kingsway
128	5145	2301-07 Kingsway
171	5890	3003 Kingsway
172	5927	3486-88 Kingsway
405	8326	395 West 5th
405	(8326)	395 West 5th
411	(8459)	1220 East Pender Street
361	7652	289 Alexander Street

413	8536	801 West Georgia Street
412	8546	600 Granville Street 602 Dunsmuir Street
418	8740	488 Robson Street
419	8819	1201 West Hastings Street
420	8880	1402 - 1436 Kingsway and 4050 Knight Street
422	8896	900 Pacific Boulevard
423	8925	1475 Howe Street
426	8943	1120 West Georgia Street
428	8993	33 West Pender Street
432	9088	950 Quebec Street
435	9116	1380 Hornby Street
443	9184	826 - 848 West Hastings Street
442	9173	898 Seymour Street and 887 - 897 Richards Street
439	9165	1752 - 1760 West 3rd Avenue
446	9195	1133 West Georgia Street

450	9275	101 and 149 West Hastings Street 150 West Cordova Street
453	9420	2999 Grandview Highway
455	9460	701 Granville Street 701 West Georgia Street 777 Dunsmuir Street 700 West Pender Street
458	9543	1655 - 1675 West 3rd Avenue
484	10062	1372 Seymour Street
491	10127	1142 Granville Street
497	10189	2665 Renfrew Street
502	10248	1304 Hornby Street
509	10310	1025 Robson Street
514	10344	639 Commercial Drive (York Theatre)
517	10391	8495 Granville Street
530	10477	2730 East 41st Avenue (5711 Rhodes Street)
532	10491	1305 - 1335 Burrard Street and 1009 Harwood Street

Schedule B

Intermediate Zone

The following Districts, which are more particularly described in the Zoning and Development By-law of the City of Vancouver, constitute part of the Intermediate Zone:

C-1	C-5	HA-4
C-2	C-6	I-3
C-2B	FC-1	FCCDD
C-2C	HA-1	BCPED
C-2C1	HA-2	
C-3A	HA-3	

and those CD-1 Districts identified below by the by-law which created them:

CD #	By-law #	Approximate Location
27	4085	4226 Arbutus
78	4634	4255-75 Arbutus
26	4078	4615-75 Arbutus
251	6676	888 Beach
106	4918	3606-30 Bering
141	5407	1155 E. Broadway

250	6663	1701-49 E. Broadway
167	5836	2402-2598 E. Broadway
186	6070	777 W. Broadway
158	5705	2676-96 W. Broadway
228	6420	891-901 Burrard
287	7006	1255 Burrard
239	6486	1275 Burrard
70	4559	400 Great Northern Way
245	6597	3490 Kingsway
162	5762	3496-3578 Kingsway
194	6180	3551-71 Kingsway
25	4076	3215 MacDonald
272	6819	1152 Mainland
136	5270	3350-80 Maquinna
38	4238	671-95 S.E. Marine

21	4035	725-47 S.E. Marine
247	6533	2700-3000 S.E. Marine
66	4539	688 S.W. Marine
276	6876	1041 S.W. Marine
140	5383	3600 Marine Way
210	6313	4080-4190 Nanaimo
268	6760	North Fraser Landing
170	5863	2675 Oak
266	6757	1100-1300 Pacific Blvd.
125	5060	1890 Skeena
180	4954	3075 Slocan
219	6322	3206-54 Vanness
201	6272	3352 Vanness
131	5222	5660 Yew
132	5224	5670 Yew
183	6064	2800 E. 1st

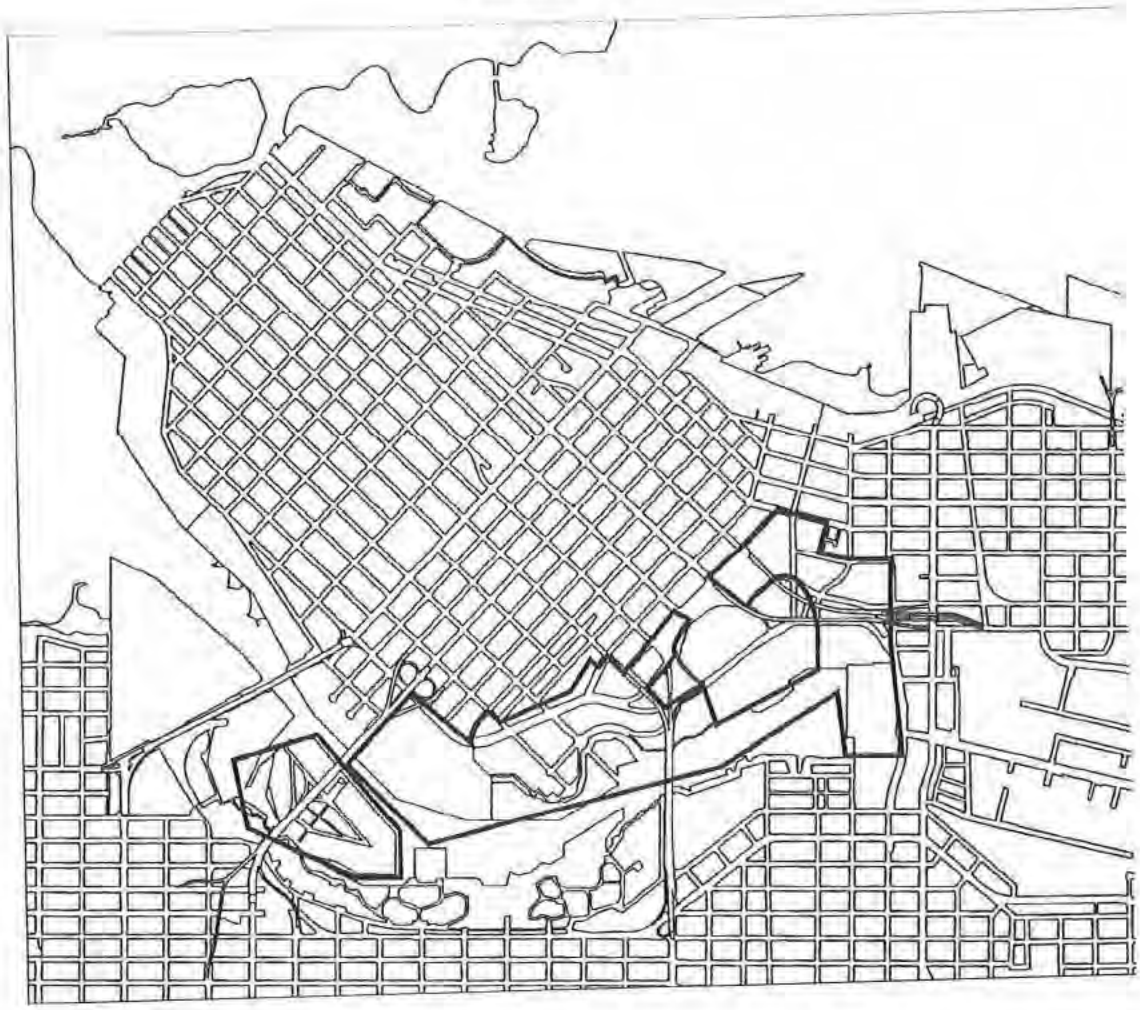
504	379	3282-98 E. 1st
63	4510	1750 E. 10th
137	5373	835-65 W. 10th
196	6245	1096 W. 10th
234	6429	2040-80 W. 10th
158	5705	2657-93 W. 10th
29	4104	2105 E. 12th
46	4356	453 W. 12th
62	4497	500 W. 12th
284	6962	1630 W. 15th
148	5510	176 E. 18th
190	6155	2908 W. 33rd
34	4159	809 W. 41st
14	3963	1576 W. 41st
189	6117	2149-89 W. 42nd

55	4412	100 W. 49th
103	4900	282-444 W. 49th
68	4550	3150-80 E. 58th
47	4358	601-99 W. 57th
51	4384	750-52 W. 70th
410	8457	7250 Oak Street
59	4472	855 West 12th Avenue
415	8587	651 Expo Boulevard
41A	4296	1966 East 19th Avenue
424	8926	745 - 749 West 42nd Avenue and 5816 - 5818 Tisdall Street
425	8927	5312 - 5392 Oak Street
427	8978	1001 - 1015 Denman Street
429	9029	3704 - 3720 Welwyn Street
430	9086	755 West 42nd Avenue
433	9113	1885 - 1895 Venables Street
449	9230	Hillcrest Park and Nat Bailey Stadium Park

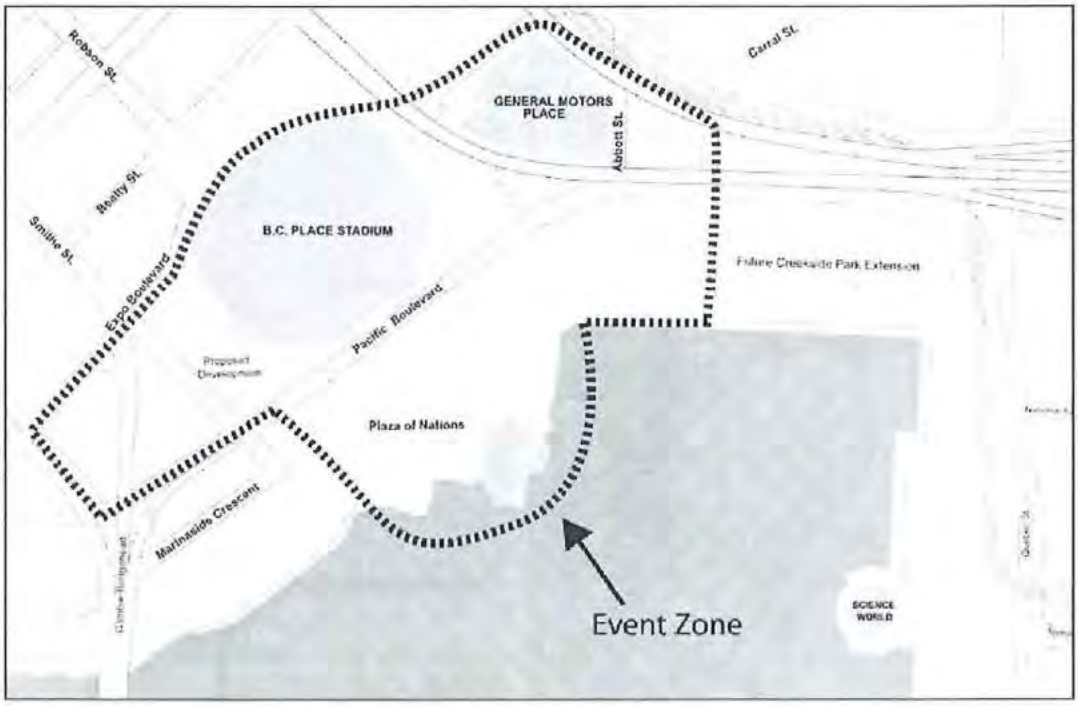
454	9454	51, 85, 199 and 215 West 1st Avenue 1599 - 1651 Ontario Street 1598 - 1650 Columbia Street
456	9463	360 West 1st Avenue
460	9573	388 West 1st Avenue
462	9594	140 West 1st Avenue
464	9600	2 - 88 West 1st Avenue 2 - 26 East 1st Avenue 27 - 99 West 2nd Avenue
468	9665	1409 - 1477 West Pender Street
471	9707	311 West 2nd Avenue
478	9850	188 East 1st Avenue
479	9972	2960 - 2990 Nanaimo Street
358	7648	711 West Broadway and 700 West 8th Avenue
482	10029	1300 - 1336 Granville
483	10033	236 - 298 West 1st Avenue
487	10094	2330 - 2372 Kingsway and 2319 East 30th Avenue
489	10101	1201-1215 Bidwell Street and 1702-1726 Davie Street
493	10131	745 Thurlow Street
494	10132	538-560 West Broadway
495	10134	3333 Main Street

501	10241	215 West 2nd Avenue
503	10249	1304 Howe Street
496	10260	2250 Commercial Drive
504	10273	1553 - 1577 Main Street
506	10307	15 and 97 East 2nd Avenue
508	10308	1569 West 6th Avenue
510	10327	1134 Burrard Street
511	10328	138 East 7th Avenue
512	10331	1850 Victoria Diversion
516	10348	1650 Quebec Street
515	10349	999 Seymour Street
513	10382	2402 East Broadway
518	10392	428 Terminal Avenue
522	10425	104 - 150 East 1st Avenue
523	10432	8440 Cambie Street
524	10431	1880 Renfrew Street
525	10433	555 Robson Street, 775 Richards Street and 520 West Georgia Street
526	10457	606 Powell Street
527	10458	6311 Cambie Street
529	10472	2667 - 2703 Kingsway
531	10482	105 - 167 West 2nd Avenue
533	10500	111 Princess Avenue
534	10543	1695 Main Street
535	10547	8018 - 8150 Cambie Street
536	10548	675 - 691 East Broadway
537	10566	1030 Denman Street
544	10653	1077 Great Northern Way

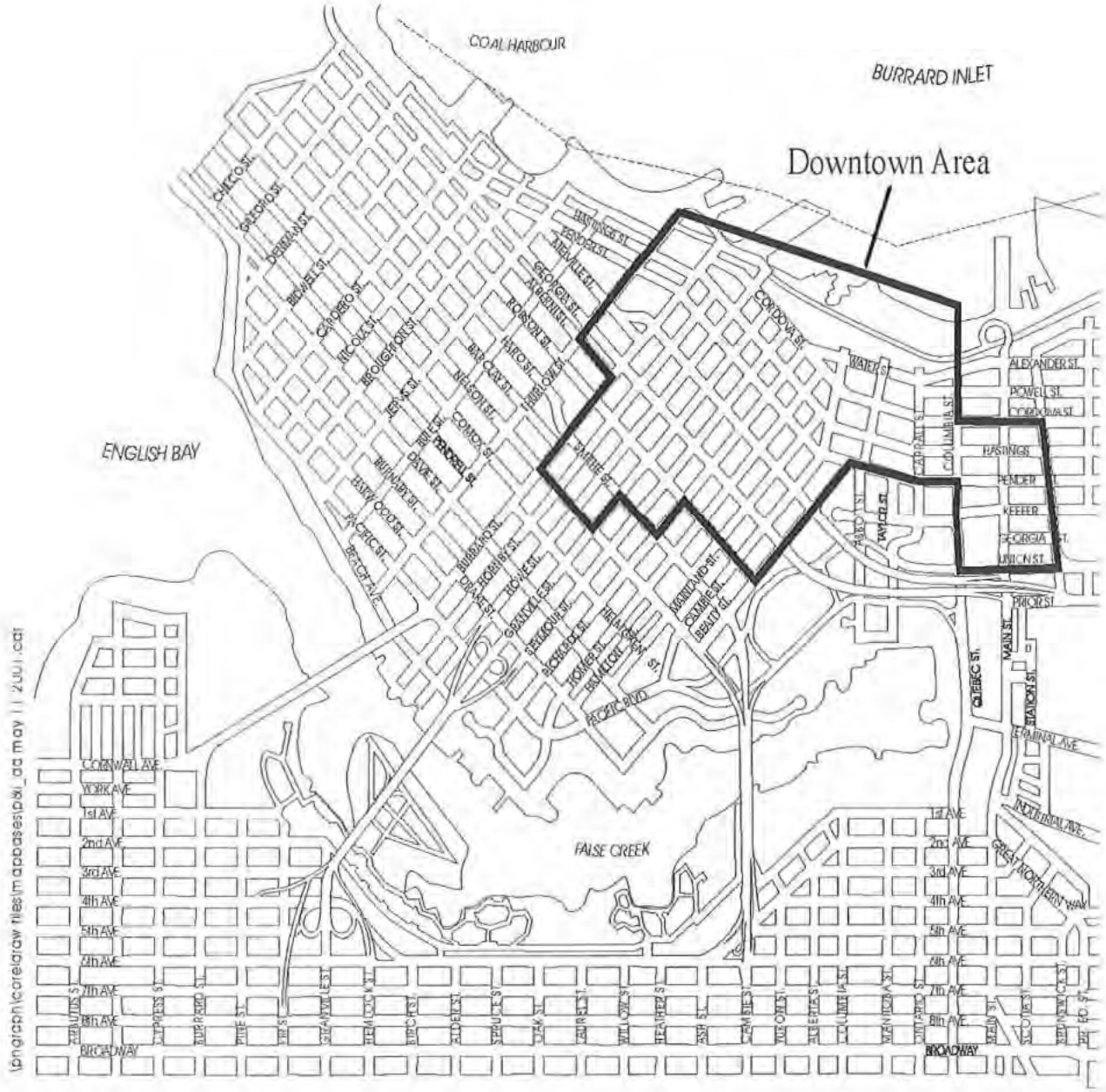
Schedule B.1



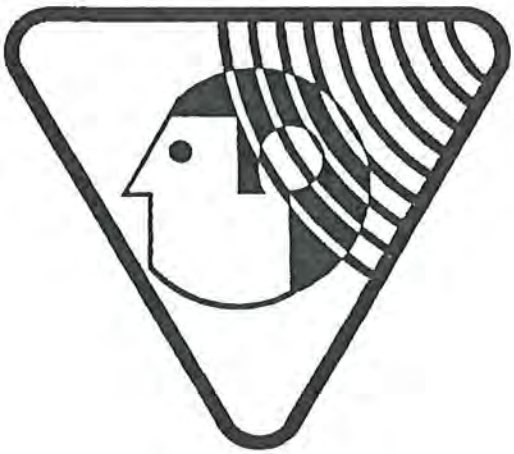
Schedule B.2



Schedule C



Schedule D



{MANUFACTURER=S MODEL NUMBER}

MAXIMUM SOUND LEVEL 65 dB(A)

Measured at 50 ft (15m) Per ANSI B175.2-2000

Schedule E

Application under section 17 of the within Noise Control By-law

The application noted in section 17(1) shall be in writing and submitted to the Director of Licences and Inspections at least five working days prior to the date of the proposed activity, and shall contain:

(a) the name, address, and telephone number of the applicant;

(b) the address of the construction site;

(c) the building permit number, if applicable;

(d) the reason(s) the exception is sought;

(e) a description of the source(s) of noise in respect of which the exception is sought;

(f) the exact period of time for which the exception is desired;

(g) the reason(s) why the exception should be given;

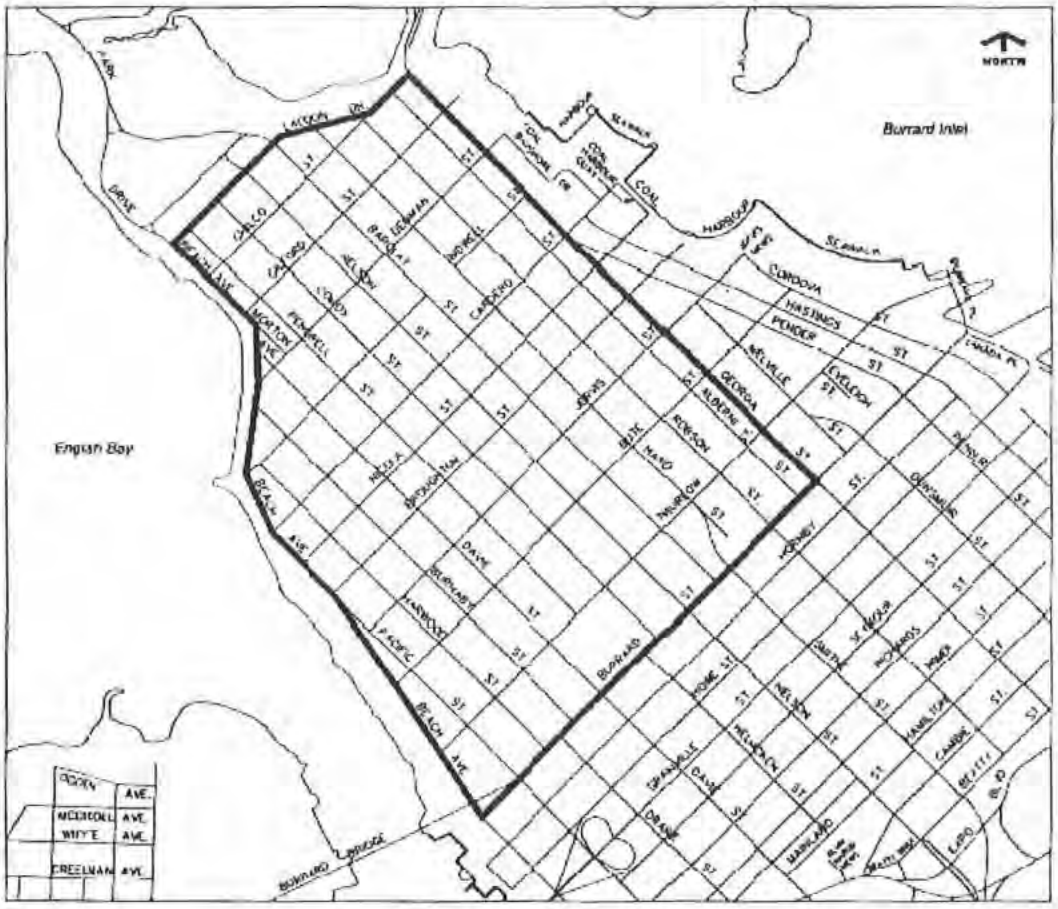
(h) a statement of the measures planned or presently being taken to minimize the sound or noise; and

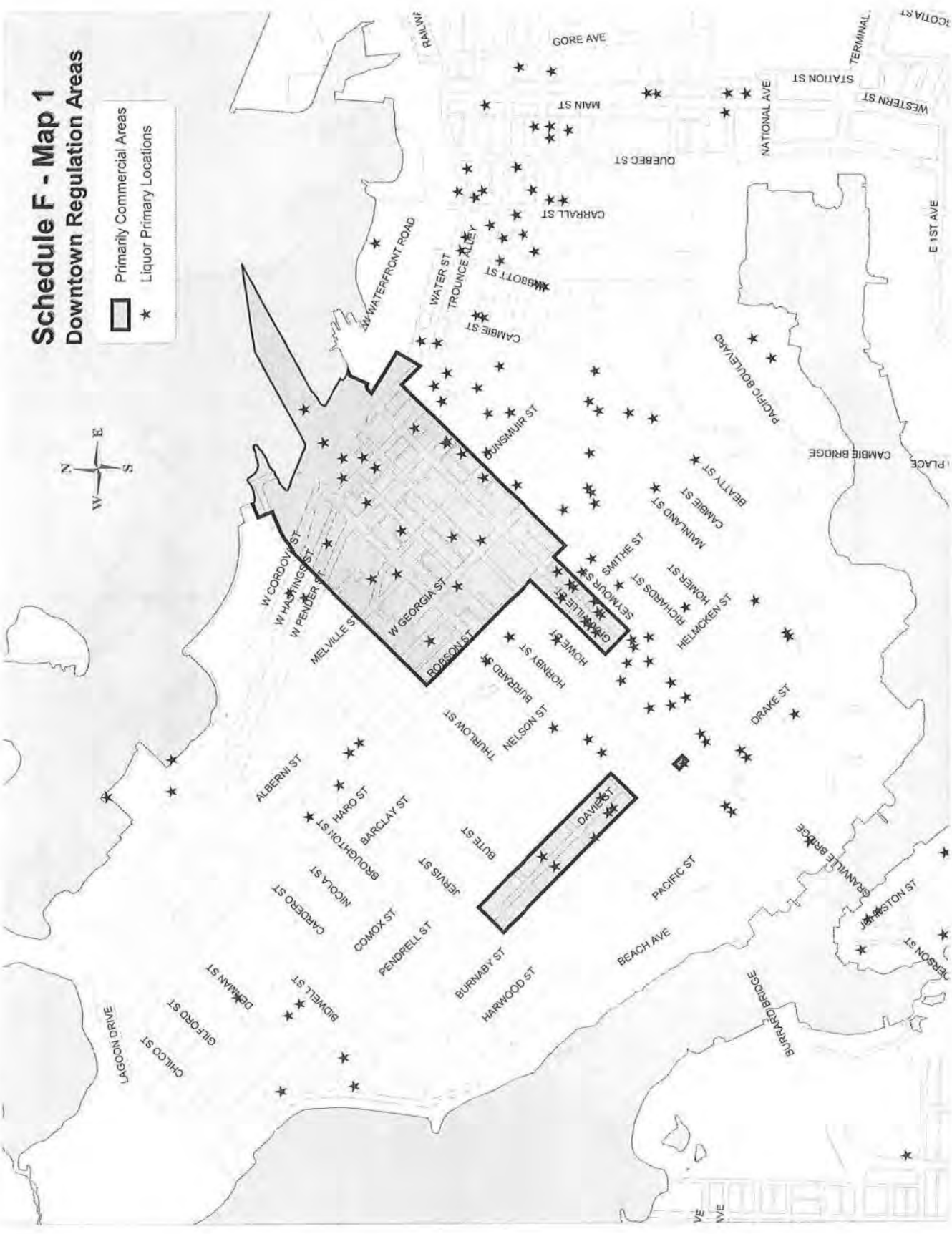
(i) a non-refundable application fee:

(i) $148.00 for an application submitted at least five working days prior to the date of the proposed activity, and

(ii) $296.00 for an application submitted less than five working days prior to the date of the proposed activity."11. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

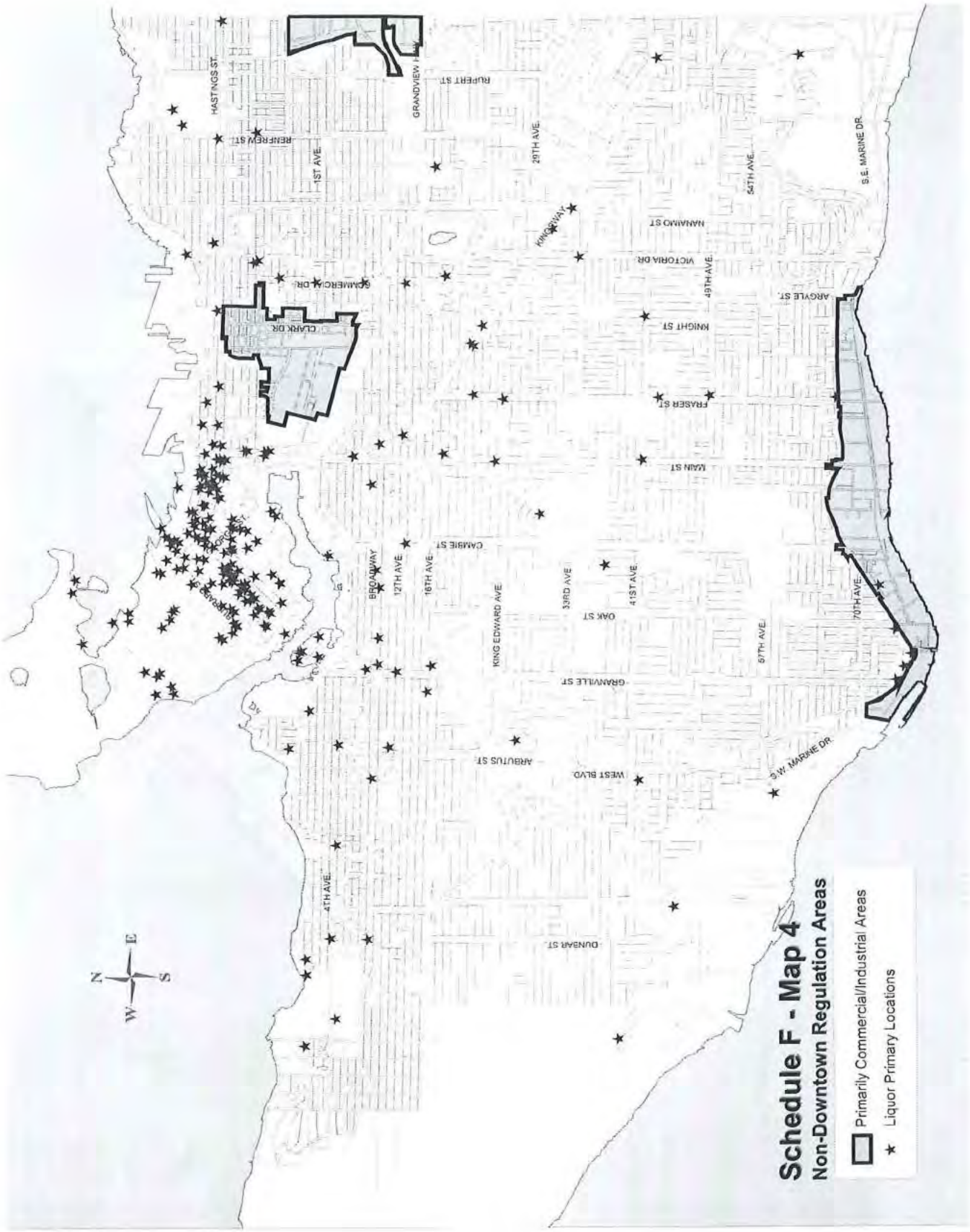
Schedule F

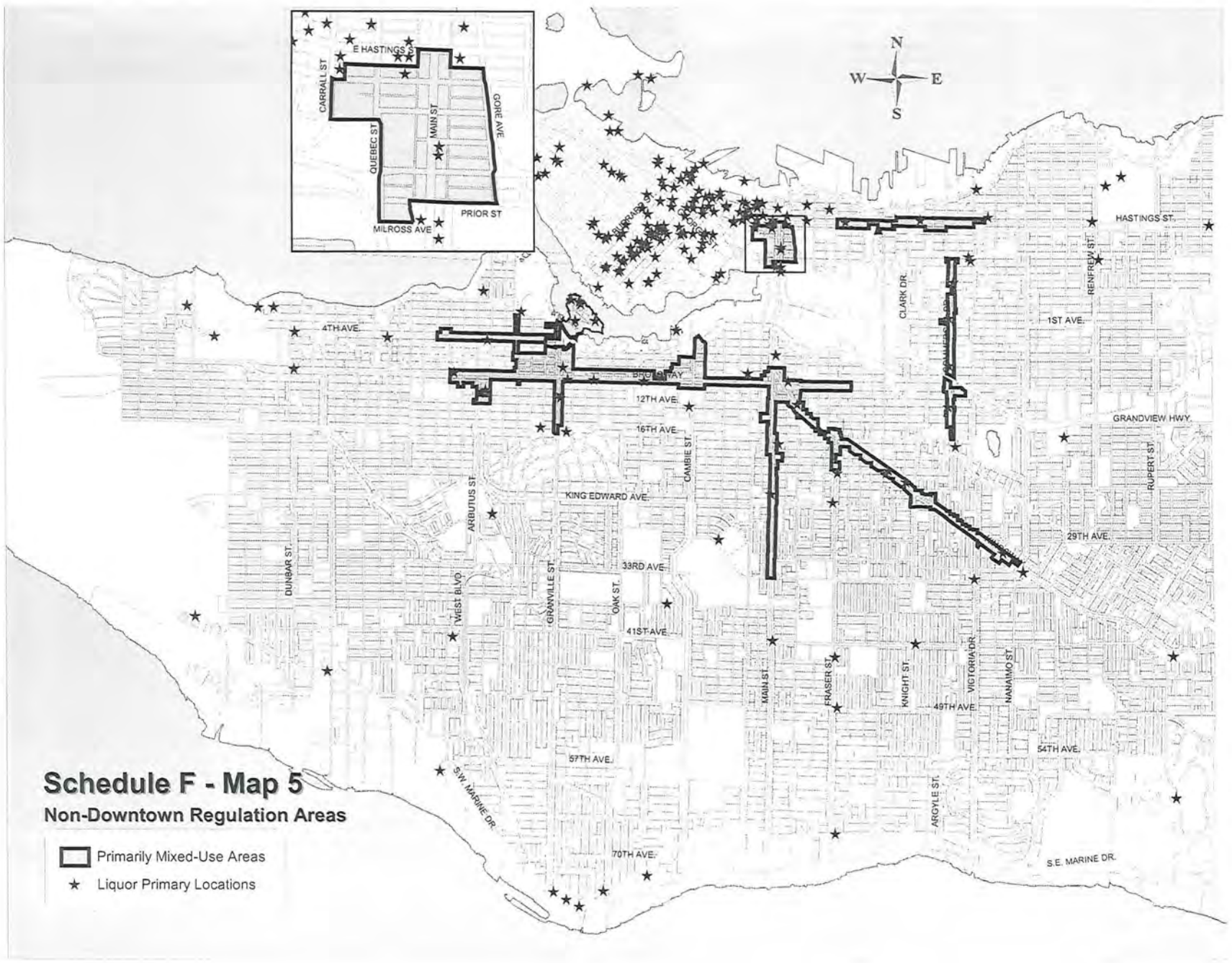


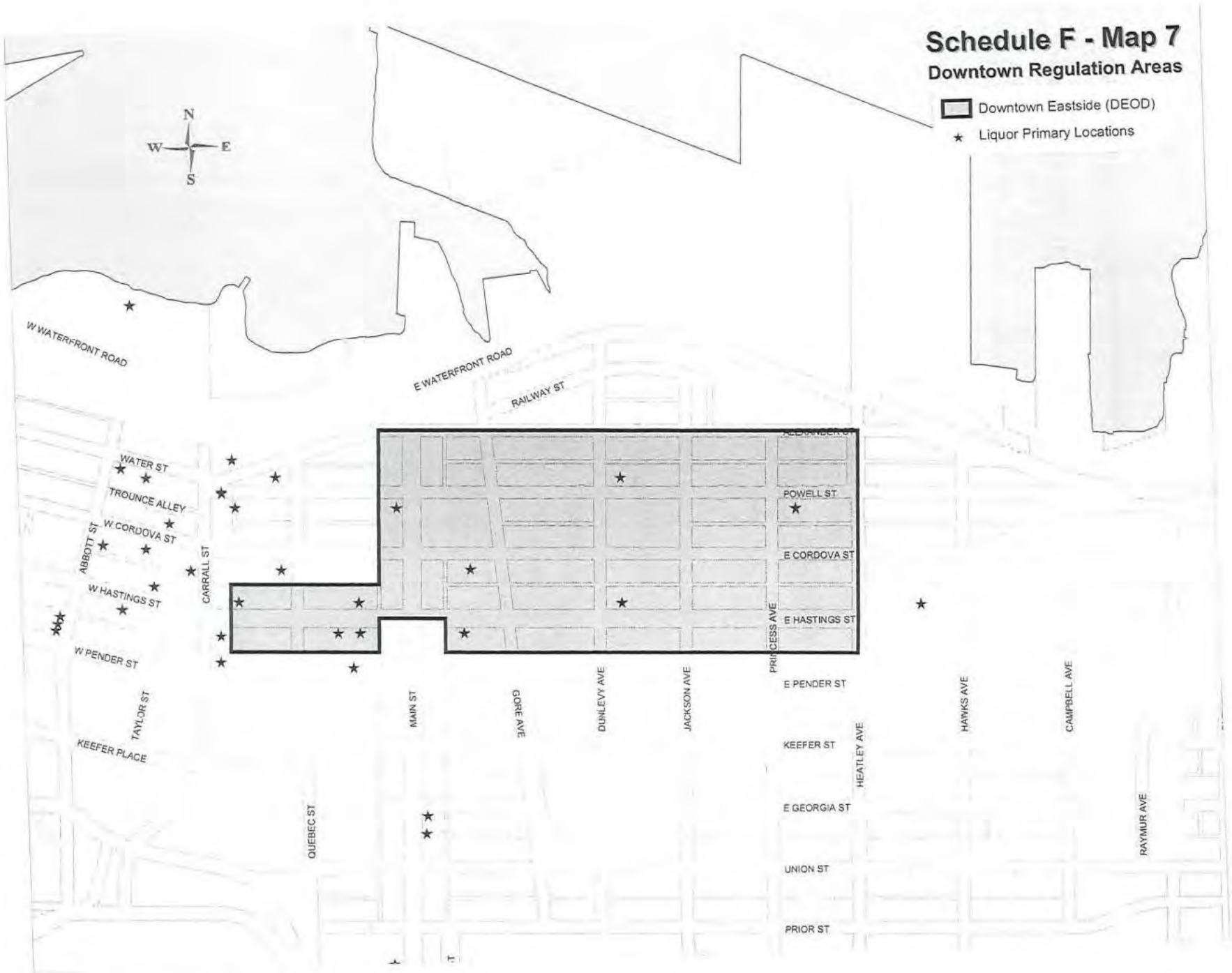


Schedule F - Map 2
Downtown Regulation Areas
Primarily Mixed-Use Areas
Liquor Primary Locations
N
W
E
S
LAGOON DRIVE
CHILCO ST
GILFORD ST
DENMAN ST
BIDWELL ST
CARDERO ST
NICOLA ST
BROUGHTON ST
HARO ST
ALBERNI ST
W COBORDOVA ST
W HASTINGS ST
W PENDER ST
MELVILLE ST
COMOX ST
PENDRELL ST
BARCLAY ST
JERVIS ST
BUTE ST
W GEORGIA ST
ROBSON ST
THURLOW ST
BURNABY ST
HARWOOD ST
NELSON ST
BURRARD
HORNBY ST
HOWE ST
GRANVILLE ST
SEYMOUR ST
SMITHE ST
DAVIE ST
BEACH AVE
PACIFIC ST
RICHARDS ST
HELMCKEN ST
HOMER ST
MAINLAND ST
CAMBIE ST
BEATTY ST
DRAKE ST
BURRARD BRIDGE
GRANVILLE BRIDGE
JOHNSTON ST
PACIFIC BOULEVARD
CAMBIE BRIDGE
PLACE
E 1ST AVE
W WATERFRONT ROAD
WATER ST
TROUNCE ALLEY
CAMBIE ST
ABBOTT ST
CARRALL ST
GORE AVE
MAIN ST
QUEBEC ST
NATIONAL AVE
STATION ST
TERMINAL
WESTERN ST

Schedule F - Map 3
Downtown Regulation Areas
Primarily Residential Areas
Liquor Primary Locations
N
W
E
S
LAGOON DRIVE
CHILCO ST
GILFORD ST
DENMAN ST
BIDWELL ST
CARDERO ST
NICOLA ST
BROUGHTON ST
HARO ST
ALBERNI ST
W COBDOVA ST
W HASTINGS ST
W PENDER ST
MELVILLE ST
COMOX ST
PENDRELL ST
JERVIS ST
BARCLAY ST
W GEORGIA ST
ROBSON ST
BURNABY ST
HARWOOD ST
BUTE ST
THURLOW ST
NELSON ST
BURRARD ST
HORNBY ST
HOWE ST
GRANVILLE ST
SEYMOUR ST
SMITHE ST
DAVIE ST
BEACH AVE
PACIFIC ST
RICHARDS ST
HELMCKEN ST
HOMER ST
MAINLAND ST
CAMBIE ST
BEATTY ST
DRAKE ST
PACIFIC BOULEVARD
BURRARD BRIDGE
GRANVILLE BRIDGE
JOHNSTON ST
CAMBIE BRIDGE
PLACE
E 1ST AVE
WATERFRONT ROAD
WATER ST
TROUNCE ALLEY
BONSMUIR ST
CAMBIE ST
ABBOTT ST
CARRALL ST
QUEBEC ST
MAIN ST
GORE AVE
NATIONAL AVE
STATION ST
TERMINAL
WESTERN ST




E HASTINGS ST
CARRALL ST
QUEBEC ST
MAIN ST
GORE AVE
PRIOR ST
MILROSS AVE
N
W
E
S
HASTINGS ST.
RENFREW ST.
CLARK DR.
1ST AVE.
4TH AVE.
BROADWAY
12TH AVE.
16TH AVE.
GRANDVIEW HWY.
RUPERT ST.
CAMBIE ST.
ARBUTUS ST.
KING EDWARD AVE.
29TH AVE.
DUNBAR ST.
33RD AVE.
WEST BLVD.
GRANVILLE ST.
OAK ST.
41ST AVE.
MAIN ST.
FRASER ST.
KNIGHT ST.
VICTORIA DR.
NANAIMO ST.
49TH AVE.
54TH AVE.
57TH AVE.
S.W. MARINE DR.
ARGYLE ST.
70TH AVE.
S.E. MARINE DR.
Schedule F - Map 5
Non-Downtown Regulation Areas
Primarily Mixed-Use Areas
Liquor Primary Locations



Schedule G

Event Zone

The following CD-1 Districts constitute part of the Event Zone:

CD-1#	By-law #	Approximate location
520	10403	10 Terry Fox Way
519	10404	777 Pacific Boulevard