

ITEM 11  
MANAGER'S REPORT NO. 74  
COUNCIL MEETING Nov. 12/74

Re: Truck Noise on Ulster Street  
Letter from Mr. T. Johns which appeared on the  
November 4, 1974 Council Agenda

Appearing on the Agenda for the November 4, 1974 meeting of Council was a letter dated October 24, 1974 from Mr. and Mrs. T. Johns regarding noise emissions from a truck that is moved during early morning hours by the owner who lives at 7606 Ulster Street. Following is a report from the Chief Public Health Inspector and the Chief Licence Inspector on this matter.

The Superintendent, Officer in Charge, Burnaby Detachment, R.C.M.P., advises that

"This problem is created by Section 13(5)(b), Bylaw No. 4299, which says no person shall park a vehicle over 8000 lbs. for more than two hours between 1:00 a.m. and 6:00 a.m. on any street. To comply with this bylaw, Mr. Leach is forced to move his truck before 3:00 a.m. if parked on a street at 1:00 a.m.; or alternately, he could leave it on the street any time after 4:00 a.m. For eight consecutive nights our patrols have checked Ulster Street and when the truck has been seen, it has been chalked; but each time it has been moved in compliance with the bylaw. I arranged for one of our Traffic N.C.O.'s to discuss the matter personally with Mr. Leach and he was advised that because of the number of complaints, Mr. Leach made arrangements with the Manager of Merit Car Wash to park his truck on the lot after the garage closes at 11:30 p.m. and prior to its opening at 7:30 a.m. Mr. Leach advised that he arrives home regularly between 4:00 p.m. and 5:00 p.m. daily, parks the truck in front of his residence, and then moves it to Merit Car Wash before going to bed. On two occasions recently, this was shortly before 3:00 a.m.

Mr. Leach was asked to co-operate by making alternate parking arrangements and informed that enforcement action would be taken under the appropriate bylaw when evidence of an infraction was obtained."

RECOMMENDATIONS:

- THAT Mr. and Mrs. Johns receive a copy of this report; and
- THAT Mr. and Mrs. Johns contact the Licence or Health Department in the event that the truck is not regularly moved prior to 12:00 midnight; and
- THAT Mr. and Mrs. Leach receive a copy of this report.

\* \* \* \* \*

November 7, 1974.

Mr. M.J. Shelley  
Municipal Manager  
Corporation of Burnaby

Dear Sir:

Re: NOISE COMPLAINT - 7600 ULSTER STREET, BURNABY  
COMPLAINANT - MR. T. JOHNS, 7616 ULSTER STREET, BURNABY

Further to Mr. Johns' complaint regarding early morning noise, as caused by his neighbour, Mr. Leach, 7606 Ulster Street, moving his truck to overnight parking facilities, we would submit the following report.

As you will recall this problem was considered by Council during June and July 1974, with the resultant decision that Mr. Leach was to arrange for a satisfactory parking site outside the residential area. Arrangements for overnight parking at a local gasoline service station have been made and are being utilized. As this parking site is not available before 11:30 p.m., it has been Mr. Leach's practise to move his truck from the street in front of his residence before retiring for the night, which could be approximately 1:00 a.m. There have been specific occasions when Mr. Leach has moved his vehicle on returning from social engagements, which could have been up to approximately 3:30 a.m.

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The Chief Public Health Inspector and the Senior Licence Inspector, upon interviewing Mrs. Johns, determined that the cause for complaint revolved around the time of vehicle removal. Mrs. Johns stated that a satisfactory solution of her problem would be the removal of the truck prior to 12 midnight.

The problem was discussed with Mr. and Mrs. Leach, who were of the opinion that they had complied with the requirements of the Burnaby Street and Traffic By-law 1961, as it relates to the parking of commercial vehicles over 8000 lbs. G.V.W., but upon discussion agreed that they would endeavour to remove the truck to its overnight parking area prior to 12 midnight.

As the foregoing solution seems to be satisfactory to the concerned parties, we would suggest that this matter be considered as concluded unless we are advised to the contrary. It is further recommended that:

- (1) Mr. and Mrs. Johns receive a copy of this report.
- (2) Mr. and Mrs. Johns contact the Licence or Health Department in the event that the truck is not regularly moved prior to 12 midnight.
- (3) Mr. and Mrs. Leach receive a copy of this report.

Respectfully submitted,



G.H. Armson, C.S.I. (C)  
CHIEF PUBLIC HEALTH INSPECTOR



H. Buckley  
CHIEF LICENCE INSPECTOR

GHA/PK/pm