

Re: Noise Created by Motorcycles on Burnaby Mountain
(Original Communications, Item (1), November 26, 1973. Letter dated
November 13, 1973 from Mr. R.H. Blackwood, Clerk Administrator, City
of Port Moody)
(Item 25, Report No. 88, November 26, 1973)
(Item 26, Report No. 90, December 3, 1973)

Council, at its meeting of November 26, 1973, received the above-noted letter from Mr. Blackwood requesting cooperation to ban motor vehicle traffic from Centennial Trail and other areas of Burnaby Mountain (a copy of Mr. Blackwood's letter is attached for information of Council members not in office at that time).

Council, at its meetings of November 26 and December 3, 1973, received the above-noted reports as information items until such time as staff research and in-put were adequate to provide Council with a comprehensive report.

For information of Council, the matter of motor-vehicle noise on Burnaby Mountain is not new. Our files dealing with the subject commence on June 4, 1971 when a number of residents in the Glenayre Subdivision, City of Port Moody, protested to the Municipality of Burnaby against noise created by motorcyclists using the gravel-pit area and the B.C. Hydro right-of-way on the east side of Burnaby Mountain. Attached are copies of Item 2, Report No.43, June 28, 1971 and Item 39, Report No. 45, July 12, 1971 received by Council in response to the protest.

On February 13, 1973, Mr. R.H. Blackwood, Clerk Administrator, City of Port Moody, wrote to the Municipal Manager requesting that we advise him of corrective measures that the Municipality of Burnaby may take to eliminate a nuisance created by the operation of motorcycles on the east side of Burnaby Mountain. On February 20, 1973, the Manager advised Mr. Blackwood as follows:

"The operation of motorcycles on the mountainside clearly presents the possibility of undesirable noise and disturbances which can be annoying to residents in the area. To ensure that effective enforcement of this problem is maintained, I am by copy of this letter requesting the Burnaby Detachment of the R.C.M.P. to intensify their patrols in the area. I am also by copy of this letter requesting the Parks and Recreation Administrator to initiate an inspection of the trails on Burnaby Mountain park land, and to install whatever signs may be required to ensure that appropriate restrictions are posted.

Because some trails and all right-of-ways in the area in question are located on property that belongs to Simon Fraser University, including a gravel pit which in the past has been used by motorcyclists, I suggest that the problem concerning disturbances be also referred to Mr. George Stuart, Vice-President in charge of Administration for the University. Perhaps he can be of some assistance to you in this regard."

On March 14, 1974, the Officer in Charge, R.C.M.P., Burnaby Detachment wrote to the Manager (see copy of letter attached) with respect to motor-cycles on Burnaby Mountain. A copy of the Superintendent's letter was provided by the Manager to Mr. Blackwood on March 19, 1973.

The Parks and Recreation Administrator reports as follows:

"Complaints have been received from residents of the East Broadway area as well as from people living on the Coquitlam and Port Moody side of North Road of noise from motorcycles and "dune buggies" coming from the East side of Burnaby Mountain. In addition to the noise factor, it is unpleasant and possibly dangerous for those walking on the trails in this area to find they are sharing them with motor vehicles.

The Parks and Recreation Department has consistently made a practice of putting signs prohibiting motor vehicles on park property. This is enforceable under the governing Bylaw No. 1802. However, very little of the area involved in the current complaints belongs to Burnaby Parks. Stoney and Lyndhurst Parks are south of Broadway. In addition, we now own two lots on

Continued ...

Re: Noise Created by Motorcycles on Burnaby Mountain Cont'd.

the north side of East Broadway. These have been signed. The property involved belongs to Simon Fraser University.

Prior to the opening of S.F.U., the Parks Department did allow motorcycles the use of an abandoned gravel quarry just north and west of East Broadway and North Road. The quarry is now on University lands and it is not known what the University's policy is in this respect.

We have found that we can control to a reasonable degree the use of parks trails by motor vehicles by signing, barricading (not effective against motorcycles), and by intensifying patrolling of trouble spots. The anti-noise Bylaw is an additional means which can be used on Municipal property."

Following is the report of the Chief Health Inspector submitted on behalf of the Technical Committee - Noise or Sound Abatement.

RECOMMENDATIONS:

THAT the Administration of Simon Fraser University be advised of their responsibility in terminating present violations of the Burnaby Noise or Sound Abatement Bylaw #6052, 1972, being committed on Simon Fraser University property; and

THAT the University be asked to advise by July 15, 1974 what action they intend to take in this connection; and

THAT the Administration of Simon Fraser University, the City of Port Moody, and Mr. Norman Patterson representing various City of Port Moody complainants, be provided with copies of this report.

* * * * *

M.J. Shelley
Municipal Manager
Corporation of Burnaby

June 13, 1974

Dear Sir:

Re: NOISE CREATED BY MOTORCYCLES USING THE GRAVEL PIT AREA AND
B.C. HYDRO RIGHT-OF-WAY ON THE EAST SIDE OF BURNABY MOUNTAIN

Further to Council's request for information as to the level of noise emission created by motorcyclists using the above-noted property for trail riding activities, we would advise as follows.

Noise emanating from the concerned area has been an irritant to and a source of complaint from citizens of the City of Port Moody, who reside in that portion of Port Moody, which is adjacent to the East side of Burnaby Mountain. Noise emission, the complainants state, is particularly high on weekends.

The Health Department conducted a noise survey, weather permitting, on weekends between February 17 and April 28, 1974. The following information was obtained:

GRAVEL PIT AREA AND B.C. HYDRO RIGHT-OF-WAY ON THE EAST SIDE OF BURNABY MOUNTAIN (See attached map)

Total time of monitoring - 12 hours.

STATION #1 - North Road, Rear of 985 Garrow Drive

Ambient or background noise level range	<u>39-43 dBA</u>
Minimum/maximum dBA level due to motorcycle noise in pertinent area	<u>58-72 dBA</u>

STATION #2 - North Road, Opposite Entrance to G.V.R.D. Water Station

Ambient or background noise level range	<u>42-46 dBA</u>
Minimum/maximum dBA level due to motorcycle noise in pertinent area	<u>52-83 dBA</u>

STATION #3 - B.C. Hydro Right-of-Way, Burnaby Mountain Gravel Pit

Ambient or background noise level range	<u>38-40 dBA</u>
Minimum/maximum dBA level due to motorcycle noise in pertinent area	<u>65-98 dBA</u>

In perusing the above-noted results, it should be noted that readings taken in accordance with the Burnaby Noise or Sound Abatement By-law #6052, 1972, from Stations #1 and #2 are most important as they denote noise levels emanating from the gravel pit area to which residents of the 900 block Garrow Drive, Port Moody, are subjected.

TYPE OF VEHICLES OBSERVED

The majority of vehicles observed were in the trail bike category. The bikes are brought to the area by car, pick-up or trailer and few, if any, have muffling equipment.

OWNERSHIP OF PROPERTY

The concerned land is under the control of Simon Fraser University and contains a B.C. Hydro Right-of-Way. There are nature trails used by hikers, and some horse-back riding activity occurs. Access to the area is gained from Gagliardi Way or North Road, although most motorcyclist entries are from North Road via the gravel pit road or the G.V.R.D. Water Station road.

Based on noise level monitoring and observance of the extent of activity, it is the opinion of the technical committee that the use of this area for motorcycle trail riding activities constitutes a noise nuisance to adjacent Port Moody residents and does interfere with the quiet enjoyment of their property. Certainly the noise level is above that permitted by the Burnaby Noise or Sound Abatement By-law #6052, 1972, Section 7, which reads as follows:

"7. No person shall between 7:00 A.M. and 10:00 P.M., except as herein provided, in any Residential District, Public and Institutional District or Multiple Family District in the Municipality make or cause continuous noise or continuous sound the noise or sound level of which exceeds 55 dBAs. When the continuous noise or continuous sound is emanating from real property in a Residential District, Public and Institutional District or a Multiple Family District the continuous noise or continuous sound shall be measured at any point on the property line or within 20 feet of the property line of the real property from which the said continuous noise or said continuous sound is emanating. When the continuous noise or continuous sound is emanating from a highway in a Residential District, Public and Institutional District or a Multiple Family District the continuous noise or continuous sound shall be measured at a distance of not less than 20 feet from the source of the said continuous noise or said continuous sound."

It is the further opinion of the Committee that with continued use of this area by motorcyclists the production of noise will increase unless adequate control measures are instituted at this time.

For information of Council, Sections 5 and 6 of the Burnaby Noise or Sound Abatement By-law #6052, 1972, read as follows:

"5. No owner or occupier of real property in the Municipality shall, except as herein provided, allow such real property to be used so that noise or sound emanates therefrom which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighborhood, or of persons in the vicinity.

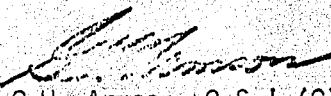
6. No owner or occupier of real property in the Municipality shall, except as herein provided, allow such real property to be used so that noise or sound or continuous noise or continuous sound or non-continuous noise or non-continuous sound emanates therefrom that exceeds the dBAs authorized by this By-law."


The responsibility for compliance with the Burnaby Noise or Sound Abatement By-law #6052, 1972, must be assumed by the Simon Fraser University authorities, who hold title to the land being used by the offending motorcyclists.

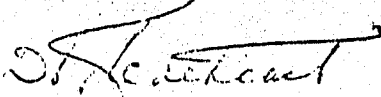
RECOMMENDATIONS

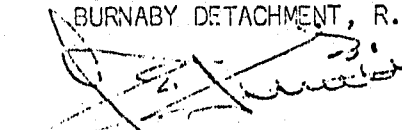
THAT the Administration of Simon Fraser University be advised of their responsibility in terminating present violations of the Burnaby Noise or Sound Abatement By-law #6052, 1972, being committed on Simon Fraser University property; and THAT the Administration of Simon Fraser University, the City of Port Moody and Mr. Norman Patterson, representative for the City of Port Moody complainants, be provided with copies of this report.

TECHNICAL COMMITTEE
NOISE OR SOUND ABATEMENT BY-LAW 1972 #6052:


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


H. Bacon
TRAFFIC SUPERVISOR

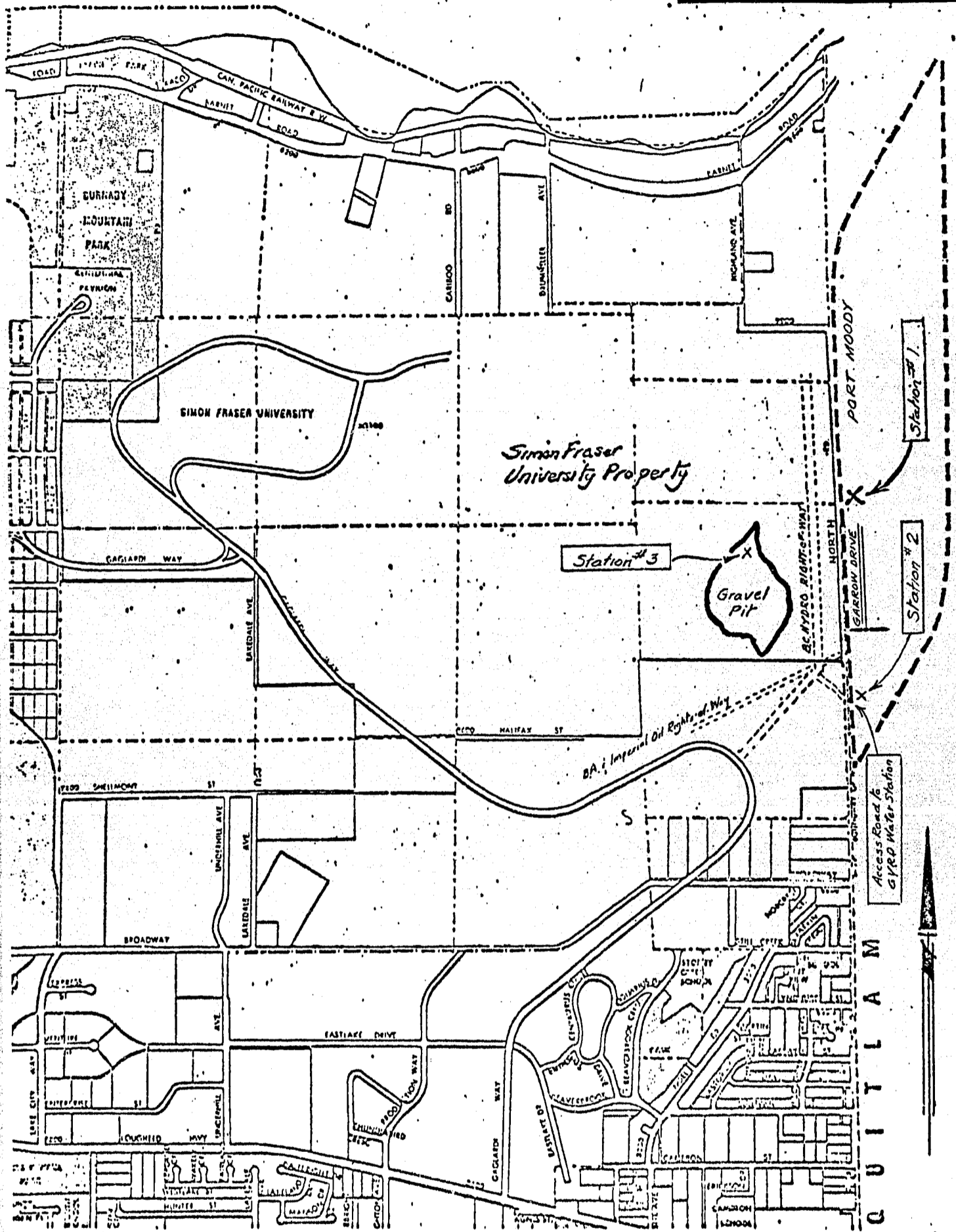

Sgt. D.R. Cathcart
BURNABY DETACHMENT, R.C.M.P.


L.E. Renner
ENVIRONMENTAL HEALTH TECHNOLOGY
B.C.I.T.

GHA/HB/DRC/LEP/dhc

Att.

ITEM 19
 MANAGER'S REPORT NO. 45
 COUNCIL MEETING June 17/74



BURNABY MOUNTAIN GRAVEL PIT

 Origin of Complaints

13 June 1974

C O C K I T L A M

ITEM 19
MANAGER'S REPORT NO. 45
COUNCIL MEETING June 17/74

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ORIGINAL COMMUNICATIONS (2)
Regular Council Meeting
November 26, 1973

PHONE 333-7211

CITY OF PORT MOODY
City Hall

2425 ST. JOHNS STREET
P.O. BOX 33
PORT MOODY, B.C.

November 13, 1973.

Mr. J. H. Shaw,
Municipal Clerk,
Corporation of the District of Burnaby,
4949 Canada Way,
BURNABY 2, B. C.

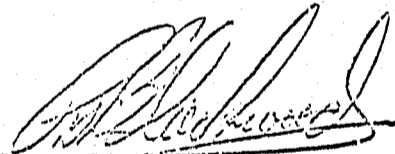
Dear Sir:

At the last regular meeting of the City Council held on Monday, November 5th, 1973, concern was expressed regarding the noise and other nuisance created by motor vehicles on Burnaby Mountain, specifically in the area adjacent to this City.

The City Council passed a resolution requesting the co-operation of the Corporation of Burnaby, along with the Governors of Simon Fraser University, to ban motor vehicle traffic from Centennial Trail and other areas of Burnaby Mountain.

I would appreciate it if you could place this matter before your Council for their consideration.

Yours truly,



R. H. Steckwood,
Clerk-Administrator.

CITY OF PORT MOODY

NOV 14 1973

ITEM 2

MANAGER'S REPORT NO. 43

COUNCIL MEETING June 26/71

2. Re: Complaint from Residents of Glenayre Subdivision, City of Port Moody Regarding Motorcyclists using East Side of Burnaby Mountain

A petition was received at the June 7, 1971 Council Meeting regarding the above in which it was stated that the R.C.M.P. had informed the petitioners that Burnaby Council had given permission to motorcyclists for the use of the East side of Burnaby Mountain, the gravel pit area and the B.C. Hydro right-of-way.

The communication was tabled until the R.C.M.P. could supply a report in connection with the matter.

The R.C.M.P., in a letter dated June 14, 1971, advised the following:

1. They have had two complaints from Mr. Patterson in regard to noisy vehicles and the Traffic Detail has taken enforcement action against the offending units where that has been possible.
2. They have been unable to find any of the members of the Burnaby Detachment who advised Mr. Patterson that Burnaby Council had granted permission for motorcyclists to use the area in question. It is, however, possible that this may have occurred because Council, in the past, granted permission to clubs to conduct rallies within the confines of the Municipal gravel pit for specific times and days.
3. The N.C.O. in charge of our Traffic Section has spoken to S.F.U. Traffic and Security and they will ensure that the boundary on their portion of the property is well signed to advise people that they are not to operate motor vehicles across that land.
4. The Engineering Department will ensure that previously posted signs along Centennial Trail and other rights-of-way on Municipal Lot 100 adjacent to this area are still erected.
5. The members of the Burnaby Detachment have been alerted to ensure that this area is patrolled during evenings and weekends with a view to stopping this type of operation.

The Detachment has assured Mr. Patterson that enforcement action will be continue on this matter and Mr. Shaw has corresponded accordingly with Mr. Patterson.

It is recommended that the action taken by the Clerk be ratified and the communication filed.

ITEM 19
MANAGER'S REPORT NO. 45
COUNCIL MEETING June 17/74

ITEM 39

MANAGER'S REPORT NO. 45

COUNCIL MEETING July 12/71

39. Re: Motorcycles on East Side of Burnaby Mountain.
(Item No. 2, Manager's Report No. 43, Council Meeting 20 June, 1971).

The above subject was discussed at the Parks and Recreation Commission meeting held on July 7, 1971, as a result of receiving a copy of the Municipal Clerk's letter to Mr. Norman A. Patterson, 985 Garrow Drive, Port Moody, in this regard.

The Parks and Recreation Commission has directed that Council be informed that it (the Commission) does not have any objection to motorcycles using the east side of Burnaby Mountain. If any of these vehicles are not street-legal, then the R.C.M.P. should enforce the anti-noise section of the Motor Vehicle Act.



MAR 15 1973

MUNICIPAL MANAGER'S
OFFICE

ITEM 19

MANAGER'S REPORT NO. 45

COUNCIL MEETING June 17/74

YOUR NO. 14-4(b)73
VOTRE N°

OUR NO. TR 329
NOTRE N°

Burnaby Detachment,
6355 Gilpin Street,
Burnaby 2, B.C.,
March 14, 1973.

The Municipal Manager,
Corporation of the District of Burnaby,
4949 Canada Way,
Burnaby 2, B.C.

Dear Sir:

Re: Motorcycles on the East Side
of Burnaby Mountain

This has reference to the copy we received of
your letter dated February 20, 1973 to the Clerk-
Administrator, City of Port Moody.

Since no report to Council is indicated, I am
sending you for your information a copy of a report sub-
mitted to me by the N.C.O. in charge our Traffic Section
on enforcement action taken to date.

I think his comment at paragraph 8 has a lot
of merit; and if the motorcycles are complying with the
law, they would be less of a nuisance in an isolated area
than on public streets and highways.

Yours truly,

(W.G. Lambert) Supt.
Officer in Charge
Burnaby Detachment

ITEM 19

MANAGER'S REPORT NO. 45

COUNCIL MEETING June 17/74

"NEW" DIVISION

Royal Canadian Mounted Police
Burnaby Detachment
3333 Gilpin Street
Burnaby 2, B.C.
March 9, 1973

TR 320

CIC BURNABY DEPT RCMP

Re: Motorcycles on the East Side
of Burnaby Mountain

With reference to the above and to copy of correspondence from the Municipal Manager to Mr. R.H. BLACKWOOD, Clerk-Administrator, City of Port Moody, dated 20 FEB 73, I wish to advise as follows.

2. Patrols by our members have been intensified, especially on weekends, to the area just off North Road, bordering the B.C. Hydro right-of-way and the gravel pit area. A number of motorcycles and mini-bikes were checked and found to be highway legal therefore no action could be taken. A number of bikes were noted to be well back in the bush area on trails and could not be checked.

3. I have discussed this disturbance problem with Simon Fraser University Security Personnel who have advised me that they try to discourage motorcycle and mini-bike riding on trails and paths at the top of Burnaby Mountain, as this is private property.

4. I have been advised by our Engineering Department that there are no Municipal roads or public right-of-ways near the gravel pit area just off North Road, which is the location most often frequented by bike riders.

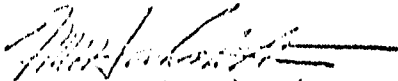
5. I wish to point out that there was a petition received by Burnaby Council in June 1971 at which time the R.C.M.P. supplied a report in a letter dated 14 JUN 71, part of which stated that the Engineering Department would ensure that previously posted signs adjacent to access roads and trails would be erected.

6. On 7 JUL 71 Council was advised by the Parks & Recreation Commission that they did not have any objection to motorcycles using the east side of Burnaby Mountain.

7. It is my opinion that increased patrols by our members, to ensure that bikes are highway legal, and riders are properly licensed, will have no effect whatever on the disturbance from noise complaint. It is further advised that a motorcycle or mini-bike with an adequate muffler system would be within the allowable 80 DB's and meet the requirements of the Motor Vehicle Act.

8. I also would like to point out that if motorcycle and mini-bikes are totally restricted from this area, the number of complaints of these bikes being ridden on Municipal streets and lanes is bound to increase.

9. If a total restriction is proposed, I would suggest a fence and locked gate be erected just off North Road where the public presently have access to the B.C. Hydro right-of-way and gravel pit area.


(G. Reckstetter) S/Sgt.
1/c Traffic Detail

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