

ITEM	14
MANAGER'S REPORT NO.	16
COUNCIL MEETING	1978 02 27

Re: LETTER FROM RESIDENTS ON RUMBLE AND NEVILLE STREETS  
WHICH APPEARED ON THE AGENDA FOR THE 1978 FEBRUARY 13  
MEETING OF COUNCIL (ITEM 4(c))  
COMPLAINT INVOLVING A BARKING DOG

Appearing on the Agenda for the 1978 February 13 meeting of Council was a letter signed by fourteen persons regarding a dog whose barking was referred to as a "constant disturbance". Results of an investigation that was undertaken by staff are contained in the following report from the Chief Public Health Inspector.

RECOMMENDATION:

1. THAT a copy of this report be sent to the petitioners.

\* \* \* \* \*

1978 February 23

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

Dear Sir:

Re: PETITION TO MAYOR AND COUNCIL  
DOG BARKING COMPLAINT - 7694 BULLER AVENUE  
LOT 1, BLK. 36, S.D. 2, D.L. 159, PLAN 13436

With reference to a Petition forwarded to the Mayor and Council concerning the barking of a dog harboured at 7694 Buller Avenue, Burnaby, we would advise as follows.

Perusal of this Department's records reveal that a complaint relating to the excessive barking of a dog harboured at 7694 Buller Avenue, Burnaby, was registered with this office on 1977 June 29. A Health Department Inspector contacted a Mr. E. Luft, 7694 Buller Avenue, Burnaby, the same day, explained the nature of the complaint to Mr. E. Luft, assessed owner of the premises, and requested that the dog barking be kept under control. On 1977 August 10 and 11, two complaints were received from nearby residents regarding the excessive barking of this dog. At this time, a registered notice requesting compliance with the Burnaby Noise or Sound Abatement By-law 1972, #6052, was forwarded to Mr. E. Luft, 7694 Buller Avenue, Burnaby. One of the complainants was requested to contact this office in one week's time should there be no improvement. Records reveal that no further complaint was made to this office until 1978 January 06.

../2

145

ITEM	14
MANAGER'S REPORT NO.	16
COUNCIL MEETING 1978 02 27	

Mr. M.J. Shelley

- 2 -

1978 February 23

146

On 1978 January 06, a complaint regarding the barking of this dog was registered with this office. The subject was discussed with Mr. E. Luft, who advised that his dog was brought in every night and that barking in this neighbourhood was not confined to his dog. The complainant, in this case, did not want to be further involved and requested only that we verbally advise Mr. Luft of the annoyance caused by the excessive barking of the Luft dog.

On receipt of the 1978 February 03 Petition to Mayor and Council, Health Department Inspectors contacted the petitioners on 1978 February 09. They were successful in interviewing persons from five of the eight listed residences. Business cards were left at the remaining three residences asking that the occupants contact this office; we have not heard from anyone residing at these three residences to date. The five persons who were interviewed stated emphatically that the dog harboured at the Luft residence was disturbing their rest, peace, quiet and enjoyment. On 1978 February 14, a notice was personally delivered to Mr. E. Luft advising him that the barking of the dog in question was in contravention of the Burnaby Noise or Sound Abatement By-law 1972, #6052, and that should this Department receive further complaints, we would have no alternative other than to proceed with enforcement of the By-law. Mr. Luft once again stated that his dog was not creating nor was it the cause of a noise nuisance to the immediate community. He further suggested that the Health Department proceed under the authority of the By-law in order that the alleged complaints be finalized. We are requesting that the complainants keep a record of the times and dates that this dog disturbs them by excessive barking between now and 1978 March 20. Should the information obtained substantiate that the dog harboured by Mr. E. Luft, 7694 Buller Avenue, Burnaby, is causing a disturbance to the immediate community, this Department will proceed under authority of Section 5 of the Burnaby Noise or Sound Abatement By-Law 1972, #6052, which states:

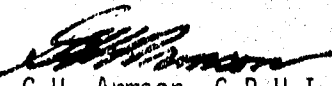
"No owner or occupier of real property in the Municipality shall, except as herein provided, allow such real property to be used so that noise or sound emanates therefrom which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighborhood, or of persons in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

RECOMMENDATION

- (1) THAT a copy of this report be forwarded to the petitioners.

Respectfully submitted,

GHA:pm

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