

ITEM	10
MANAGER'S REPORT NO.	62
COUNCIL MEETING	1979 09 17

RE: LETTER FROM JANET MCKAY ET AL WHICH APPEARED ON THE AGENDA
FOR THE 1979 SEPTEMBER 04 MEETING OF COUNCIL (ITEM 4e)
COMPLAINT REGARDING STEREO AND PARTY NOISE
3868/70 BRANDON STREET, BURNABY, B.C.

Appearing on the agenda for the 1979 September 04 meeting of Council was a letter signed by several persons requesting that action be taken on the emanation of disturbing noise from a strata title duplex at 3868/70 Brandon Street. Following is a report from the Chief Public Health Inspector on this matter. Statements received from two of the tenants indicate that there will be no future problems involving disturbances to the neighbours. They have expressed a sincere desire to cooperate and do whatever is possible to ensure that peace is maintained. Staff will not submit further reports on this matter unless it becomes necessary to do so.

RECOMMENDATION:

1. THAT the recommendation of the Chief Public Health Inspector be adopted.

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TO: MUNICIPAL MANAGER 79 09 12
FROM: CHIEF PUBLIC HEALTH INSPECTOR
RE: PETITION OF COMPLAINT - STEREO AND PARTY NOISE
3868/70 BRANDON STREET, BURNABY

RECOMMENDATION

THAT a copy of this report be forwarded to:

Mr. and Mrs. A.R. McKay
3884 Brandon Street, Burnaby, B.C., V5G 2P5
Mrs. B. Coulson
3910 Brandon Street, Burnaby, B.C., V5G 2P5
G.W. Pitman
3846 Brandon Street, Burnaby, B.C., V5G 2P5
Mr. and Mrs. R. Harrington
3930 Brandon Street, Burnaby, B.C., V5G 2P5
F. Flaim
3873 Brandon Street, Burraby, B.C., V5G 2P6

REPORT

Further to receipt of a 1979 August 27 petition of complaint from residents of the 3800/5900 Block Brandon Street, Burnaby, regarding stereo and party noise at a duplex addressed as 3868/70 Brandon Street, we would state that the situation has been investigated and would submit the following report.

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On 1979 August 30, an interview was held with Mr. R. Hull, occupant of 3870 Brandon Street. It was ascertained at this time that Mr. Hull and a Mr. B. McLauchlan rent the entire duplex, occupy, with two other young men, one side of the duplex and sub-let the other side to four young men. Mr. Hull was advised of the following noise complaints and his responsibility for same:

- (1) Party and stereo noise.
- (2) Noise emitting from the exhaust of a built-in vacuum system operated between 24:30 and 01:00 h.

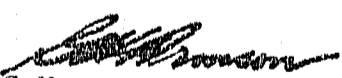
In discussion, Mr. Hull stated that 1979 July 28 was the last date that a party had been held at this premise. Mr. Hull's statement was substantiated by Mr. McLauchlan during a visit he made to this office 1979 September 12. Mr. McLauchlan did state that the party of 1979 July 28 had been an impromptu event arranged by a person no longer living on the premises and without prior consent of Mr. McLauchlan. Both Mr. Hull and Mr. McLauchlan have expressed their desire to comply with the requirements as contained within the Burnaby Noise or Sound Abatement By-law. Mr. Hull and Mr. McLauchlan have both been advised that should further noise complaints be received and upon investigation found to be warranted, that action would be taken by this Department under authority of the Burnaby Noise or Sound Abatement By-law 1979, #7332.

Section 4 of the Burnaby Noise or Sound Abatement By-law states that the owner of property is also responsible for excessive noise that may emanate from such property. In view of this Section, Mr. K.S. Sidhu, 5049 Marine Drive, Burnaby, one of the persons listed as owning the subject duplex, was advised by telephone 1979 September 05 of the nature of the complaint and his responsibility under Sections 4(a) and (b) of the Burnaby Noise or Sound Abatement By-law 1979, #7332. Mr. Sidhu stated that he had no knowledge of a complaint relating to noise emission from this property, but would take any steps necessary to avoid a recurrence of complaint. A letter confirming our telephone call of 1979 September 05 was forwarded to Mr. Sidhu on 1979 September 06.

Mrs. J. McKay was contacted by telephone and advised of our actions to date. Mrs. McKay stated that noise emission is no longer a problem and is satisfied with action taken. We have requested Mrs. McKay to contact this office if further noise problems are encountered.

It is our opinion that Mr. Hull and Mr. McLauchlan will comply with the provisions of the Burnaby Noise or Sound Abatement By-law 1979, #7332 and that excessive noise will not be a problem in this area.

GHA:pm


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

cc: Officer-in-Charge, Burnaby Detachment, R.C.M.P.