

RE: LETTER FROM MR. H. V. ELLIOTT WHICH APPEARED ON THE AGENDA FOR THE
1982 APRIL 13 MEETING OF COUNCIL (ITEM 5c)
EXCESSIVE NOISE EMISSION - BAND PRACTICING
4040 TRIUMPH STREET

Following are comments from the Planning & Building Inspection Department on this matter:

"An inspection of the subject premises was undertaken by the Licence Department and Environmental Health Department who determined that the current residents had allowed the basement to be used by various musicians for practicing sessions. The noise generated by these practise sessions was determined to exceed the maximum levels permitted under the Burnaby Noise Bylaw #7332. There was however no evidence of the house being used as a warehouse or clubhouse as referenced in Mr. Elliott's letter.

As a result, the Planning Department advises that the use of the premises for musical practice sessions by persons not resident in the dwelling is clearly an illegal use pursuant to the R5 Zoning regulations. Should further illegal use of the premises for this purpose persist, legal action pursuant to the Burnaby Noise Bylaw will be undertaken."

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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1982 April 14

Our File: 3-06-02

TO: MUNICIPAL MANAGER

FROM: CHIEF PUBLIC HEALTH INSPECTOR

RE: EXCESSIVE NOISE EMISSION - BAND PRACTICING
4040 TRIUMPH STREET, BURNABY, B.C.

RECOMMENDATION:

1. THAT a copy of this report be sent to Mr. H.V. Elliott, 4030 Triumph Street, Burnaby, B.C., V5C 1Z2.

SUMMARY

The following report outlines this Department's action on concerns raised by Mr. H.V. Elliott, 4030 Triumph Street, Burnaby, regarding excessive noise emission from 4040 Triumph Street due to band practicing.

This Department served notice to the occupants of 4040 Triumph Street on 1982 April 08, requesting that they immediately cease excessive noise emission resulting from band practicing. Mr. Elliott was advised to contact this Department using the office or emergency callout numbers should the disturbance continue unabated.

REPORT

In response to the letter to the Mayor and Council from Mr. H.V. Elliott, 4030 Triumph Street, Burnaby, which outlines his concerns regarding objectionable band noise emission from 4040 Triumph Street, this Department would submit the following report.

On 1982 April 07, this Department contacted Mr. Johnson, the registered owner of 4040 Triumph Street, and advised him of the complaint concerning band noise and the terms of the Burnaby Noise By-law #7332. Mr. Johnson informed us that the tenants who pay the rent are Russell Devert and Bob Herron.

ITEM	2
MANAGER'S REPORT NO.	26
COUNCIL MEETING	1982 04 19

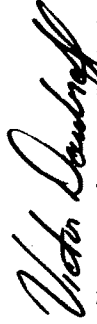
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At approximately 14:15 h, 1982 April 08, V.G. Doubroff, Assistant Chief Public Health Inspector, V.G. Embree, Public Health Inspector I, and G.R. Hamilton, Senior Licence Inspector, hand delivered a notice to Bob Herron at the subject address. A band was noted to be practicing from within the 4040 Triumph Street residence and the resulting property line noise emission was in excess of the Noise By-law standards.

The content of the letter was explained to Mr. Herron regarding excessive noise emission emanating from 4040 Triumph Street and the band was ordered to cease practicing, which was complied with immediately.

This Department contacted Mrs. Elliott following the inspection on 1982 April 08, who advised that the band had ceased practicing. We further advised Mrs. Elliott to telephone the 24-hour emergency callout number if the band practicing activity were to resume.

This is for the information of Council.



For G.V. Harvie, C.P.H.I.(C)
CHIEF PUBLIC HEALTH INSPECTOR

GVH:1a

cc: Chief Licence Inspector
Director-Planning and Building Inspection