

RE: LETTER FROM MS. E.P. ADRIAN WHICH APPEARED ON THE AGENDA
FOR THE 1984 NOVEMBER 19 MEETING OF COUNCIL (Item 4 (d))
COMPLAINT REGARDING NOISE EMISSION FROM ADJACENT HIGH-RISE CONSTRUCTION

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER
FROM: CHIEF PUBLIC HEALTH INSPECTOR

1984 November 14

FILE: 3-06-02

RE: LETTER OF COMPLAINT REGARDING NOISE EMISSION
FROM ADJACENT HIGH-RISE CONSTRUCTION SITE
MS. E.P. ADRIAN, #104-5808 PATTERSON AVE., BURNABY, B.C., V5H 2M8

RECOMMENDATION:

1. THAT a copy of this report be forwarded to Ms. E.P. Adrian,
#104-5808 Patterson Avenue, Burnaby, B.C., V5H 2M8.

SUMMARY:

Following is a report regarding the Environmental Health Division's response to the subject complaint on early morning and late evening construction noise. Early morning inspections of the construction site have not revealed violations of the Noise By-law. Should confirmed violations occur, the Environmental Health Division will immediately proceed with court charges. A further report will be submitted to Council in December recommending reducing the current 22:00 h night-time limit for construction activity to 20:00 h.

REPORT

In response to a 1984 November 06 letter of complaint, addressed to Mayor and Council, from Ms. E.P. Adrian, #104-5808 Patterson Avenue, Burnaby, B.C., V5H 2M8, regarding construction noise from an adjacent high-rise project, we would advise as follows.

The attached report, which appeared on the 1984 August 07 Council Agenda, was in response to Ms. Adrian's 1984 July 24 written complaint.

Since the date of that report to Council, the Environmental Health Division has not been in receipt of any additional complaints. During our 1984 July investigation into Ms. Adrian's complaint, both Ms. Adrian and her apartment manager were instructed to contact this Division, utilizing our 24-hour emergency number when violations of the Burnaby Noise By-law's permitted hours of construction occurred.

Upon receipt of the current complaint, instructions were repeated to Ms. Adrian on utilizing the 24-hour emergency callout number for the Environmental Health Division. The District Public Health Inspector has conducted early morning inspections of the construction site on 1984 November 17, 19, from 6:00 h to 7:00 h. During the time of the inspections, there were no recordings of violations of the Noise By-law. Should this Division be advised of by-law violations of the permitted hours for construction activity, and our immediate investigation confirms the complaint, we will proceed with court charges.

Our 1984 August 07 report to Council stated that staff were currently reviewing our Noise By-law's permitted hours of activity for construction noise. We have concluded our review and will be forwarding to Council in December a report recommending reducing the current 22:00 h. Noise By-law time limit for construction activity to 20:00 h.

We have discussed with Ms. Adrian, the Environmental Health Division's action on her recent complaint and our forthcoming report to Council.

G.V. Harvie

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

GVH:Ja
cc: Director Administrative & Community Services
Medical Health Services

ITEM 5
MANAGER'S REPORT NO. 50
COUNCIL MEETING 84/08/07

ITEM 8
MANAGER'S REPORT NO. 75
COUNCIL MEETING 84/11/26

RE: LETTER OF COMPLAINT REGARDING NOISE EMISSION FROM
ADJACENT HIGH-RISE CONSTRUCTION
MS. E.P. ADRIAN, #104 - 5808 PATTERSON AVE., BURNABY,
B.C. V5H 2M8

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

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TO: MUNICIPAL MANAGER
1984 July 30

FROM: CHIEF PUBLIC HEALTH INSPECTOR
File: 3-06-02

RE: LETTER OF COMPLAINT REGARDING NOISE EMISSION
FROM ADJACENT HIGH-RISE CONSTRUCTION
MS. E.P. ADRIAN, #104 - 5808 PATTERSON AVENUE, BURNABY, B.C., V5H 2M8

RECOMMENDATION:

1. THAT a copy of this report be forwarded to Ms. E.P. Adrian,
#104 - 5808 Patterson Avenue, Burnaby, B.C., V5H 2M8.

REPORT

In response to a 1984 July 24 letter of complaint addressed to Mayor and Council from Ms. E.P. Adrian, #104 - 5808 Patterson Avenue, Burnaby, regarding permitting construction noise after 6:00 p.m. in residential areas, we would advise as follows.

The Burnaby Noise or Sound Abatement By-law 1979, No. 7332, regulates the permitted hours of work for construction activities as follows:

Section 15 (1) "No person shall, before 7:00 o'clock in the forenoon and after 10:00 o'clock in the afternoon from Monday to Saturday, construct or demolish any building, structure or thing, or excavate or fill in land in the Municipality."

Section 15 (2) "No person shall, before 9:00 o'clock in the forenoon and after 10:00 o'clock in the afternoon on Sunday, construct or demolish any building, structure or thing, or excavate or fill in land in the Municipality."

ITEM 5
MANAGER'S REPORT NO. 50
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MANAGER'S REPORT NO. 75
COUNCIL MEETING 84/11/26

Currently, an eighteen-storey high-rise building is being constructed at the corner of Kingsway and Patterson Avenue, adjacent to Ms. E.P. Adrian's apartment residence. The District Public Health Inspector has been monitoring the construction noise and hours of activity and, as of today, there is no violation of the requirements of the Burnaby Noise or Sound Abatement By-law.

We are anticipating completion of the excavation portion of this project within one to two weeks. The completion of this phase of the project should alleviate a major portion of the noisiest of the construction activities.

Due to the sensitivity of the adjoining high-rise building, the District Public Health Inspector is working with the construction company in order to ensure that selection of equipment and methods of construction will result in a reduced noise emission to the surrounding residential areas.

When a major construction project is active within an existing residential area, the residents are exposed to disturbing noise emission levels. The restricted hours as contained in the Burnaby Noise or Sound Abatement By-law have been successful in alleviating many complaints of early morning or late evening construction activity. Ms. Adrian's concern is that the existing 10:00 p.m. requirement for halting of all construction activity is too lenient. We are aware of other noise by-laws within the Lower Mainland that require construction noise to cease at 8:00 p.m. Environmental Health Division staff are at this time reviewing our inspection case histories on noise disturbances due to construction activities. After our review is completed, and should the results favour a reduction from the current 10:00 p.m. time limit for all construction activity, a recommendation will be forwarded to Council.

We have discussed the nature of the complaint and the continual efforts of the District Public Health Inspector with Ms. Adrian. The District Public Health Inspector will continue periodic inspections of the construction site and discussions with the construction officials in order to ensure that noise emission will be minimized and hours of activity kept within by-law requirements.

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

GVH:1a

cc: Director Administrative & Cultural Services
Medical Health Officer

