

TO: MUNICIPAL MANAGER 1992 JULY 08

FROM: ACTING CHIEF PUBLIC HEALTH INSPECTOR

SUBJECT: CONSTRUCTION NOISE

PURPOSE: TO INFORM COUNCIL OF THE PROCESS WHICH ADVISES APPLICANTS FOR BUILDING PERMITS OF REQUIREMENTS AS CONTAINED IN THE MUNICIPALITY'S NOISE OR SOUND ABATEMENT BYLAW, AND TO ALSO INFORM COUNCIL ON MATTERS PERTAINING TO THE PROSECUTION OF FIRST TIME VIOLATORS OF THIS BYLAW.

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RECOMMENDATION:

1. THAT this report be received for information purposes.

REPORT

1.0 INTRODUCTION:

At the regular Council Meeting on 1992 May 19, Council received and reviewed Municipal Manager's Report No. 36 regarding construction noise activity on Sundays.

Council, upon adopting the recommendation contained in the above noted report (THAT a copy of this report be forwarded to Ms. Gisela Wilhelm, 4432 Irmin Street, Burnaby, B.C., V5J 1X7) adopted a Motion directing staff to report on the feasibility of advising applicants upon the issuance of Building Permits regarding Burnaby Noise or Sound Abatement Bylaw requirements and prosecution of first time offenders violating the noise bylaw requirements relating to construction noise.

The following addresses the above noted issues.

2.0 ADVISEMENT OF NOISE BYLAW REQUIREMENTS DURING BUILDING PERMIT ISSUANCE:

As a component of the plan checking process prior to Building Permit issuance by the Building Department, Environmental Health Services staff does include comments relating to noise as noted below:

"During the construction and/or preparation of this facility, Contractors, Developers and Management Companies shall comply with the regulations pursuant to the Burnaby Noise or Sound Abatement Bylaw.

No person shall commence any activities related to construction or demolition of any building, structure or thing, or excavate or place fill in land in the municipality, before 07:00 h or after 22:00 h from Monday to Saturday or before 09:00 h or after 22:00 h on Sundays."

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In addition to this, as a component of staff's ongoing educational efforts a letter has recently been written to the Amalgamated Construction Association of B.C. informing them of Burnaby noise bylaw requirements relating to construction activities including prosecution of first time offenders. The letter also notes that the use of heavy equipment within or in close proximity of the work site beyond allowable times can be regarded as a violation and enforcement of the bylaw is particularly rigorous if such activity impacts residential areas.

**3.0 PROSECUTION OF FIRST TIME OFFENDERS VIOLATING BURNABY NOISE BYLAW REQUIREMENTS RELATING TO CONSTRUCTION ACTIVITY:**

In view of the notification already provided to applicants during the issuance of Building Permits, staff do support and will prosecute first time offenders violating Burnaby noise bylaw requirements relating to construction activity.

**4.0 CONCLUSION:**

As a component of the plan checking process, Environmental Health Services staff include comments specific to construction activity as it relates to the Burnaby Noise or Sound Abatement Bylaw requirements.

In view of staff's ongoing educational efforts and the notification provided during Building Permit issuance regarding construction noise, staff do support and will prosecute first time offenders violating the noise bylaw requirements relating to construction activity.



K.C. Johnston, C.P.H.I.(C)  
ACTING CHIEF PUBLIC HEALTH INSPECTOR

DD/KCJ/jr

cc: Medical Health Officer  
Director Administrative &  
Community Services  
Acting Director Planning &  
Building  
Chief Building Inspector  
Municipal Solicitor