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MANAGER'S REPORT #	25
COUNCIL MEETING	95/05/15

TO: CITY MANAGER 1995 MAY 09

FROM: CHIEF ENVIRONMENTAL HEALTH OFFICER

SUBJECT: COMPLAINTS OF LATE NIGHT GARBAGE DISPOSAL NOISE FROM TWO RESTAURANTS AT 9600 CAMERON STREET, BURNABY, B.C.

PURPOSE: TO INFORM COUNCIL OF MEASURES IMPLEMENTED BY RED ROBIN AND ANDUCCI'S RESTAURANTS IN MINIMIZING LATE NIGHT GARBAGE DISPOSAL NOISE AND STAFF MONITORING OF THE SITUATION.

RECOMMENDATION:

1. THAT a copy of this report be forwarded to Ms. W. Hankin, #1705-9595 Erickson Drive, Burnaby, B.C., V3J 7N9.

REPORT

1.0 BACKGROUND

At the regular Council Meeting on 1995 January 09, Council received correspondence from Ms. W. Hankin complaining of noise generated from late night disposal of hard restaurant garbage at Red Robin and Anducci's restaurants. In response to the said correspondence, staff submitted a report at the regular Council Meeting on 1995 January 16 informing Council of commitments voluntarily made by the management of the two restaurants to modify their late night garbage disposal procedures in order to minimize noise.

On the 1995 May 15 Council Agenda, Ms. W. Hankin is scheduled to appear before Council as a delegation regarding dumping of hard garbage after bylaw hours by Red Robin and Anducci's restaurants.

The purpose of this report is to inform Council of the late night garbage disposal procedures at the two restaurants since the last Council report.

2.0 COMPLAINTS OF LATE NIGHT DISPOSAL OF HARD RESTAURANT GARBAGE

Between 1995 January 16 and May 08, staff received 16 complaints regarding the Red Robin restaurant and 3 complaints regarding the Anducci's restaurant from Ms. W. Hankin respecting late night garbage disposal noise from these restaurants. During the said period, staff did not receive any similar complaints from neighbouring residents.

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Follow-up discussions were held with the management of the restaurants after receiving complaints from Ms. W. Hankin to determine if there may have been special circumstances which would have resulted in an increase in garbage disposal noise.

3.0 PROCEDURES OF DISPOSING RESTAURANT GARBAGE AFTER 10 P.M.

In order to minimize the noise generated from late night disposal of restaurant garbage, both Red Robin and Anducci's restaurants volunteered to modify their garbage disposal procedures as follows:

A. Red Robin restaurant:

1. Since the restaurant's major food preparation is carried out daily between 10 a.m. and 2 p.m., hard garbage such as metal and tin cans is disposed of between 3 p.m. and 5 p.m. along with garbage collected during lunch hours;
2. Liquor bottles, broken glass bottles and ash trays collected at night are placed in a separate container and disposed of the following morning;
3. Ketchup bottles on each dining table are collected at the end of the evening shift, placed in a separate container, and disposed of the following morning;
4. Garbage collected in the evening is taken out to the dumpster only once after 10 p.m., but may occasionally require two consecutive trips;
5. A sign reminding staff of the new procedures is posted on the back door.

B. Anducci's restaurant:

1. Since the restaurant has a recycling program, hard garbage is segregated from soft garbage;
2. Garbage collected during the day is taken out to the dumpster between 5 p.m. and 8 p.m.
3. Garbage collected in the evening is taken out to the dumpster only once after 10 p.m., but may infrequently require two consecutive trips.

Management of both restaurants have assured staff that the aforementioned procedures are being adhered to. In addition, an additional sign will be posted by the dishwashing area in the Red Robin restaurant to further remind their staff of the new procedures.

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4.0 STAFF MONITORING OF THE MODIFIED GARBAGE DISPOSAL PROCEDURES

Staff have inspected the two restaurants and noted the following:

1. Glass bottles collected the night before were taken out to the dumpster by Red Robin staff in the morning;
2. Separate containers are provided for hard and soft garbage in the Red Robin restaurant;
3. A sign reminding staff of the new procedures is posted on the back door of the Red Robin restaurant;
4. While noise was audible when garbage was placed in the dumpster, the noise was not loud and there was no evidence to suggest that the Red Robin restaurant was not sorting their garbage when an unscheduled evening inspection was conducted by staff;
5. The garbage container at the Anducci's restaurant was noted to be half full and contained no hard garbage when staff conducted an unscheduled evening inspection.

5.0 BURNABY NOISE OR SOUND ABATEMENT BYLAW

As noted in the 1995 January 16 report to Council, the Burnaby Noise or Sound Abatement Bylaw does not prohibit all noise from commercial activities after 10 p.m. Other than the concerns raised by Ms. W. Hankin, staff have not received similar complaints from neighbouring residents. As such, prosecution under the general provision of the said Bylaw would be unsuccessful.

6.0 CONCLUSION

Red Robin and Anducci's restaurants are not, in staff's opinion, violating the Burnaby Noise or Sound Abatement Bylaw. In an effort to resolve Ms. Hankin's concerns, the management of the two restaurants voluntarily committed to modify their late night garbage disposal procedures. Staff have had ongoing discussions with the two restaurants on the new procedures and are satisfied that the restaurants have implemented them appropriately.



Tim Shum,
CHIEF ENVIRONMENTAL HEALTH OFFICER

TS/gl

- cc: () Director Engineering
() Medical Health Officer
() City Solicitor

