

LS9.1 - Attachment 10

Attachment 10: Chapter 591, Noise: Jurisdictional Scan

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
Toronto	Yes	Executive Director has the authority to grant only.	Municipal by-law or police officers. Maximum fines must be under \$5000 according to Provincial Offences Act) For businesses under Chapter 545, Licensing a fine not exceeding \$25,000 except under Subsection A which is \$50, 000.	Yes, consistent with Ontario Highway Traffic Act.	No.	Noise audible at point of reception. For granted permits cannot exceed 85dBA.
Caledon	Yes	Authority to grant only.	Municipal by-law or police officers. Fines/penalties are not identified.	Identifies decibel limits.	No.	Only provides decibel measures for motorcycle noise.
Guelph	Yes	Where an exemption is granted by council, breach of any of the terms or conditions of the exemption shall render the	Every person who is convicted of an offence under any provision of this By-law shall be liable to a penalty as set out in Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, or	Consistent with Ontario Highway Traffic Act.	This By-law does not apply: (a) during an emergency involving the health, safety or welfare of the public; (b) where the City, its servants, employees, contractors or agents are carrying out City operations or operating, maintaining or installing	Not listed.

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
		exemption null and void	any successor thereof.		municipally-owned infrastructure, facilities or the like, except for the detonation of explosives; (c) to noise created by the activity of snow removal	
Oakville full bylaw	Yes	Authority to grant. Breach of terms and conditions render the exemption null and void.	Municipal by-law or police officers. Every person who contravenes any provisions of the by-law is guilty of an offence of the Municipal Act, 2001. maximum fine of \$25,000 for a first offence and a maximum fine of \$50,000 for a subsequent offence. Every corporation convicted is liable to a maximum fine of \$50,000 for a first offence and \$100,000 for a second offence.	Identifies decibel limits.	<u>Exemptions</u> Notwithstanding any other provision of this By-law, it shall be lawful to emit or cause or permit the emission of sound in connection with: (a) any of the activities listed in Schedule 3, or (b) emergency measures undertaken for the immediate health, safety or welfare of the inhabitants of the Town, including emergency measures undertaken for the preservation or restoration of property. EXEMPT ACTIVITIES 1. Operation of authorized emergency vehicles.	No person shall operate or cause to be operated or used any sound reproduction device between 0700 hours (0900 hours on Sundays) and 1700 hours (1900 hours in a Controlled Area) of the same day, the noise from which sound reproduction device has an Leq greater than 55 dBA when measured outside of the business, dwelling house, apartment house, hotel or other residence, at the property line or inside the property of another person. For permitted exemptions: the sound emitted from any equipment shall not exceed an Leq of 85 dBA when measured 20 metres from the source over a five-minute period;

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
					<p>2. Operation of bells or other alarms utilized as traffic control devices, including the following: (a) bells and other devices at traffic signal locations, and (b) bells at railway crossings</p> <p>3. Operation of machines and equipment by or on behalf of the Town, including the following: (a) painting machines for crosswalks and highways; (b) tree and shrub pruning and mulching equipment; (c) grass cutting or field maintenance equipment; (d) Town owned or contracted street cleaners and flushers; and (e) construction equipment and machinery, including snow removal equipment, used by or on behalf of the Town</p>	

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
					<p>while carrying on or engaged in the performance of public works, including but not limited the following, capital projects and maintenance operations.</p> <p>4. Operation of bells, chimes, carillons and clocks in religious or public buildings.</p> <p>5. Operation of machinery by or on behalf of a public utility where the work needs to be done on week-ends or overnight to minimize service interruptions.</p> <p>6. Operation of construction equipment where the Town has issued a road use permit and in issuing such permit the Town mandates that the work be done on week-ends or overnight to minimize traffic impacts.</p>	

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
					7. Noises normally incidental to activities taking place pursuant to a Town issued permit for outdoor recreational facilities, subject to any conditions applicable to such permit.	
Ottawa	Yes	Authority to grant permits only.	Municipal by-law or police officers. Every person who contravenes any provision of this by-law is guilty of an offence provided for in the Municipal Act, 2001. A person convicted of an offense is liable for each day the offense continues. Maximum fine of \$10,000 and the total of daily fines is not limited to \$100,000.	Yes, consistent with Ontario Highway Traffic Act.	The provisions of this by-law shall not apply to the City or any local board thereof, the Province of Ontario, the Government of Canada or any of their agents when the emission of sound is in connection with work undertaken for the immediate health, safety or welfare of the inhabitants of the City.	<p>No person shall operate or use or cause to be operated or used any sound reproduction device in any dwelling house, apartment house, hotel or other residence between 0700 hours and 2300 hours of the same day the noise from which sound reproduction device,</p> <ul style="list-style-type: none"> a. is clearly audible in another dwelling within the said residence, and b. has an equivalent sound level (Leq) greater than 45 dBA when measured in another dwelling within the said residence. <p>No person shall use or operate or cause to be used or operated any device, vehicle or equipment, the noise from which has a level greater than 5 dBA above ambient noise levels, provided that the ambient noise levels are greater than the specified maximum level for the device, vehicle or equipment in question. Permitted exemptions: he event shall not create noise likely to cause a nuisance or</p>

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
						disturb the inhabitants or exceed 65 dBA when measured at the point of reception, the use of construction equipment shall not create noise likely to cause a nuisance or disturb the inhabitants or exceed 90 dBA when measured at the point of reception,
Vaughan	Yes	Authority to grant. Breach of terms and conditions render the exemption null and void.	Enforced by any Enforcement Officer or person duly authorized by the City Every person who is convicted of an offence under this By-law is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, Chap. P.33	Consistent with Ontario Highway Traffic Act.	EXEMPTIONS (1) The provisions of this By-law shall not apply to the City of Vaughan or Regional Municipality of York, the Province of Ontario, the Government of Canada or any of their agents when the emission of sound is in connection with work undertaken for the immediate health, safety or welfare of the inhabitants of the City. (2) The provisions of this By-law shall not apply to preclude musicians or performers providing outdoor entertainment involving sound reproduction devices during special events sanctioned by the City.	The event relates to live or recorded music or involves the use of a sound amplifying system or sound reproduction device operated in a reasonable manner in the context of the special event; b. The event shall not create noise to exceed 55 dBA when measured at the point of reception.

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
					(3) The provisions of this By-law shall not apply to agricultural operations and agricultural processing activities. (4) The provisions of this By-law shall not apply to snow removal activities conducted by the City, Region of York, or the Province of Ontario. (5) Nothing in this By-law shall prevent the clearing of snow from designated fire routes.	
Edmonton	Yes – identifies set criteria	Authority to grant.	A person who is guilty of an offence is liable to a fine not exceeding \$10,000.00, and to imprisonment for not more than six of 23 months for non-payment of a fine.	Identifies decibel limits.	the City, its agents or employees, from managing the accumulation of snow and ice on highways and on City property;	A person shall not cause or permit any sound exceeding 65 dB(A), as measured at the property line of a property zoned for residential use, between 7 a.m. and 10 p.m. This section does not apply to sounds up to: (a) 70 dB(A) lasting a total period of time not exceeding two hours in any one day; (b) 75 dB(A) lasting a total period of time not exceeding one hour in any one day; (c) 80 dB(A) lasting a total period of time not exceeding 30 minutes in any one day; or (d) 85 dB(A) lasting a total period of time not exceeding 15 minutes in any one day. A person shall not cause or permit any sound exceeding 50 dB(A), as measured at the property line of a

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
						<p>property zoned for use as residential, before 7 a.m. or after 10 p.m.</p> <p>A person shall not cause or permit any sound exceeding 75 dB(A), as measured at the property line of a property zoned for use other than residential, between 7 a.m. and 10 p.m.</p> <p>This section does not apply to sounds up to: (a) 80 dB(A) lasting for a total period of time not exceeding two hours in any one day; or (b) 85 dB(A) lasting for a total period of time not exceeding one hour in any one day.</p> <p>A person shall not cause or permit any sound exceeding 60 dB(A), as measured at the property line of a property zoned for use other than residential, before 7 a.m. or after 10 p.m.</p>
Vancouver	Yes	Authority to grant.	Municipal by-law or police officers. Upon conviction is liable to a fine and penalty of not more than \$10,000 or each offence. A person who commits a continuing offence is liable to a fine of not more than \$10,000 for each day the offence continues.	No.	Not listed.	No person shall in a quiet zone make, cause or permit to be made or caused, continuous sound the sound level of which: (a) during the daytime exceeds a rating of 55 on an approved sound meter when received at a point of reception within a quiet zone, or 60 on an approved sound meter when received at a point of reception within an activity zone, event zone or an intermediate zone; or (b) during the nighttime exceeds a rating of 45 on an approved sound meter when received at a point of reception within a quiet zone, or 55 on an approved sound meter when received at a point of reception within an activity zone, event

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
						<p>zone or an intermediate zone. 6. No person shall in an activity zone or an event zone make, cause or permit to be made or caused, continuous sound the sound level of which: (a) during the daytime exceeds a rating of 70 on an approved sound meter when received at a point of reception within an activity zone or an intermediate zone, or 60 on an approved sound meter when received at a point of reception within a quiet zone; or (b) during the nighttime exceeds a rating of 65 on an approved sound meter when received at a point of reception within an activity zone or an intermediate zone, or 55 on an approved sound meter when received at a point of reception within a quiet zone. 6A. No person shall in an intermediate zone make, cause or permit to be made or caused, continuous sound, the sound level of which (a) during the daytime exceeds i) 70 on an approved sound meter when received at a point of reception within an ACTIVITY ZONE or an EVENT ZONE ii) 70 on an approved sound meter when received at a point of reception within an INTERMEDIATE ZONE iii) 60 on an approved sound meter when received at a point of reception within a QUIET ZONE (b) during the nighttime exceeds i) 65 on an approved sound meter when received at a point of reception within an ACTIVITY ZONE or</p>

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
						<p>an EVENT ZONE ii) 65 on an approved sound meter when received at a point of reception within an INTERMEDIATE ZONE iii) 50 on an approved sound meter when received at a point of reception within a QUIET ZONE 7. No person shall in an activity zone, an intermediate zone, event zone or a quiet zone make, cause, or permit to be made or caused, non-continuous sound the sound level of which during the daytime exceeds a rating of 75 on an approved sound meter, or during the nighttime exceeds a rating of 70 on an approved sound meter when received at the point of reception.</p> <p>A person in any commercial premises must not make, cause, or permit to be made or caused continuous or non-continuous bass noise or bass sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, the level of which: (a) during the daytime, exceeds a rating of 70 dBC (Leq); or (b) during the nighttime, exceeds a rating of 65 dBC (Leq); when measured on an approved sound meter for a period of three minutes at the point of reception.</p> <p>In addition to the requirements of section 11, if residential premises are in the same building as commercial premises or</p>

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
						<p>share a common wall or party wall with commercial premises, or if a wall of residential premises and a wall of commercial premises are flush against one another, then a person in such commercial premises must not make, cause, or permit to be made or caused continuous or non-continuous bass noise or bass sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, the level of which exceeds a rating of 55 dBC (Leq) when measured on an approved sound meter for a period of three minutes, in such residential premises, at the centre of the living room or bedroom which is closest to the commercial premises in the same building or with which such residential premises shares a common wall or party wall or wall that is flush to a wall of the commercial premises.</p> <p>11D. In addition to the requirements of section 11, a person in an extended hours liquor establishment must not make, cause, or permit to be made or caused, during extended hours, continuous or non-continuous bass noise or bass sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical</p>

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
						instrument, whether recorded or live, whether amplified or not, the level of which exceeds: (a) 80 dBC (Leq) in respect of any extended hours liquor establishment located in any area outlined in black on Schedule F – Map 1 or Schedule F – Map 4; or (b) 75 dBC (Leq) in respect of any extended hours liquor establishment located in any area outlined in black on Schedule F – Map 2, Schedule F – Map 3, Schedule F – Map 5, Schedule F – Map 6, or Schedule F – Map 7;
Los Angeles	Yes – identifies various criteria (e.g., time of day, above a certain decibel limit etc.)	No exemptions permits.	Enforcement delegated to the Los Angeles Police Department. If deemed and declared a public nuisance may be subject to abatement summarily by a restraining order or injunction issued by a court order of competent jurisdiction.	Yes, but does not apply to any vehicle operated on any public highway, street or right-of-way or the operation of any off-highway vehicle to the extent it is regulated in the Vehicle Code.	Not listed.	(b) Any noise level caused by such use or operation which is audible to the human ear at a distance in excess of 150 feet from the property line of the noise source, within any residential zone of the City or within 500 feet thereof, shall be a violation of the provisions of this section. (c) Any noise level caused by such use or operation which exceeds the ambient noise level on the premises of any other occupied property, or if a condominium, apartment house, duplex, or attached business, within any adjoining unit, by more than five (5) decibels shall be a violation of the provisions of this section. It shall be unlawful for any person to operate, play, or to permit the operation or playing of any radio, television receiver, phonograph, musical instrument, sound amplifying equipment, or similar device which produces,

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
						reproduces, or amplifies sound in any place of public entertainment at a sound level greater than 95dB(A) at any point that is normally occupied by a customer, unless a conspicuous and legible sign is located outside such place, near each public entrance, stating: "WARNING: SOUND LEVELS WITHIN MAY CAUSE HEARING IMPAIRMENT."
New York City	Yes- identifies various criteria(e.g., time of day, above a certain decibel limit etc.)	Authority to grant. Refusal to renew if not compliant.	Municipal by-law or police officers. Upon conviction is liable for fines which vary by provision to a maximum of 175\$ to \$8000 for first offence. Fines generally double for second offence and almost triple for third and subsequent violations.	Yes. The Noise Code prohibits excessive sound from the muffler or exhaust of motor vehicles operating on a public right-of-way where the speed limit is 35 mph or less. k Excessive sound is: • Plainly audible at a distance of 150 feet or more from vehicles of less than	Bells, chimes or similar instrument when operated from a church, synagogue, mosque or school.	Commercial establishments that play music must limit the level of unreasonable or disturbing noise that escapes into the streets or is heard in nearby residences by requiring that sounds levels may not exceed: • 42 decibels as measured from inside nearby residences, AND • 7 decibels over the ambient sound level, as measured on a street or public right-of-way 15 feet or more from the source, between 10:00 pm and 7:00 am k Sometimes residents are disturbed by pervasive bass sounds that resonate and can be felt physically by a person. • Bass sounds measurements are weighted in the "C" scale and may not exceed 6 dB(C) above the ambient sound if the ambient sound is greater than 62 dB(C).

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
				10,000 lbs. (cars); and • Plainly audible at a distance of 200 feet or more from vehicles of more than 10,000 lbs., (trucks); and • Plainly audible at a distance of 200 feet from a motorcycle. k The use of vehicle horns is illegal, except as a warning in situations of imminent danger.		
Chicago	No.	Authority to grant permits only.	Superintendent of police or designate. \$300 for first offence, \$500 for second offence committed within one year period, and \$1000 for third or subsequent offence committed	No.	Exceptions and exclusions. (a) Aircraft and airports. The limits set forth in this article do not apply to sounds or vibrations generated by any aircraft or generated in	(a) No person on the public way shall employ any device or instrument that creates or amplifies sound, including but not limited to any loudspeaker, bullhorn, amplifier, public address system, musical instrument, radio or device that plays recorded music, to generate any sound, for the purpose of communication or entertainment, that is louder than average conversational level at a distance

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
			within a one year period.		<p>connection with the operation of any airport.</p> <p>(b) Stadiums. The limits set forth in this article do not apply to sounds generated at any stadium.</p> <p>(c) Mass transit. The limits set forth in this article do not apply to sounds or vibrations generated in the operation of any mass transit system.</p> <p>(d) Special events and public performances. Emergency or civic construction, demolition or repair work. The limits set forth in this article do not apply to sounds generated in construction, demolition or repair work of an emergency nature or in work on public improvements authorized by a governmental body or agency.</p>	<p>of 100 feet or more, measured vertically or horizontally, from the source.</p> <p>No establishment holding a liquor license pursuant to Chapter 4-60 of this Code, or a public place of amusement license pursuant to Article III of Chapter 4-156 of this Code, shall operate or permit operation of any equipment or device that electronically amplifies sound so as to generate sound having a sound pressure level greater than 55 dB(A) when measured from within any dwelling unit; provided that, if the ambient noise level is greater than 55 dB(A), then the applicable limitation is 10 dB(A) above the ambient noise level.</p> <p>No person shall operate or permit operation of any mechanical stationary source in such a manner as to generate sound having a sound pressure level greater than 55 dB(A) when measured from a distance of 100 feet or more from the source, or 70 dB(A) when measured from a distance of 10 feet or more from the source. The place of measurement shall be from the nearest adjacent public way, or nearest adjacent property, whichever is closer to the source.</p>

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
Austin, TX	Yes- identifies various criteria (e.g., time of day, above a certain decibel limit etc.)	Authority to grant and suspend permits.	<p>A person commits an offense if the person makes noise or uses sound equipment in violation of a provision of this chapter or a sound impact plan or temporary event impact plan required under this chapter.</p> <p>(B) An offense under this chapter is a Class C misdemeanor, punishable by a fine up to \$500.</p> <p>(C) A culpable mental state is not required for the commission of an offense under this chapter.</p> <p>(D) Each occurrence of a violation of this chapter is a separate offense.</p> <p>(E)</p>	No.	<ul style="list-style-type: none"> This chapter does not apply to: <ol style="list-style-type: none"> (1) an employee of a governmental entity engaged in the employee's official duty; (2) a person at a stadium or ball-park during a sports event; (3) a person at an authorized parade or street event; (4) a person operating a bell for a religious activity; (5) a person operating an emergency vehicle; or (6) a person operating an audible warning device on a vehicle or train as required by state law. 	<p>A person may not operate sound equipment at a business that produces sound:</p> <p>(1) in excess of 85 decibels between 10:00 a.m. and 2:00 a.m., as measured at the property line of the business; or</p> <p>(2) is audible at the property line of the business between 2:00 a.m. and 10:00 a.m.</p> <p>A person may not use sound equipment that produces sound audible beyond the property line of a residence in a residential area between 10:00 p.m. and 10:00 a.m.</p> <p>(C) A person may not use sound equipment audible beyond the property line of a residence in a residential area that produces sound in excess of 75 decibels, unless a more restrictive decibel limit is required by a temporary event impact plan, a condition on an outdoor music venue permit, or by another provision of this code, sound equipment for which a permit has been issued under Subpart B (<i>Live Music Permits</i>) may be operated at the following decibel levels:</p> <p>(1) Up to 85 decibels between 10:00 a.m. and:</p> <p>(a)</p>

City	General prohibition (noise likely to disturb)	Authority to grant and revoke exemption permits	Enforcement Max fines/penalties	Motorcycle provisions	Explicit exemption for municipal, provincial and federal government activities	Amplified sound measurement
			A violation of this chapter is a nuisance. The prosecution of an offense under this chapter does not limit the City's right to abate the nuisance, including the use of injunctive relief.			<p>10:30 p.m. on Sunday through Wednesday;</p> <p>(b) 11:00 p.m. on Thursday; or</p> <p>(c) 12:00 midnight on Friday or Saturday.</p> <p>(2) Up to 85 decibels at an outdoor music venue with an occupancy capacity of 600 or fewer people located in the Warehouse District or Sixth Street District, between 10:00 a.m. and 2:00 a.m.</p> <p>(3) Up to 85 decibels during the spring festival season, between 10 a.m. and 2 a.m.</p> <p>(B) In addition to the requirements of Subsection (A) of this section, use of sound equipment at an outdoor music venue is:</p> <p>(1) limited to 70 decibels if the venue is associated with a restaurant (general) use, as prescribed under Section 25-2-808 (<i>Restaurants and Cocktail Lounges</i>), and the hours of operation prescribed under Subsection (A) of this section; and</p>