NO. 14-091

NOISE BYLAW, AMENDMENT BYLAW (NO. 4)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Noise Bylaw to change the definition of “point of reception,” update requirements with respect to leaf blowers, and allow for a more effective response to noise disturbances occurring in residential areas at night.

Under its statutory powers, including sections 8(3)(b) and (h), 62 and 64 of the Community Charter, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

1 This Bylaw may be cited as the “NOISE BYLAW, AMENDMENT BYLAW (NO. 4)”.

Amendments

2 Bylaw No. 03-012, the Noise Bylaw, is amended as follows:

(a) in section 3 by repealing the definition of “point of reception” and replacing it with the following:

“point of reception” means a position that

(a) is within the property line of the real property occupied by the recipient of a noise or sound,

(b) is located at least 1.2 m above the surface of the ground, and

(c) best represents the location at which the noise or sound, emanating from another property, is received and the resulting disturbance experienced;”;

(b) in section 11 by repealing subsection (2) and replacing it with the following:

“(2) Subsection (1) does not apply to a person who makes, causes, or permits to be made or caused, a sound or noise in compliance with the provisions of sections 5 to 8 unless the noise or sound is clearly audible at a point of reception in a residential area between the hours of 10:00 p.m. one day and 7:00 a.m. the following day.”; and
(c) by repealing section 17 and replacing it with the following:

“Leaf blowers

17 Despite any other provision of this Bylaw, a person may operate a leaf blower in or adjacent to a residential area, or a mixed residential and commercial area, if

(a) the equivalent sound level does not exceed 65 dBA on an approved sound meter when received at the greater of the following distances from that leaf blower:

(i) the point of reception;

(ii) 15.2 m; and

(b) the person operates the leaf blower

(i) between 9:00 a.m. and 8:00 p.m. on a weekday, or

(ii) between 9:00 a.m. and 5:00 p.m. on a Saturday, Sunday or holiday.”