



*City of*  
**Saskatoon**

Office of the City Clerk

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March 6, 2014

His Worship Mayor D. Atchison  
Councillor C. Clark  
Councillor T. Davies  
Councillor R. Donauer  
Councillor D. Hill  
Councillor A. Iwanchuk  
Councillor Z. Jeffries  
Councillor M. Loewen  
Councillor P. Lorje  
Councillor E. Olauson  
Councillor T. Paulsen

Dear Committee Members:

**NOTICE OF MEETING  
EXECUTIVE COMMITTEE**

Please take note of the following meeting of the above-noted Committee:

**DATE: MONDAY, MARCH 10, 2014**

**TIME: 1:00 P.M.**

**PLACE: COMMITTEE ROOM "A"**

A copy of the agenda is attached.

**Please notify the City Clerk's Office in advance of the meeting if you are unable to attend.**

Yours truly,

**Joanne Sproule**  
City Clerk

JS:jh

Attachment

cc: City Manager  
City Solicitor (3)  
Director of Government Relations  
Fire Chief  
Director of Media Relations

General Manager, Asset & Financial Management Department  
General Manager, Community Services Department  
General Manager, Corporate Performance Department  
General Manager, Transportation & Utilities Department

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**A G E N D A**

**(OPEN TO THE PUBLIC)**

**EXECUTIVE COMMITTEE**

**MONDAY, MARCH 10, 2014, AT 1:00 P.M., COMMITTEE ROOM "A"**

**SECTION A – MINUTES**

1. Minutes - of meeting held on February 24, 2014.

**SECTION B – DECISION ITEMS**

1. Enquiry – Former Councillor B. Pringle (June 14, 2010)  
Loud Motorcycles  
(File No. CK. 375-2)

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**RECOMMENDATION:** that Executive Committee consider the options for regulating vehicle noise outlined in this report and make a recommendation to City Council.

On July 10, 2013, Executive Committee resolved that the Administration look into other options and models across Canada and report further on bringing forward a bylaw to proceed with enforcement of all types of vehicles.

In this regard, attached is a report of the City Solicitor dated March 10, 2014.

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## Enquiry - Former Councillor B. Pringle (June 14, 2010) - Loud Motorcycles

### Recommendation:

That Executive Committee consider the options for regulating vehicle noise outlined in this report and make a recommendation to City Council.

### Topic and Purpose

This report is further to previous reports from the City Solicitor's Office and is meant to provide an update and provide the Executive Committee with possible enforcement options to consider.

### Report Highlights

The report provides further background about the regulation of vehicle noise in other Canadian jurisdictions and provides two enforcement options for Committee to consider:

- 1) An amendment to *The Noise Bylaw* which would create the offence of operating any vehicle in such a manner as to disturb the public, and which would include, a specific provision setting decibel level limits for motorcycle noise;
- 2) Employ the current approach for regulation of vehicle noise but add more resources for enforcement.

### Strategic Goal

This initiative would align with the strategic goal of contributing to the Quality of Life for our community.

### Background

Executive Committee has considered the Calgary model and the Edmonton model for the regulation of vehicle noise. Executive Committee asked the Administration to look into other enforcement measures across Canada and report further on enforcement options to regulate noise from all types of vehicles.

### Report

Results of consultations with and research of other jurisdictions shows:

- Noise snare is no longer deployed in Calgary and we are not aware of it being used in any other jurisdiction.
- Edmonton regulates motorcycle noise only and employs noise measuring devices for motorcycles only.
- Many other jurisdictions regulate motorcycle noise only.

Attached is Schedule A - Comparison of Bylaws Regulating Vehicle (Motorcycle) Noise.

### Current Enforcement Tools

Currently there are a number of enforcement tools to regulate all types of vehicles:

- Under *The Noise Bylaw*, an officer may charge a driver who has an overly loud exhaust or who is driving in a particularly obnoxious manner with breaching *The*

*Noise Bylaw.* An officer must observe the vehicle being driven in a manner which offends *The Noise Bylaw* and make a subjective evaluation of behaviour. Usually the Saskatoon Police Service use *The Noise Bylaw* for vehicle stereo noise rather than vehicle noise.

- Under *The Traffic Safety Act* and the Saskatchewan *Vehicle Equipment Regulations*, an officer may charge a driver for making excessive noise, driving without due care and attention, stunting, operating a vehicle that is not equipped with an adequate muffler or operating a vehicle that does not effectively muffle the noise. Again, an officer must observe a vehicle being driven in contravention and make a subjective evaluation which evidence is used in Court to prove the charge. Usually the Saskatoon Police Service use these provisions to address vehicle noise.

Enforcement measures utilizing these legislative tools could be increased. This would require further consultation with the Saskatoon Police Service.

#### Addition to Current Enforcement Tools

An amendment to *The Noise Bylaw* which would create the offence of operating any vehicle in such a manner as to unreasonably disturb the public and which would include a specific provision setting decibel level limits for motorcycle noise.

This would be a general prohibition against unreasonable, loud or excessive vehicle noise which would apply to all vehicles and which would list factors for determining whether the noise is unreasonable. This would include things like the time of day the sound is made, the duration of the sound, and the character of the neighbourhood in which the sound is made. In addition, the section could include maximum decibel levels for the operation of motorcycles. Typically, the motorcycle decibel provisions provide that no person shall operate a motorcycle that exceeds a sound level of 92 to 100 dB (A), when stationary or put through a specific RPM test depending on the size of the motorcycle. A detailed study of Edmonton's system shows that charges under the bylaw have been tested in Court and have passed scrutiny.

#### **Options to the Recommendation**

Committee could instruct the Administration to engage in public consultation prior to making a recommendation to City Council. Ultimately, if the decision is to proceed with Option 1, a public information campaign in concert with the Saskatoon Police Service would be required.

Another option would be to establish bylaw provisions which regulate exhaust sound from motorcycles only.

#### **Attachment**

1. Schedule "A" Comparison of Bylaws Regulating Vehicle (Motorcycle) Noise.

#### **Report Approval**

Written by Blair P. Bleakney, Solicitor

Approved by Patricia Warwick, City Solicitor

102-0352-bpb-3.wpd

# Schedule A - Comparison of Bylaws Regulating Vehicle (Motorcycle) Noise | 2014

Jurisdiction	Municipality	Bylaw	Section	Notes	Standard
NB	City of Bathurst	2011-01	2	A Bylaw to Establish a Standard Measurement of Exhaust Sound Pressure Levels of Stationary Motorcycles	motorcycle exhaust sound cannot exceed 92 dB(A) in accordance with SAE J2825, or 96 dB(A) in 1, 2, 5 or 6 cylinder motorcycles, or 100 dB(A) in 3 or 4 cylinder motorcycles
Alberta	City of Edmonton	14600	18.1	Community Standards Bylaw	motorcycle exhaust sound cannot exceed 92 dB(A) as measured at 50 cm from exhaust while idling, or exceed 96 dB(A) as measured at 50 cm from exhaust at any speed greater than idle
Alberta	City of Calgary	26M96		Calgary Traffic Bylaw	any vehicle that exceeds 96 dB(A) . exceeds the standard
Ontario	Town of Caledon	86-110	2A	A by-law to control noise	motorcycle cannot emit a sound exceeding 92 dB(A) from exhaust as measured at 50 cm from outlet while at idle; or if 1, 2, 5 or 6 cylinder, emit a sound exceeding 96 dB(A) from exhaust as measured at 50 cm from the outlet while engine is set at 2000 RPM; or if 3 or 4 cylinder, emit a sound exceeding 100 dB(A) from exhaust as measured at 50 cm from the outlet while engine is set at 5000 RPM

## Schedule A - Comparison of Bylaws Regulating Vehicle (Motorcycle) Noise | 2014

Ontario	City of Guelph	16366	5(2)	A by-law to prohibit and regulate unusual noises or noises likely to disturb the inhabitants of the city of Guelph	No person shall operate a motorcycle on any highway if the motorcycle fails to meet the noise limitation criteria as set out in the Society of Automotive Engineers test procedure SAE J2825.
Ontario	Town of Oakville	2008-098	2.1	Bylaw to prohibit and regulate noise	motorcycle cannot emit a sound exceeding 92 dB(A) from exhaust as measured at 50 cm from outlet while at idle; or if 1, 2, 5 or 6 cylinder, emit a sound exceeding 96 dB(A) from exhaust as measured at 50 cm from the outlet while engine is set at 2000 RPM; or if 3 or 4 cylinder, emit a sound exceeding 100 dB(A) from exhaust as measured at 50 cm from the outlet while engine is set at 5000 RPM