



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF THE CAO

Mission Statement: As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Bill Tetler	Report Date: April 27, 2024
Author's Phone: 519 736-0012 ext. 2251	Date to Council: May 13, 2024
Author's E-mail: btetler@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Noise By-law Exemption for Royal Canadian Legion Branch #157

1. **RECOMMENDATION:**

It is recommended that:

1. The report from the Manager of Licensing and Enforcement dated April 27, 2024 regarding a noise exemption for Legion Branch #157 **BE RECEIVED for information;**
2. THAT a Noise Exemption for Royal Canadian Legion Branch #157 **BE APPROVED** until September 2, 2024 from Noise By-law 2001-43, table 3-1, section 2 with the respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music on Friday from 1800hrs to 2200hrs, on Saturday from 1800hrs till 2200hrs and on Sundays from 1400hrs till 1800hrs at the Royal Canadian Legion #157; and,
3. That the request for the waiver of the Noise Exemption fee of \$61.00 **BE RECEIVED and FILED** for information.

2. **BACKGROUND:**

Open Air will take place from May 31, 2024 till September 1, 2024 within the downtown core. The Royal Canadian Legion Branch #157 falls just outside the Open Air footprint.

Council will recall that at its meeting held June 13th, 2022, the following resolution was passed:

Resolution # 20220613-05
Moved by Councillor Prue
Seconded by Councillor Courtney

That:

1. The delegation BE RECEIVED;
2. An exemption BE GRANTED, until October 2, 2022, from Noise By-law # 2001-43, table 3-1(2) with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeaker to allow for music on Fridays from 1500 hours until 2100 hours, on Saturdays from 1800 hours until 2200 hours, and on Sundays from 1400 hours until 1800 hours at the Royal Canadian Legion Branch # 157;
3. Fees associated with the noise exemption policy BE WAIVED until October 2, 2022 for the Legion;
4. Administration BE DIRECTED to work with the Legion on approvals for the Legion Parade in future years; and,
5. Administration BE DIRECTED to consult with the Legion on incorporating the Open Air Pipe Band and the Legion Honour Guard.

The Mayor put the Motion.

By-law Number 2001-43, A By-law Respecting the Emission of Sound in the Town of Amherstburg provides the following information as it relates to Section 3 on sound from loudspeakers;

“The operation of any electronic device or group of connected electronic devices times incorporating one or more loudspeakers or other electro mechanical transducers, and intended for the production, reproduction or amplification of sound operated m such manner or with such volume as to disturb the peace, quiet, comfort or repose of any individual in any office, dwelling house, apartment, hotel, hospital, or any other type of residence.”

3. DISCUSSION:

An application was received by the Licensing and Enforcement Dept. for a Noise Exemption to coincide with Open Air taking place from May 31, 2024 till September 1, 2024 on Friday, Saturdays and Sundays. The Town of Amherstburg’s Noise By-law 2001-43 prohibits the loud music where the operated in such a manner could disturb the peace, quiet, comfort or repose of any individual in an office, dwelling house, apartment, hotel, hospital or any other type of residence.

4. RISK ANALYSIS:

There is no risk analysis associated with this report.

5. FINANCIAL MATTERS:

There is no financial impact associated with this report.

6. CONSULTATIONS:

Royal Canadian Legion Branch #157

7. CORPORATE STRATEGIC ALIGNMENT:

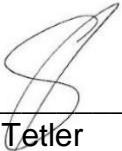
Vision: Preserving our past while forging our future.

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p>PILLAR 1 Deliver Trusted & Accountable Local Government</p> <ul style="list-style-type: none"><input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.<input type="checkbox"/> Deliver transparent and efficient financial management.<input type="checkbox"/> Increase effective communication and engagement with residents.<input type="checkbox"/> Develop our staff team, resources, and workplace culture.<input type="checkbox"/> Continue to deliver strong core municipal services.<input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.	<p>PILLAR 3 Encourage Local Economic Prosperity</p> <ul style="list-style-type: none"><input type="checkbox"/> Encourage development of commercial and industrial lands.✓ Continue to promote local tourism industry, especially overnight accommodation.<input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.<input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.
<p>PILLAR 2 Invest in Community Amenities and Infrastructure</p> <ul style="list-style-type: none"><input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities.<input type="checkbox"/> Increase access to recreation opportunities for all ages.<input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue)<input type="checkbox"/> Create public access to water and waterfront	<p>PILLAR 4 Shape Growth Aligned with Local Identity</p> <ul style="list-style-type: none"><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.<input type="checkbox"/> Promote and plan for green and "climate change ready" development.<input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.<input type="checkbox"/> Protect the Town's historic sites and heritage.

<input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.	<input type="checkbox"/> Preserve the Town's greenspaces, agricultural lands, and natural environment.
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8. CONCLUSION:

Administration supports that a temporary noise exemption for the Royal Canadian Legion #157 from May 31, 2024 to September 2, 2024 on Fridays from 1800hrs till 2200hrs, Saturdays from 1800hrs till 2200hrs and on Sundays from 1400hrs till 1800hrs be granted to accommodate the entertainment for the Legion and to incorporate businesses that fall outside of the Open Air footprint.



Bill Tetler
Manager, Licensing and Enforcement

Report Approval Details

Document Title:	Noise By-law Exemption for Royal Canadian Legion .docx
Attachments:	- Legion Exemption Request.pdf
Final Approval Date:	May 2, 2024

This report and all of its attachments were approved and signed as outlined below:



Tracy Prince



Valerie Critchley



Kevin Fox