

**REPORT TO ELECTORAL AREA SERVICES COMMITTEE
MEETING OF WEDNESDAY, 06 JUNE 2007**

SUBJECT **PROPOSED NEW NOISE BYLAW FOR THE JUAN DE FUCA ELECTORAL AREA AND AMENDMENT TO THE TICKET INFORMATION AUTHORIZATION BYLAW**

PURPOSE/ISSUE

At the present time, two noise bylaws are in place for the Juan de Fuca Electoral Area (Bylaws 961 and 1527). Both of these bylaws need updating and can be consolidated into one new bylaw. The new bylaw will be similar to the ones recently adopted for the other two Electoral Areas.

HISTORY/BACKGROUND

In 2006, new noise bylaws were adopted for Saltspring Island and the Southern Gulf Islands Electoral Areas. Staff was tasked with bringing a new bylaw forward for the Juan de Fuca Electoral Area in 2007. Adoption of this noise bylaw will also result in the need to amend Bylaw 1857, "Capital Regional District Ticket Information Authorization Bylaw, 1990" to consolidate ticketing authority and the applicable fines.

ALTERNATIVES

1. Retain Bylaws 961 and 1527 as they are.
2. Adopt a new noise bylaw to cover all of the Juan De Fuca Electoral Area.
3. Direct staff to make changes to the draft noise bylaw and report back to the next Electoral Area Services Committee meeting.

FINANCIAL IMPLICATIONS

The advertising costs to provide public notice of the proposed bylaw will be approximately \$500. Other costs associated with the service include the cost of responding to complaints, carrying out investigations, general administration costs as well as legal services. As bylaw enforcement staff allocate their costs according to time spent on numerous services, the cost of the service will vary according to the number of issues and decisions to proceed with legal enforcement. Annual budgets are based on past trends and comparisons with other bylaw enforcement services. There is a small amount of revenue collected as result of fines.

SUMMARY/CONCLUSIONS

The existing noise bylaws for the Juan de Fuca Electoral Area are outdated and need to be replaced by a consolidated bylaw. Police and Bylaw Enforcement Officers need a mechanism to deal with people who are creating a nuisance and the adoption of the noise bylaw and the complementary ticketing authority bylaw will prove to be an effective tool for responding to complaints about disturbances. Therefore staff recommends Alternative No. 2 to adopt a consolidated noise bylaw to cover all of the Juan de Fuca Electoral Area and to proceed with the complementary amendments to the Capital Regional District Ticket Information Authorization Bylaw.

RECOMMENDATION

That the Electoral Area Services Committee recommend to the Board:

1. That Bylaw No. 3441, "Noise Suppression Bylaw (Juan de Fuca Electoral Area) No. 1, 2007" be introduced and read a first, second, and third time.
2. That Bylaw No. 3442 "Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 37, 2007" be introduced and read a first, second, and third time.



Don Brown
Chief Bylaw Officer

Robert Lapham, General Manager
Planning and Protective Services
Concurrence

Kelly Daniels, CAO, Concurrence

Attachments:

Bylaw No. 961
Bylaw No. 1527
Bylaw No. 3341
Bylaw No. 3342