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**REPORT TO THE ELECTORAL AREA SERVICES COMMITTEE
MEETING OF WEDNESDAY, 05 MAY 2010**

SUBJECT PROPOSED AMENDMENTS TO NOISE SUPPRESSION (JUAN DE FUCA ELECTORAL AREA) BYLAW NO. 1, 2007, AND TO SCHEDULE 11, BYLAW NO. 1857 BEING CAPITAL REGIONAL DISTRICT TICKET INFORMATION AUTHORIZATION BYLAW, 1990

PURPOSE

The purpose of this report is to amend Bylaw No. 3441 "Noise Suppression Bylaw (Juan de Fuca) Bylaw No. 1, 1986, Amendment Bylaw No. 1, 2010" and Bylaw No. 1857 "Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 45, 2010" to remove the reference to an "electric leaf blower" and replace it with a "leaf blower", to restrict leaf blower use to certain hours only, and to remove the prohibited use of gas powered leaf blowers.

HISTORY/BACKGROUND

In 2007, when the Noise Suppression Bylaw was last amended, specific prohibitions concerning the use of gas and electric powered leaf blowers were included. One section prohibits the use of gas powered leaf blowers entirely, it is suggested that this is too restrictive and gas powered leaf blowers should be allowed, however restricted to between the hours of 8 a.m. and 6 p.m., which is the case for electric leaf blowers.

ALTERNATIVES

1. Do not amend the existing Noise Suppression Bylaw (Juan De Fuca Electoral Area) Bylaw No. 3441 and the Capital Regional District Ticket Information Authorization Bylaw No. 1857 and maintain the more restrictive regulation of gas powered leaf blowers.
2. Amend existing Noise Suppression Bylaw (Juan De Fuca Electoral Area) Bylaw No. 3441 and the Capital Regional District Ticket Information Authorization Bylaw No. 1857 to lessen the restriction on leaf blowers to hours of operation only.
3. Direct staff to make other changes to the bylaws and refer them back to the committee as amended for consideration.

FINANCIAL IMPLICATIONS

There are no anticipated financial implications associated with these amendments.

SUMMARY/CONCLUSIONS

There is no need for a specific prohibition of gas powered leaf blowers. The restriction of time of use is adequate, and the general provisions would cover any unnecessary or objectionable noise caused by a gas powered leaf blower. Based on the number of complaints about leaf blowers there is no need for a prohibition of gas powered leaf blowers.

RECOMMENDATION

That the Electoral Area Services committee recommend to the Board that Bylaw No. 3700, “Noise Suppression Bylaw (Juan de Fuca) No.1, 2007, Amendment Bylaw No. 1, 2010” and Bylaw No. 3701, “Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 45, 2010” be introduced and read a first time, a second time and a third time.



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