



City of  
**Peterborough**

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**To:** **Members of the Committee of the Whole**

**From:** **Sandra Clancy, Director of Corporate Services**

**Meeting Date:** **May 8, 2017**

**Subject:** **Report CPFS17-017  
Noise By-law Provision in City Operating Budget**

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## **Purpose**

A report to provide background information on the provision of \$25,000 in the City's 2017 Operating Budget for the enforcement of the Noise By-law.

## **Recommendation**

That Council approve the recommendation outlined in Report CPFS17-017 dated May 8, 2017, of the Director of Corporate Services, as follows:

That Report CPFS17-017 regarding the provision of \$25,000 in the 2017 Operating Budget for the enforcement of the Noise By-law be received for information.

## **Budget and Financial Implications**

There are no budget and financial implications arising from this report.

## **Background**

As a result of deliberations on the 2017 Operating Budget, Council at its meeting of December 12, 2016, passed the following resolution:

That staff provide a report on why there is a line item for \$25,000 for police regarding the noise by-law included in the budget (page 164 of the Budget Highlights Book).

**The Noise By-law (Peterborough Municipal Code Chapter 691)**

The City of Peterborough's Noise By-law prohibits anyone from making, or an owner permitting anyone to make, an unusual noise that is likely to disturb the inhabitants of the City. It identifies certain noises that are prohibited, that are likely to disturb inhabitants, such as:

- sound producing equipment - radio, loud speaker, musical instruments, etc.
- exhaust – without muffler
- tire noise – squealing, acceleration, braking
- motor – racing
- construction – demolition, repair – restricted hours
- lawn mowing – restricted hours

The by-law also identifies exceptions such as:

- parades
- outdoor concert – approved by Council
- City works – public utility vehicle
- Emergency vehicles
- Church bells

The Noise By-law is a municipal responsibility, but in Peterborough, it is the Police Services that provides enforcement.

**History**

In 1993, Police Chief McAlpine and the Police Services Board of the day informed the City that given the financial resources available, the Police Services were not able to enforce the City's Noise By-law.

The political backdrop in 1993, at the Provincial level, was the introduction of the Social Contract which were austerity measures on civil service. It became more affectionately known as Rae Days as Bob Rae was the Ontario Premier at the time and the measures imposed either wage freeze and/or mandatory unpaid days of leave for civil servants. The City, for instance, closed City Hall for three days between Christmas and New Years and staff were either unpaid or had to keep three days vacation for this period. (This practice has continued for City Hall since that time.) For other City services, such as Police Services, closing doors of service were not possible and instead reducing costs in other ways were necessary.

The resulting arrangement was to have the City provide a sum of money for Police Officers to enforce the By-law.

## Operations

Typically, two officers are assigned to the Noise Detail and work from 11:00 p.m. to 3:00 a.m. on weekends from May to October. This is work over and above the regularly scheduled shifts and officers are brought in through Paid Duty as additional complement dedicated especially to noise and disturbance calls.

More rigorous enforcement arrangements are made for calendar dates such as the July 1 weekend, Halloween and New Years Eve when it is expected that noise could be an issue. Also, Music Fest is handled outside of the Noise Detail budget. All calls are responded to regardless of when they are made, however, the busiest times are from 11:00 pm to 3:00 am on weekends. Without the additional officers, the noise complaints would go unanswered. Even with the additional capacity, if the call volume is busy, the response may not be until the next day.

## Cost

Specific amounts are not available for the early years of the arrangement, but records indicate that the amount started at something less than \$20,000, increased to \$20,000 annually and remained at that constant sum for some time. As early as 2001, the amount was increased to \$25,000 and has stayed consistent ever since that time. Up until 2005, the amount was funded through the City's General Contingency provision and only in 2006 did the amount start to appear as its own budget line in the City's annual Operating Budget.

The level of service and enforcement being provided is managed within the amount budgeted. Each year, typically during the year-end process, there is a true-up, whereby the budgeted funds provided are adjusted to match actual amounts paid to the Officers. On the books of the Police Services, the amount is a net zero budget.

Actual costs incurred for the past five years for the enforcement of the Noise By-law are shown in Chart 1.

**Chart 1**  
**Costs to Enforce Noise By-law – 2012 to 2016**

Year	Budget Provision	Actual Costs	Difference
2012	\$25,000	\$23,912	\$1,088
2013	\$25,000	\$23,422	\$1,578
2014	\$25,000	\$22,271	\$2,729
2015	\$25,000	\$16,770	\$8,230
2016	\$25,000	\$24,440	\$560

Submitted by,

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