



<b>TO:</b>	<b>CHAIR AND MEMBERS PUBLIC SAFETY COMMITTEE MARCH 6, 2012</b>
<b>FROM:</b>	<b>G. KOTSIFAS, P. ENG. DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>MOTORCYCLE NOISE</b>

<b>RECOMMENDATION</b>
-----------------------

That on the recommendation of the Director of Building Controls and Chief Building Official, this report regarding excessive motorcycle noise **BE RECEIVED** for information, it being noted that this issue would be better addressed through enforcement of the Ontario Highway Traffic Act.

<b>BACKGROUND</b>
-------------------

On May 17, 2011, the Community and Neighbourhoods Committee requested that Civic Administration review the Noise By-law and report back on the issue of motorcycle noise.

The City's Noise By-law prohibits persons from making, causing or permitting unreasonable noise or noise that is likely to disturb inhabitants. The Noise By-law specifically addresses vehicle exhaust noise and vehicle speaker noise. The Noise By-law is enforced by London Police Officers and City Municipal Law Enforcement Officers (MLEO). Police also have the authority to address unnecessary vehicle noise as per the Highway Traffic Act (section 75).

Some Canadian municipalities have recently addressed the issue of excessive motorcycle noise via local by-laws. The Town of Caledon passed a by-law in October 2011 requiring that noise from motorcycles be limited to specific decibel readings based on the RPM of the motorcycle engine. The City of Edmonton enacted a similar by-law and it has been reported that Edmonton Police are actively enforcing the by-law. It has also been reported that citizens who have been charged in Edmonton are successfully appealing their charges in court. The basis for the appeals is related to the noise measurement protocol. It is important to note that there are many motorcycles which do not contain a tachometer making the noise level/RPM measurement difficult to calibrate.

There are very few (if any) calls received at the City's Municipal Law Enforcement Services call centre with respect to excessive motorcycle noise. The two municipal by-laws from Caledon and Edmonton both utilize a sound level meter device used to measure sound levels at a specific distance from the exhaust outlet. Even if the noise readings would comply during a random check, the driver may intentionally "rev" the engine or accelerate at a rapid speed creating a noise that would be likely to disturb. If motorcycle noise is an issue affecting the quality of life of residents, the preferable approach would be to quantify the noise measures by amending the Highway Traffic Act as it pertains to unnecessary vehicle noise.

This report was prepared in consultation with the Sergeant of the Traffic Management Unit with the London Police Service.

--	--

<b>PREPARED BY:</b>	
<b>O. KATOLYK, MLEO (C) MANAGER OF LICENCING AND MUNICIPAL LAW ENFORCEMENT SERVICES</b>	
<b>PREPARED AND RECOMMENDED BY:</b>	<b>REVIEWED &amp; CONCURRED BY:</b>
<b>G. KOTSIFAS, P. ENG. DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL</b>	<b>JOHN BRAAM, P. ENG. ACTING EXECUTIVE DIRECTOR – PLANNING, ENVIRONMENTAL &amp; ENGINEERING SERVICES AND CITY ENGINEER</b>

Y:\Shared\building\Rep&Recs\2012\PSC-Mar 6 2012 - motorcycle noise.doc

cc: London Police Service – Tom O'Brien

Agenda Item # Page #

--	--