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TO:	CHAIR AND MEMBERS COMMUNITY SERVICES COMMITTEE MEETING ON MAY 29, 2012
FROM:	WILLIAM C. COXHEAD DIRECTOR OF PARKS & RECREATION COMMUNITY SERVICES DEPARTMENT
SUBJECT:	Amplified Sound and Hours of Operation of Special Events

RECOMMENDATION

That, on the recommendation of the Director of Parks & Recreation, with the concurrence of the Executive Director of Community Services, the following report **BE FORWARDED** to a public participation meeting on June 19, 2012 before the Community Services Committee to receive comments related to the following options, with respect to Section 13.0 Noise Policy in the Special Events Policies and Procedures Manual:

Allowable Sound/Decibel Levels at Special Events

Option A - No change, maintain the current policy whereby all amplified concerts shall not exceed a sound pressure of 90 decibels beyond 30m (100 feet) from the front edge of the stage with no allowance for peaks/crescendos.

Option B - Increase decibel levels to not exceed a sound pressure of 100 decibels beyond 30m (100 feet) from the front edge of the stage and 5 peaks/ crescendos (a gradual increase, especially in the volume or intensity of sound in a passage).

Option C - Increase decibel levels to not exceed a sound pressure level somewhere between the range of 85 and 100 decibels beyond 30m (100 feet) from the front edge of the stage and 5 peaks/crescendos (a gradual increase, especially in the volume or intensity of sound in a passage).

Hours of Operation at Special Events

Option A - No change, maintain the current policy whereby the amplification of sound for Special Events will be limited to the hours of **9:00 a.m. to 11:00 p.m.**

Option B - allow amplified sound at Special Events between the hours of 9:00 a.m. and **midnight**

Option C - allow amplified sound at Special Events between the hours of 9:00 a.m. and **1am.**

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Community Services Committee (Feb. 13, 2012) Annual Review 2012 Special Events Policies and Procedures Manual

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BACKGROUND

At the Community Services Committee meeting on February 13, 2012 Civic Administration was directed to continue the current public consultation process in order to explore options related to proposed changes to acceptable noise levels and hours of operation with a report back at a future public participation meeting of the Community Services Committee.

This report:

- Reviews the current Special Events Policy sections that deal with noise and hours of operation;
- Summarizes the input gathered from the public and event holders regarding noise and hours of operation;
- Reviews research on noise levels and practices from other municipalities; and,
- Provides options for consideration.

Overview

The City of London enjoys a long history of hosting many outdoor Special Events. It is estimated that a million Londoners and visitors enjoy the many summer festivals and outdoor concerts held each year in municipal parks. Local residents embrace these events in our community and in their neighbourhoods and event holders are respectful of them in turn, however, they sometimes disagree on acceptable noise levels and hours of operation. For instance, rock concerts are typically louder than neighbourhoods are willing to tolerate while concert promoters, performers and fans typically want to hear music that is louder and longer (beyond permissible levels and times). This dilemma is not new and the current policy reflects a common ground that has been achieved over many years.

Special Events Policies and Procedures Manual Noise Provisions/ Amplified Sound

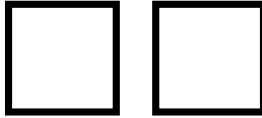
The City of London's Special Events Policies and Procedures Manual provides organizations with guidelines related to the requirements for amplified sound at Special Events hosted on City properties. This policy respects the residents of our community while encouraging event holders to host their festivals and concerts in London. For instance, major events in Harris Park are limited to twelve (12) total days of amplified sound associated with five (5) events per year with no event exceeding a maximum of four (4) days.

The existing noise policy in the special events manual states:

"The amplification of sound for Special Events will be limited to the hours of 9:00 a.m. to 11:00 p.m. and all amplified concerts shall not exceed a sound pressure of 90 decibels beyond 30m (100 feet) from the front edge of the stage."

Council approved policy exemptions currently include the following:

- New Year's Eve Event at Victoria Park is limited to the hours of 9:00 a.m. – 12:00 midnight;
- Announcements for the gathering of participants, "on your mark, get set go" and the singing of the national anthem at sporting events (note sound level not to exceed 90 decibels between 8:00 am – 9:00 am). All other amplified sound (i.e., music) cannot begin until 9:00 am); and,
- The Springbank Gardens (formerly Wonderland Gardens) has a lower allowable sound threshold of 70 decibels for events.



Monitoring and Enforcement

Special Events booked on City properties with amplified sound are governed by the noise policy as outlined in the Special Events Policies and Procedures Manual and **are exempt from the noise bylaw as long as they comply with the operating hours and decibel levels defined in the special events manual.** If the event organizer exceeds the decibel level or operates outside the approved hours for amplified sound they could be subject to charges/fines under the noise bylaw.

City of London staff monitor and document the decibel levels with a sound meter once every half hour during amplified concerts. If the sound exceeds 90 decibels on any of the readings the concert organizer loses their \$500 noise deposit with the City. Appendix A provides a list of the ranges of decibel levels of all major events held in 2011. Last year, of the 25 amplified major events only six (6) exceeded the 90 decibel level and subsequently lost their deposit.

Community Input/Engagement

This Policy is reviewed annually by City staff and adjusted and improved with input from residents, event holders and City officials. The latest review took place in the Fall of 2011 where ten (10) event organizers and eight (8) residents attended public meetings and provided input.

- **Event organizers indicated** they felt overly restricted by the policy as it relates to the maximum sound pressure of 90 decibels. They also requested that the city explore the ability to allow operation until midnight. They cited the ability to attract big-name rock performers who are typically not restricted by sound level thresholds in other cities. If the decibel threshold level was 100 decibels for concerts they would avoid fines and/or by-law infractions that would impact the enjoyment of the fans and increase cost of holding the concerts.
- At the February 13, 2012 Community Services Committee meeting a presentation was received by Bethany's Hope requesting for Rock the Park to be louder.
- Since the meeting, staff has received correspondence from Sunfest indicating that they would like to explore the possibility of going up to midnight. It is not Sunfest's intention to program until midnight; however, this extra hour will give Sunfest some flexibility if they get behind schedule, as well as time, for encore performances. Also, since Sunfest has experienced problems with the current 90 decibels limit, they would like to explore the possibility of increasing these levels to at least 100 decibels.
- **Residents told us** that we have achieved a good balance between the need to have a successful concert event while respecting the neighbouring community and therefore to do not want to see any increase in the noise decibel levels. They also cited the increased potential of hearing loss by concert goers if the noise level is increased as a concern.

Background Research

Amplified Sound

To provide a reference, Appendix B Figure 1 shows common sounds for typical noises in the environment such as:

- a power drill, tractor cab, and arc welding, are approaching levels of 80-90 decibels
- the bar of a night club, chain saw, road drill, are at 100 decibels
- a jet aircraft taking off is 140 decibels at 25m away

In addition, research shows that Symphonic music peaks or crescendos reach decibel levels of 120-137.

Appendix B Figure 2 explains exponential effects of sound on hearing loss due to prolonged exposure; for each 3 decibel increase, one can only be exposed for half the time in order to avoid the same risk. For example, 91 decibels for 2 hours a day poses the same risk as exposure to 94 decibels for only 1 hour a day.

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Permissible decibel levels range from 90 to 95 decibels across the Municipalities surveyed (Appendix C). Sarnia's by-law has no limits on decibel levels; it is up to the discretion of the officer if any complaints arise from noise.

Hours of Operation

Civic administration undertook a Municipal scan of five (5) other municipalities and summarized allowable times and noise levels for amplified music in Appendix C.

- Of the municipalities surveyed ending hours of amplified sound varied from 11pm – 1am.
- Sarnia Bayfest is allowed to operate until 11:00 pm during the week, 12:00 am on Saturday and Sundays and are allowed to extend playing up to an hour if there are rain delays.

OPTIONS AND RECOMMENDATION

Civic Administration proposes 3 options for considering the request to increase the allowable decibel levels and 3 options for extending the hours of operation at special events.

Allowable Sound/Decibel Levels at Special Events

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Option C - Increase decibel levels to a sound pressure level somewhere between the range of 85 and 100 decibels beyond 30m (100 feet) from the front edge of the stage and 5 peaks/crescendos (a gradual increase, especially in the volume or intensity of sound in a passage).

Hours of Operation at Special Events

Option A - No change, maintain the current policy whereby the amplification of sound for Special Events will be limited to the hours of **9:00 a.m. to 11:00 p.m.**

Option B - allow amplified sound at Special Events between the hours of 9:00 a.m. and **midnight**

Option C - allow amplified sound at Special Events between the hours of 9:00 a.m. and **1am.**

Staff would continue to restrict the number of days of amplified sound and events at Harris Park, limit the number of major Special Events in Victoria Park between June to Labour Day to nine and retain the 70 decibels maximum at Springbank Gardens.

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Recommendation

Civic administration recommends that the following report **BE FORWARDED** to a public participation meeting on June 19, 2012 before the Community Services Committee to receive comments related to the options, with respect to Section 13.0 Noise Policy in the Special Events Policies and Procedures Manual.

SUBMITTED BY:	
KRISTA KEARNS MANAGER, SPECIAL EVENTS & COMMUNITY RENTALS DEPARTMENT OF COMMUNITY SERVICES	
RECOMMENDED BY:	CONCURRED BY:
WILLIAM C. COXHEAD, DIRECTOR, PARKS & RECREATION DEPARTMENT OF COMMUNITY SERVICES	ROSS L. FAIR EXECUTIVE DIRECTOR DEPARTMENT OF COMMUNITY SERVICES

- c. Scott Stafford, Division Manager, Parks and Community Sport
 Donna Baxter, Manager of Research & Policy

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APPENDIX A

SUMMARY OF MAJOR EVENT DECIBEL RANGES 2011

EVENT	DECIBEL RANGE	Times Over 90	LOST DEPOSIT
Play ON (Victoria Park)	60.3- 87.2	0	No
Walmart Walk for Life (Springbank Gardens – Decibel limit 70)	72 - 84	4	Yes
Kids Expo (Victoria Park)	63.5 – 87.9	0	No
International Food (Victoria Park)	69.7- 89.5	0	No
Canada Day – (Harris Park)	68.5 – 88.9	0	No
Caliente (Victoria Park)	70.4 – 101.1	4	Yes
Sunfest (Victoria Park)	69.5 – 97.8	10	Yes
Multi Kulti (Victoria Park)	67.5 - 83.2	0	No
Home County (Victoria Park)	61.2 – 95.3	3	Yes
Rib Fest (Victoria Park)	61.7 – 89.7	0	No
Rock the Park (Harris Park)	79.2 – 105.7	38	Yes
Fall Fest (Victoria Park)	59.3 – 89.6	0	No
Sing for Veteran's (Victoria Park)	60.1 – 87.3	0	No
Rockn New Year's Eve (Victoria Park)	79.2 – 102.3	3	Yes



APPENDIX B
Figure 1
EXAMPLES OF COMMON SOUND

Canadian Standards Association Z94.2-02: Hearing Protection Devices Performance, Selection, Care, and User - Table Equivalent Noise Exposures



Figure 2
EXPONENTIAL SOUND AND HEARING LOSS

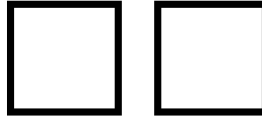
The following information was obtained from The Consumer Handbook on Hearing Loss and Noise – Marshall Chasin, Au.D., Editor.

We know from industry and research that 85 decibels for 40 hours a week will eventually result in a permanent sensorineural hearing loss. The greater the sound level and/or the longer the duration of exposure, the greater will be the hearing loss. For example, 85 decibels for 40 hours a week poses the same risk for exposure to 88 decibels for only 20 hours a week, 91 decibels for only 10 hours a week and so on. For each increase of 3 decibel, the potential damage is approximately doubled. Stated differently, for each 3decibel increase, one can only be exposed for half the time in order to have the same risk (potential damage). In light of current knowledge and understanding of risk criteria, most people should be able to enjoy without hearing loss a concert that does not exceed 95 decibel so long as exposure does not exceed 4 hours a week (and they don't do anything too noisy for the rest of the week).

The table below demonstrates this relationship.

Sound Levels (Decibels)	Duration of Exposure Hours/Day	Duration of Exposure Hours/Week
85	8	40
88	4	20
91	2	10
94	1	5
97	30 minutes	2.5
100	15 minutes	75 minutes
103	7.5 minutes	37.5 minutes

Also note that under the Health & Safety Act hearing protection is required for prolonged exposure



to noise over 85 decibels.

**APPENDIX C
OF DECIBEL LEVELS IN OTHER MUNICIPALITIES**

Municipality	Are there only certain times amplified music is allowed?	Is a specific decibel level to be maintained?
City of Guelph	Prior to 11 pm unless the organizer requests an exemption from Council.	We had a guideline of max 95 decibels – in conjunction with a sound engineering company an alternate process has been developed for Special Events with different noise level limits and measuring criteria. It not been approved by Council yet.
City of Hamilton	If a SEAT event is approved it is allowed to have outside amplified music until midnight. Amplified music cannot begin until 11 a.m. (noon - 10:00 pm on Sunday's).	It must not exceed 90 decibels at 30 feet.
City of Waterloo	Not Restricted	80 decibels is a guide
City of Sarnia	Noise 8:30am -11:00pm) but the following events are exempt: Bayfest Canada Day Events Dow People Place Events Hiawatha Horse Park Jazz Festival Rib Fest San Rocca Festival Sarnia Greek Fest 8:30-11:00pm (Sun. – Thurs.) 8:30 -12:00am (Fri-Sat) Where schedule entertainment is delayed due to inclement weather, the hours of operation may be extended by up to 1 hour.	The by-law has no decibel levels, up to discretion of the officer
City of Windsor	Sunday – Thursday (no identified start time – 11 pm) Friday – Saturday (no identified start time – 1 am)	Festival Plaza only – 95 decibels at 100 feet
City of London	Between 9 am – 11 pm	All amplifies concerts shall not exceed a sound pressure decibel of 90 decibels beyond 30 m(100 feet) from the front edge of the stage. The decibel level within the 30 m zone, shall be at the discretion of the event operator, however sound equipment and speaker placement should be designed such that the 90 decibel level is not exceeded at the 30 m limit.