

CITY OF COQUITLAM  
BYLAW NO. 1233, 1982

A Bylaw to Regulate Noise Within  
the City of Coquitlam

WHEREAS under the provisions of Section 932 (c) of the Municipal Act, being Chapter 290 of the Revised Statutes of British Columbia, 1979, the Council of a municipality is empowered to enact a bylaw to regulate or prohibit the making or causing of noises or sounds in or on a highway or elsewhere in the municipality which disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood, or of persons in the vicinity, or which the Council believes are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public, and may make different regulations or prohibitions for different areas of the municipality;

NOW THEREFORE the Municipal Council of the City of Coquitlam in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

A. DEFINITIONS

1. (a) Words defined in the "Motor Vehicle Act" being Chapter 288 of the Revised Statutes of British Columbia, 1979, and the "Municipal Act", Revised Statutes of British Columbia, Chapter 290, 1979, shall have the same meaning when used in this bylaw unless defined in this bylaw or unless the context otherwise requires.
  - (b) In this bylaw, unless the context otherwise requires:
    - (i) "City" means the City of Coquitlam or the area within the boundaries thereof as the context may require;
    - (ii) "Council" means the Municipal Council of the City of Coquitlam; "
    - (iii) "Inspector" means the person or persons appointed from time to time by the Council to enforce and administer this bylaw and shall include any Peace Officer, or Bylaw Enforcement Officer of the City;
    - (iv) "Noise" includes any loud outcry, clamour, shouting or movement, or any sound that is loud or harsh or undesirable;
    - (v) "Peace Officer" shall have the same meaning as in the Interpretation Act being Chapter 206 of the Revised Statutes of British Columbia, 1979, plus the person or persons who are appointed to enforce and administer this bylaw;

(vi) "Person" includes any company, corporation, owner, partnership, firm, association, society or party;

(vii) "Property" means real property and includes lands, other than a highway, together with all improvements which have been so affixed to the lands as to make them in fact and in law a part thereof.

## B. GENERAL REGULATIONS

1. No person shall make or cause, or permit to be made or caused, any noise in or on a public or private place which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity.
2. No person being the owner, tenant or occupier of real property shall allow or permit such real property to be used so that noise or sound which occurs thereon or emanates therefrom, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons on the same piece of property or in the neighbourhood or vicinity.
3. No person shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound either in or on private premises or in any public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.
4. No person shall own, keep or harbour any animal or bird which by its cries unduly disturbs the peace, quiet, rest or tranquility of the surrounding neighbourhood or the public at large.
5. No hawker, huckster, pedlar, news vendor, or other person shall by his intermittent or reiterated cries disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.

## C. CONSTRUCTION HOURS

1. No person in the City shall on any day before 07:00 hours or after 22:00 hours, construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill in land in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.
2. No person in the City shall for profit or gain on a Sunday construct, erect, reconstruct, alter, repair or demolish any building or thing, or excavate or fill in

land in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.

3. Where it is impossible or impractical to comply with this section C, the Council may give written approval to carry on the work that is found to be necessary at designated hours.

Responsibility for obtaining written approval lies with the person carrying on the work.

D. OTHER

1. No person shall operate any outdoor public address system in the City without first having obtained a permit therefor from the Municipal Engineer of the City.
2. No person shall operate a snow vehicle, motorboat or motorcycle which makes or causes noise.
3. Nothing contained in this bylaw shall be deemed to apply to any noise made or caused by any motor vehicle under the control of the Fire Department of the City while responding to a fire alarm or other emergency or to any noise caused or made by a police officer or constable in the discharge of his duty, or to any noise caused or made by the operator of any licensed ambulance while responding to an emergency call, or to any noise caused or made by equipment operated by or for the City.

E. PENALTY SECTION

1. Every person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw or who does any act which violates any of the provisions of this bylaw, is guilty of an offence against this bylaw and liable to the penalties hereby imposed. Each day that a violation continues to exist shall constitute a separate offence.
2. Every person who commits an offence against this bylaw is liable to a fine and penalty of not more than \$2,000.00 and not less than \$100.00 for each offence, and in default of payment thereof, forthwith or within such time as the presiding Provincial Court Judge shall direct, the fine imposed shall be recoverable under the provisions of the Offence Act, R.S.B.C. 1979 Chapter 305 and all amendments thereto.

- F. This Bylaw may be cited for all purposes as "City of Coquitlam Noise Regulation Bylaw No. 1233, 1982".

G. The City of Coquitlam Noise Regulation Bylaw No. 981, 1960 is hereby repealed.

H. TEMPORARY MEASURES

1. In this Section each of the following words will have the meaning set out herein:

- (a) “Class 3 Motor Vehicles” means any motor vehicle licenced under the provisions of the Motor Vehicle Act, R.S.B.C.1979, c. 288, as amended or the Commercial Transport Act, R.S.B.C. 1979, c. 55, as amended, with a gross vehicle weight of more than 13,607.77 kilograms that is required to be licenced by the City pursuant to the District of Coquitlam Commercial Vehcile Licencing Bylaw No. 18, 1971;
- (b) “Construction Agreement” means the agreement or agreements to be entered into between the Contractor and the Province of British Columbia to provide for the Works;
- (c) “Contractor” means the successful tendered in the public tender process for the Works carried out by the Province of British Columbia and includes each and every employee, agent, officer, director, subcontractor or other Person working under the Contractor’s control or direction, whether as an independent contractor or otherwise, in the completion of the Works;
- (d) “Submission” means the written submission of the Contractor to the City Engineer for the City prepared in accordance with paragraph 3;
- (e) “Term” means the period commencing on the date the Construction Contract is awarded to the Contractor and ending on the earlier of the date specified in the Construction Contract as the substantial completion date for the Works and August 31, 1993;
- (f) “Works” means the re-construction and re-paving of Lougheed Highway between Johnson Street and the Pitt River Bridge within the municipal boundaries of the City carried out by the Contractor pursuant to the Construction Contract.

2. Subject to full compliance with this Bylaw except as specifically varied in the Submission, and with the terms and conditions set out in paragraph 3, the Contractor may, during the Term, carry out the Works and operate Class 3 Motor Vehicles on such highways within the City both at such times and on such days of the week as is permitted in the Submission, notwithstanding that such Works or vehicle operation would otherwise violate the provisions of the Noise Bylaw through the creation of excessive construction or traffic noise.

3. The Contractor must, before commencing the Works or operating any Class 3 Motor Vehicle otherwise than in accordance with the other provisions of this

Bylaw, provide the Submission to the City Engineer containing the following information:

- (a) details of those highways within the City over which the Contractor proposes to operate Class 3 Motor Vehicles, which highways will, wherever practical, be chosen so as to minimize travel through residential streets and streets on which playgrounds, parks and schools, or any of them, are located;
- (b) the anticipated days of the week and hours of each day during which the Works will be carried out and the Class 3 Motor Vehicles will operate in connection with the Works, which days and hours must not exceed the specifications contained in the Construction Contract;
- (c) listing all Persons that will operate Class 3 Motor Vehicles in the course of carrying out the works;
- (d) listing with as much or more particularity as the Construction Contract permits, the number and nature of Class 3 Motor Vehicles that will be used in connection with carrying out the Works.

The City engineer for the City will, within five working days of receiving the initial Submission, provide written confirmation to the Contractor of his final approval of or the changes necessary to the Submission. Where changes are requested by the City Engineer, the Contractor must re-submit the revised Submission to the City Engineer for final approval before commencing the Works or the operation of any Class 3 Motor Vehicle as provided for in the Submission.

If the Contractor requires amendment to the Submission during the Term, the same must be requested in writing and follow the procedures enumerated in paragraphs (a) through (d) above.

If, for any reason, the highways identified in the Submission as the travel routes for the Class 3 Motor Vehicles should be temporarily closed, either by reason of road works or emergency, the Contractor will notify the City Engineer by telephone and by facsimile message of such closure and obtain the City Engineer's authority to temporarily use an alternate route, provided that such approval will continue only so long as the temporary road closure is in effect.

- 4. Except as specifically permitted in the Submission, all other provisions of this Bylaw will apply to the carrying out of the Works and the operation of all Class 3 Motor Vehicles by the Contractor.

READ A FIRST TIME the 1st day of February , 1982.

READ A SECOND TIME the 1st day of February , 1982.

READ A THIRD TIME the 1st day of February , 1982.

RECONSIDERED, FINALLY PASSED and ADOPTED and the Seal of the Corporation affixed this 15th day of February , 1982.

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MAYOR

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CLERK