



## COMMITTEE OF THE WHOLE AGENDA

**Tuesday, October 10, 2023 at 6:30 p.m.**

**Council Chambers**

**325 Wallace Street, Hope, British Columbia**

For those in attendance at District of Hope Open Council Meetings, please be advised that the Hope Ratepayers Association is recording these meetings. The District, in no way, has custody or control of the recordings. Therefore, all persons who do not want their presentation or themselves recorded, please approach the Clerk to declare same and the District will relay this to the Association so that you can freely speak.

### 1. CALL TO ORDER

### 2. APPROVAL OF AGENDA

Recommended Resolution:

THAT the October 10, 2023, Committee of the Whole Meeting Agenda be adopted as presented.

### 3. ADOPTION OF MINUTES

#### (a) Committee of the Whole Meeting

(1)

Recommended Resolution:

THAT the Minutes of the Committee of the Whole Meeting held June 27, 2023, be adopted as presented.

### 4. OTHER PERTINENT BUSINESS

#### (a) Report dated September 27, 2023 from the Director of Corporate Services Re: Amendment to Noise Timelines for Commercial and Industrial

(4)

Recommended Resolution:

THAT Council rise and report *Good Neighbour Amendment Bylaw No. 1562, 2023* to the October 23, 2023 Regular Council Meeting.

### 5. QUESTION PERIOD

Call for questions from the public for items relevant to the agenda.

### 6. CLOSE COMMITTEE OF THE WHOLE

## MINUTES OF A COMMITTEE OF THE WHOLE MEETING

Tuesday, June 27, 2023  
Council Chambers, District of Hope Municipal Office  
325 Wallace Street, Hope, British Columbia

**Council Members Present:** Mayor Victor Smith  
Councillor Heather Stewin  
Councillor Scott Medlock  
Councillor Pauline Newbigging  
Councillor Angela Skoglund

**Council Members Absent:** Councillor Crystal Sedore  
Councillor Zachary Wells

**Staff Present:** Donna Bellingham, Director of Corporate Services  
Branden Morgan, Deputy Corporate Officer/EA

**Others in attendance:** 1 member of the public and 1 media

### 1. CALL TO ORDER

Mayor Smith called the meeting to order at 6:34 p.m.

### 2. APPROVAL OF AGENDA

**Moved / Seconded**

THAT the June 27, 2023 Committee of the Whole Meeting Agenda be adopted as presented. **CARRIED.**

### 3. ADOPTION OF MINUTES

**(a) Moved / Seconded**

THAT the Minutes of the Committee of the Whole Meeting held June 12, 2023, be adopted as presented. **CARRIED.**

### 4. OTHER PERTINENT BUSINESS

#### **(a) RCMP Upper Fraser Valley Regional Detachment 2023-2025 Strategic Plan**

Superintendent Davy Lee was in attendance to discuss the RCMP Upper Fraser Valley Regional Detachment (UFVRD) 2023-2025 Strategic Plan with Council. Superintendent Lee advised that the goal is to gather input on priorities that have been identified by the municipalities and Indigenous communities in the UFVRD. He added that the information gathered this evening contribute to the formation of the 2023-2025 Strategic Plan.

The following topics were discussed:

- From a safety perspective, what is the number one issue that your local RCMP needs to address?
  - Concerns regarding regular offenders and their release without

consequences.

- Ways that the Violent Repeat Offenders Program can address concerns in the community, with one community member currently being engaged through this program.
- The need to be more assertive when engaging with mischief offences that prevent the lawful enjoyment of facilities.
- The benefits of continuing to report all issues even though a direct result cannot be seen by the public, as it creates a history on the individual to show it is not an isolated incident.
- What does your local RCMP do well?
  - Levels of engagement with the community have begun to grow, with RCMP members attending important community events, such as the Rambo First Blood 40<sup>th</sup> Anniversary.
  - Timely and effective responses to local incidents such as break-ins.
- What could your local RCMP do better?
  - Increase visibility in the community as a regular presence will help to keep crime away and help the community feel safer.
  - Increase communication with the public after an incident has been logged, such as following up with the caller as the case progresses and letting them know the outcome, if possible.
  - The benefits of having members who live in Hope with regards to communication.
  - All cases that are assigned to a member from outside of the detachment are re-assigned to a local member at the conclusion of their shift in order to create continuity.
- What are one or two concrete actions your local RCMP could undertake in the next year that would make a positive difference in the community?
  - Working with Hope Crime Prevention to have a member working in the downtown office in order to increase visibility and community engagement.
  - Installation of cameras to monitor transactions and custody exchanges at the Hope Crime Prevention Office or a specific location.
  - Re-introduction of the DARE program in local schools as well as teaching regarding cyberbullying and other online issues.
  - The implementation of a school liaison program.
  - The implementation of a bicycle patrol program to increase visibility around town.

- What's one thing that your local RCMP and your organization could work on together?
  - Regular attendance at events as opposed to attendance only during crimes.
  - Cooperation on larger projects such as roadblocks and school zone speed enforcement.
  - Open-house events where members of the community can meet members of the local detachment and gain insight into how they operate.
- Do you have any advice for us on how to better communicate with people in your community – both to get our messages out, and to listen to your concerns.
  - Hosting community events such as Coffee with Cops, where the public has an opportunity to be introduced to members of the detachment.
  - Publishing member profiles in the Hope Standard for the community to see.
  - Releasing quarterly data in an effort to be more transparent, such as the number of RCMP members working in the District.
  - A Facebook page to allow for greater community engagement and release of news.

Superintendent Lee noted that Hope is the last municipal council within the UFVRD for him to meet with. He presented the same questions to each Council and general theme from all municipalities seems to be consistent so far, officer presence, communication and more visibility for traffic safety.

**5. QUESTION PERIOD**

There were no questions.

**6. CLOSE**

**Moved / Seconded**

THAT the June 27, 2023 Committee of the Whole Meeting adjourn at 7:30 p.m.

**CARRIED.**

*Certified a true and correct copy of the Minutes of the Committee of the Whole meeting held on June 27, 2023 in Council Chambers of the District of Hope, British Columbia.*

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**Mayor**

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**Director of Corporate Services**

# REPORT/RECOMMENDATION TO COUNCIL

**REPORT DATE:** September 27, 2023

**FILE:** 3900-01

**SUBMITTED BY:** Director of Corporate Services

**MEETING DATE:** October 10, 2023 – Committee of the Whole

**SUBJECT:** Amendment to Noise Timelines for Commercial and Industrial

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## **PURPOSE:**

The purpose of this report to put forth an option for Council's consideration to address noise timelines in the commercial, industrial or light industrial zoned areas.

## **RECOMMENDATION:**

### Recommended Resolution:

THAT Council rise and report *Good Neighbour Amendment Bylaw No. 1562, 2023* to the October 23, 2023 Regular Council Meeting.

**Note:** Should Council feel that there is more urgency to get timelines established, you have the option to amend the recommended resolution and rise and report to tonight's Regular Council meeting and have this bylaw introduced as a late agenda item, thereby commencing the reading process.

## **ANALYSIS:**

### **A. Rationale:**

The District's Good Neighbour Bylaw, specifically, Part V – Noise Regulations, section 5.2 Exemptions, sub section (d) states:

*"Notwithstanding anything contained herein, no person shall be guilty of an infraction of the Bylaw while:*

*(d) lawfully carrying on a trade or industry at a commercial, industrial or light industrial zoned area, provided that the sound or noise there from does not exceed the sound or noise common to such trade or industry where carried out in accordance with generally accepted industry standards using equipment and facilities in good operating order."*

Currently the Council is considering a rezoning for lands located at 61934 Estell Road. There has been significant public input regarding excessive issues with noise, dust and hours of operations for the uses undertaken on the lands.

After a review of the Good Neighbour Bylaw, one option for Council would be to consider implementing time limits for noise on commercial, industrial and light industrial zoned lands. Staff has put forth a suggestion to limit these types of activities between the hours of 7:00 a.m. and 11:00 p.m., unless such sound or noise is contained within an enclosed building.

While the suggestion to implement restricted timelines for commercial and industrial activities will only address the late hour noise, Council did approve, via a telephone poll on September 25, 2023, a temporary exemption to the Modular Storage Unit (Shipping Container) Policy to grant permission for the placement of shipping containers on the lands at 61934 Estell Road in order to create a sound and dust barrier for the surrounding properties. This exemption will expire no later than January 31, 2024.

Should Council decide to move forward with the Good Neighbour Bylaw amendment, this will be permanent and set by bylaw, unlike a temporary exemption that has an expiry date.

**B. Attachments:**

- Good Neighbour Bylaw No. 1240 – Part V, section 5.2(d) Noise Regulation Exemptions (pages 7 & 8)
- Good Neighbour Bylaw No. 1240 – Section 5.6 – Specific Prohibitions (pages 10 & 11)

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Approved for submission to Council:

*Original Signed by Donna Bellingham*

Donna Bellingham  
Acting Chief Administrative Officer

**DISTRICT OF HOPE**  
**BYLAW NO. 1562**

*A bylaw to amend Good Neighbour Bylaw No. 1240, 2008*

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WHEREAS the Council of the District of Hope deems it appropriate to amend the “*Good Neighbour Bylaw Number 1240, 2008*” to amend Part V – Noise Regulations

NOW THEREFORE the Council of the District of Hope, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as the “***Good Neighbour Amendment Bylaw No. 1562, 2023***”.
2. “*Good Neighbour Bylaw Number 1240, 2008*” is hereby amended as follows:
  - a. Part V – Noise Regulation – **by deleting section 5.2 (d) in its entirety**; section being deleted is as follows:

“5.2 (d) *lawfully carrying on a trade or industry at a commercial, industrial or light industrial zoned area, provided that the sound or noise there from does not exceed the sound or noise common to such trade or industry where carried out in accordance with generally accepted industry standards using equipment and facilities in good operating order*”.
  - b. That section 5.2 be renumbered in sequence.
  - c. That section 5.6 be amended **to add (h)**, to read as follows:

(h) No trade or industry at a commercial, industrial or light industrial zoned area, shall, on any day before 7:00 a.m. or after 11:00 p.m., create sound or noise common to such trade or industry, unless such sound or noise is contained within an enclosed building to thereby keep the sound and noise contained.

Read a first, second and third time this XX day of XXXXX, 2023.

Adopted this XX day of XXXXX, 2023.

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**Mayor**

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**Director of Corporate Services**



- (c) standing temporarily for the purpose of loading or unloading.
- 4.4 No person shall panhandle after sunset on any given day.
- 4.5 No person shall sit or lie on a street for the purpose of panhandling.
- 4.6 No person shall continue to panhandle from a person, or follow a person, after that person has made a negative response.

#### **Use of Highway**

- 4.7 No Person shall:
  - (a) urinate or defecate on a highway or other public place;
  - (b) impede or obstruct any other person on a highway or other public place, excluding lawful picketing as proved in the BC Labour Code;
  - (c) stand or congregate on a highway or other public place in such a manner as to impede or obstruct the free movement of other persons or vehicular traffic;
  - (d) camp or erect a tent or other camping facilities on a highway or other public place;
  - (e) sleep in any vehicle located on a highway or other public place;
  - (f) carry on any obscene, lewd or indecent activity, or use indecent, or grossly insulting language on a highway or other public place;
  - (g) participate in a fight or other similar physical confrontation in any highway or other public place;

### **PART V - NOISE REGULATION**

#### **Noise Restrictions**

- 5.1 Schedule "D" contains definitions of terms used in Part V of this Bylaw.

#### **Exemptions**

- 5.2 Notwithstanding anything contained herein, no person shall be guilty of an infraction of this Bylaw while:
  - (a) operating or in charge of Fire Department, Police or Ambulance vehicles while in the execution of their duties;



- (b) operating any motor vehicle, machinery or other apparatus or thing during an emergency or for a public purpose or in furtherance of the public interest including, without limiting the generality of the foregoing, water main and sewer main break repairs and civil defense exercises;
- (c) performing works of an emergency nature for the preservation or protection of life, health or property, provided that, the onus shall be on the person performing the work to show cause that the work was of an emergency nature;
- (d) lawfully carrying on a trade or industry at a commercial, industrial or light industrial zoned area, provided that the sound or noise there from does not exceed the sound or noise common to such trade or industry where carried out in accordance with generally accepted industry standards using equipment and facilities in good operating order;
- (e) farm operations conducted in accordance with normal farm practices under the *Farm Practices Protection (Right to Farm) Act*;
- (f) operating residential household equipment including, but not limited to, pool pump motors, air conditioning units, exhaust fans, hot tub pumps, provided that the sound or noise therefrom does not exceed the sound or noise common to such household equipment when in good operating order and being used in accordance with generally accepted industry standards;
- (g) events held under the authority of a Special Event Permit issued by the District; or
- (h) the ringing of church bells.

### **Special Exemptions**

#### **5.3 (a) Construction Permits:**

Where the District's Building Inspector considers that it is impossible or impractical for a person to comply with Section 5.6 (e) and (f), the Building Inspector may, upon application in writing, grant a construction permit to carry out work that is found to be necessary, at designated hours on designated days and on such other terms and conditions as the Building Inspector considers reasonable in the circumstances;

#### **(b) Mobile Public Address Systems:**

No person may operate a mobile public address system without first obtaining a permit under this Bylaw and complying with the following terms and conditions:

- (i) upon application in writing, a permit may be granted by the Director, for a mobile public address system, provided such system is used and operated, as follows:

instrument, that emanates from a motor vehicle and can be easily heard by someone outside the motor vehicle;

- (iv) the sound of an automobile security system which is made, either continuously or intermittently, for a period exceeding three (3) minutes, or made more than three (3) times in a 24-hour period;
- (v) the sound of a horn or other warning device on a motor vehicle used for any purpose other than as an audible warning incidental to the safe operation of the motor vehicle;
- (vi) the sound of a brake or other type of engine brake on a motor vehicle used or operated for any purpose other than as an emergency braking device incidental to the safe operation of the motor vehicle.
- (vii) (A/M #1289) the sound of a motor or engine of a bus, truck, or other vehicle which has been idling or otherwise run continuously for more than three minutes at the same location, except:
  - (a) a bus that is located within a garage or depot intended for its long-term parking;
  - (b) a vehicle containing equipment that must be operated inside or in association with a vehicle; or
  - (c) a vehicle serving as a facility for taking measurements or making observations by or on behalf of the municipality, public utility, police, fire, or ambulance.

#### 5.6 Specific Prohibitions:

Without limiting the generality of Section 5.4 herein:

- (a) 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 on any highway or other public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity of those premises or place;
- (b) No person being the owner, occupier or tenant of real property shall allow or permit his real property to be used by a person or persons for playing or operating any radio or stereophonic equipment or other instrument or other apparatus for the production or amplification of sound in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity of said real property;

- (c) Subject to subsection 5.2 (e), no person shall own, keep or harbour any animal or bird which by its cries or sounds unduly disturbs the peace, quiet, rest or tranquility of the surrounding neighbourhood or of persons in the vicinity;
- (d) No person may operate, or cause, suffer or permit the operation of, any motorized lawn-grooming or garden equipment in the District between the hours of 9:00 p.m. and 7:00 a.m.;
- (e) Subject to subsection 5.3(a), no person in the District shall, on any day before 7:00 a.m. or after 9:00 p.m., construct, erect, reconstruct, alter, repair or demolish any building, structure or thing, or excavate or fill in land in any manner which causes noise or sounds in or on a highway or elsewhere in the District which disturbs or tends to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity;
- (f) Subject to subsection 5.3(a), no owner of real property shall, on any day before 7:00 a.m. or after 9:00 p.m., cause, permit or allow a person to construct, erect, reconstruct, alter, repair or demolish any building, structure or thing, or excavate or fill in land in any manner which causes noise or sounds in or on any real property, a highway or elsewhere in the District which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity;
- (g) No person shall create a nuisance or disturbance upon any portion of a highway or other public place by participating in a fight or other similar physical confrontation between consenting or non-consenting persons.

## **PART VI - PROPERTY MAINTENANCE**

6.1 Schedule "E" contains definitions of terms used in Part VI of this Bylaw

### **Exemptions**

- 6.2 (a) Part VI of this Bylaw does not apply to farm operations conducted in accordance with normal farm practices under the *Farm Practices Protection (Right to Farm) Act*.
- (b) Part VI of this Bylaw does not apply to the orderly outdoor storage of goods and chattels when permitted by the District of Hope's current Zoning Bylaw, and amendments thereto.

### **Regulations**

- 6.3 Except as permitted under section 6.2 of this Bylaw, no owner or occupier of real property shall cause, suffer or permit: