

**Community Services Report to
Community Development Committee
2024 September 12**

**ISC: UNRESTRICTED
CD2024-0943**

Addressing Noisy Vehicles – Proposed Amendments to the Calgary Traffic Bylaw 26M96

PURPOSE

This report recommends amendments to the Calgary Traffic Bylaw 26M96 to better address vehicle noise in Calgary.

PREVIOUS COUNCIL DIRECTION

On 2023 July 4, Council directed Administration to draft proposed amendments to the Calgary Traffic Bylaw to better address vehicle noise and return to Council no later than Q3 2024 (CD2023-0582). Since that time, Council approved operating and capital budget amounts to support this work and Administration provided Council with a Briefing outlining progress on the creation of the City's Traffic Safety Team and next steps for addressing vehicle noise. Background and Previous Council Direction is included as Attachment 1.

RECOMMENDATION:

That the Community Development Committee recommend that Council give three readings to the proposed bylaw in Attachment 2 to amend the Calgary Traffic Bylaw 26M96 to better address vehicle noise in Calgary.

GENERAL MANAGER COMMENTS

GM Katie Black concurs with the content of this report.

HIGHLIGHTS

- Noisy vehicles contribute to environmental noise pollution which is becoming a public health issue for large Canadian municipalities and has adverse health effects on residents.
- These proposed bylaw amendments will support the work of The City of Calgary's newly created Traffic Safety Team that will work, in conjunction with Calgary Police Service, to enforce vehicle noise rules.
- There have been very few charges laid under the existing Calgary Traffic Bylaw as enforcing the noise offence provisions are challenging in its current state.
- Amendments to the bylaw include improved definitions; clarifying the use of engine retarder brakes; outlining what constitutes objectionable noise; and amending the fines related to vehicle noise.

DISCUSSION

According to 311 data, very few tickets have been issued under the Calgary Traffic Bylaw related to vehicle noise because the wording of the existing bylaw makes it challenging to enforce.

The legislation that exists to enforce excessive vehicle noise is outlined below:

Legislation / Bylaw	Prohibited Behaviour
Traffic Safety Act	<ul style="list-style-type: none"> • After market vehicle equipment. • Causing unnecessary noise with a motor vehicle. • Stunting.
Community Standards Bylaw (stationary vehicles on private property)	<ul style="list-style-type: none"> • Excessive noise from vehicles on a person's premises including loud stereos, excessive revving, and idling. • Loading and unloading of commercial vehicles and garbage trucks during night-time hours.
Calgary Traffic Bylaw (vehicles on public property and/or in motion)	<ul style="list-style-type: none"> • Squealing tires. • Roaring or explosive engine sounds. • Loud stereo or other loud device. • Excessive sound from vehicle-amplification equipment. • Excessive sound from a vehicle security system. • Sound that exceeds 96 decibels.

Excessive vehicle noise in Calgary is enforced by both The City's Community Peace Officers in the Emergency Management & Community Safety business unit and the Calgary Police Service. As referenced in the Briefing provided to the Community Development Committee on 2024 June 26, the newly formed Traffic Safety Team will enforce select moving vehicle violations. They are scheduled to begin work in late Q3 or early Q4 2024.

Prior to the Traffic Safety Team beginning enforcement efforts, The City of Calgary will establish a street-level vehicle noise monitoring pilot project to obtain baseline data at identified vehicle noise hot spots within the city. The data will be used to assist with decision-making around enforcement operations and to better understand vehicle noise levels.

The proposed changes to the Calgary Traffic Bylaw 26M96 are included as Attachment 2. A summary of the recommended amendments with brief commentary for each, is listed below:

Definitions	
Administration recommends the definitions of "objectionable noise" "sound pressure level" and "sound pressure level meter" be deleted in the existing bylaw and replaced with improved definitions.	<ul style="list-style-type: none"> • A new definition of decibel levels uses dB(A), which is a weighted scale for measuring loudness that corresponds to how the human ear perceives noise. • The new definition of objectionable noise includes an explanation of how objectionable noise is measured using a sound level meter. • The new definition of sound level meter is improved to outline the measurement of sound pressure that meets one of several standards.

Engine Retarder Brakes	
Section 51 of the current bylaw references the use of engine retarder brakes.	<ul style="list-style-type: none"> Administration recommends replacing the existing wording to specify engine retarder brakes can only be used for safety reasons. This amendment would clarify the use of engine retarder brakes for commercial vehicles and better align with provincial guidelines on the use of such brakes.
Objectionable Noise	
Section 51.1 in the existing bylaw outlines that “objectionable noise” is not allowed. The current wording describing what constitutes objectionable noise makes it difficult for officers to issue a ticket that will be upheld in court.	<ul style="list-style-type: none"> The new section in the amended bylaw references “objectionable noise” and provides context for officers to consider. For example, an officer can consider duration, volume, location, and other factors. In addition, a sub-section outlining that an operator of a motor vehicle must comply with testing instructions provided by an officer has also been included for Council’s consideration.
Schedule “A”	
Administration is recommending the fines listed in Schedule “A” be amended.	<ul style="list-style-type: none"> Administration recommends replacing the existing fine structure for causing objectionable noise with a specified penalty of \$270.00. Administration is recommending a new fine of \$300 for failing to comply with directions from an officer during testing.

Administration recommends the bylaw come into effect on January 1, 2025.

EXTERNAL ENGAGEMENT AND COMMUNICATION

- | | |
|--|---|
| <input type="checkbox"/> Public engagement was undertaken | <input checked="" type="checkbox"/> Dialogue with interested parties was undertaken |
| <input type="checkbox"/> Public/interested parties were informed | <input type="checkbox"/> Public communication or engagement was not required |

Calgary Police Service Traffic Section was consulted with respect to the changes proposed. As environmental noise, especially traffic noise, becomes a major issue for urban municipalities, many other Canadian jurisdictions are also amending their bylaws to address noisy vehicles. The cities that Administration consulted with have recently amended bylaws and are waiting to see how effective their enforcement efforts are. A jurisdictional scan is provided as Attachment 3.

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IMPLICATIONS

Social

By strengthening the language in the Calgary Traffic Bylaw, Administration will have a better tool that enables police officers and Community Peace Officers to enforce traffic noise rules. Noise pollution has been identified as an environmental cause of health problems^{1,2}. These proposed amendments will allow The City of Calgary and Calgary Police Service to better address vehicle noise in Calgary, thereby improving the quality of life for Calgarians.

Environmental

Compliance and enforcement of an amended bylaw addressing noisy vehicles can help to reduce noise pollution, which is the second largest environmental cause of health problems, just after the impact of air pollution.³

Economic

Effectively managing vehicle noise creates a business and tourism-friendly environment.

Service and Financial Implications

No anticipated financial impact

There is no anticipated financial impact with these proposed bylaw changes. Administration will address operating and enforcement related costs through the budget adjustments allocated in November 2023.

RISK

If Council decides not to approve the proposed bylaw changes, enforcement agencies will continue to struggle with enforcing noise provisions in the bylaw in its current state.

Making the proposed bylaw changes increases enforcement capabilities which will allow the new Traffic Safety Team and Calgary Police Service to better address vehicle noise in Calgary and provide a better quality of life for Calgarians exposed to noise pollution.

ATTACHMENTS

1. Background and Previous Council Direction
2. Proposed Wording for a Bylaw to Amend Bylaw 26M96, the Calgary Traffic Bylaw
3. Jurisdictional Scan
4. Presentation

¹ [Yavuz, A., Hazar-Yavuz, A.N., & Hacibektaşoğlu, S. \(2024\). Vehicle noise pollution awareness for human health and environmental impacts: A comprehensive review. *Acta Pharmaceutica Scienta*, 62\(2\), 244-266.](#)

² [World Health Organization. \(2024\). *Compendium of WHO and other UN guidance on health and environment, 2024 update*. p. 182.](#)

³ Angelo, A. (2023). *Could Everyday Noise be Affecting Your Health?* August 2024. [Could Everyday Noise be Affecting your Health? | Environmental Health Sciences Center \(ucdavis.edu\)](#)

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Department Circulation

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