

# PROPOSED

CD2024-0943  
ATTACHMENT 2

## BYLAW NUMBER 48M2024

### BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 26M96 THE CALGARY TRAFFIC BYLAW

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**WHEREAS** Council has considered report CD2024-0943 and deems it necessary to amend Bylaw 26M96, the Calgary Traffic Bylaw;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

1. The Calgary Traffic Bylaw 26M96, as amended, is hereby further amended.
2. Subsections 2(1)(y.1), 2(1)(am.1), and 2(1)(am.2) are deleted.
3. Section 51 is deleted and replaced with the following:  

“51. No person shall apply or engage engine retarder brakes on any truck in any part of the City unless the use of such brakes is required for safety reasons.”
4. Section 51.1. is deleted in its entirety.
5. The following is added after section 51.2 as sections 51.3 and 51.4:

#### “OBJECTIONABLE NOISE

- 51.3 (1) In section 51.4 below:
- (a) “*dB(A)*” means the sound pressure measured in decibels using the “A” weighted scale of a Sound Level Meter;
  - (b) “*Objectionable Noise*” means any sound caused by or emanating from a motor vehicle that annoys or disturbs any reasonable person and includes but is not limited to:
    - (i) the squeal of a tire made by a motor vehicle which is accelerating or changing direction,
    - (ii) sound caused by a component of the vehicle that is a modification of a stock part that creates additional noise,
    - (iii) a roaring or explosive sound,
    - (iv) the sound of a radio, stereo, television, or other device or amplification equipment,
    - (v) the sound from vehicle-mounted amplification equipment, a bullhorn or other device used to amplify voices, which is

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continuously made for more than two minutes at the same location,

(vi) the sound of a diesel engine bus which has been idling or otherwise running continuously for more than three minutes at the same location except where the diesel engine bus is located within a garage or depot intended for its long term parking,

(vii) the sound of a motor vehicle security system which is made,

A. for a period exceeding one minute, or

B. more than three times in one 24 hour period, except for the motor vehicle security system's activation status signal,

(viii) operating a motor vehicle, as measured by a *Sound Level Meter*, that is capable of:

A. emitting any sound exceeding 92 *dB(A)*, as measured at 50 centimetres from the exhaust outlet or from the rear centre of the vehicle where the exhaust outlet is not visible, while the engine is at idle, or

B. emitting any sound exceeding 96 *dB(A)*, as measured at 50 centimetres from the exhaust outlet or from the rear centre of the vehicle where the exhaust outlet is not visible, while the engine is at any speed greater than idle; and

(c) "*Sound Level Meter*" means a device used to measure sound pressure that meets one of the following standards:

(i) the American National Standards Institute S 1.4-1983 (R2006),

(ii) the International Electro-Technical Council Standard No. 123,

(iii) the British Standard No. 3539 Part 1, or

(iv) the U.S.A. Standard S.14-1961.

51.4 (1) A person must not make, continue, or allow to be made or continued any *Objectionable Noise* with a motor vehicle.

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- (2) In determining whether a noise is an *Objectionable Noise* a court may have regard to the following:
- (a) time of day;
  - (b) duration of the sound;
  - (c) volume of the sound or *dB(A)* levels measured;
  - (d) nature of the sound;
  - (e) whether the sound is recurrent, intermittent or constant;
  - (f) nature of the event or activity from which the sound emanates;
  - (g) character of the surrounding neighbourhood; and
  - (h) proximity to residences.
- (3) Where an Officer has reasonable grounds to believe a motor vehicle is emitting an *Objectionable Noise*, that Officer may provide directions to the operator of that motor vehicle, while the Officer takes a measurement with a *Sound Level Meter*, and such directions may include but are not limited to:
- (a) turning the engine on or off,
  - (b) placing the vehicle in neutral or gear, or
  - (c) depressing the accelerator or revving the engine of the vehicle.
- (4) A person must comply with a direction from an Officer given under subsection (3) above.
- (5) This section does not apply to persons participating in parades held with a valid parade permit or persons operating emergency vehicles.
- (6) An owner of a motor vehicle may be liable for any contravention of this section except for subsection (4) above.”.

6. Schedule “A” is amended by:

(a) after this row:

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1	EARLY PAYMENT AMOUNT 2	SPECIFIED PENALTY
“51	Applying Retarder Brakes			\$250.00”

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deleting the following under the headings indicated:

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1	EARLY PAYMENT AMOUNT 2	SPECIFIED PENALTY
"51.1(1)	Causing Objectionable Noise	\$160.00	\$200.00	\$270.00"; and

(b) after this row:

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1	EARLY PAYMENT AMOUNT 2	SPECIFIED PENALTY
"51.2	Discharge Smoke from Vehicle			\$50.00"

adding the following:

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1	EARLY PAYMENT AMOUNT 2	SPECIFIED PENALTY
"51.4(1)	Causing Objectionable Noise with a motor vehicle			\$270.00
51.4(4)	Fail to comply with direction from an Officer during testing			\$300.00".

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7. This Bylaw comes into force on January 1, 2025.

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_