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STAFF REPORT: RECREATION DEPARTMENT



REPORT TO: Council
MEETING DATE: May 14, 2012
REPORT NO.: DOR.12.25
SUBJECT: Relief to Noise By-Law for 2012 Events
PREPARED BY: Shawn Everitt, Director of Recreation

A. Recommendations

THAT Council receive Staff Report DOR.12.25 entitled "Relief to Noise By-Law for 2012 Events" for their information, and

THAT Council authorize the Relief of the Towns Noise By Law 2002 – 9 for specific areas as outlined in this report subject to the approval through the Event Notification process where applicable, and

That Council does hereby support and authorize relief from the Towns Noise By Law 2002 – 9 for Events as follows;

- 1) June 16 – 17 - **Trillium Horse Show** - 8a.m. – 6p.m. , Cedar Run Horse Park, 312 Clark Street;
- 2) July 1st - **Canada Day Event including Canada Day Parade** – 9a.m. – 9p.m. for Marsh Street from John St in Clarksburg and north on Bruce Street (Grey Road 13 to Highway 26) to the Thornbury Harbour;
- 3) July 4th – 8th - **Cedar Run Classic Horse Show** - 8a.m. – 12a.m., Cedar Run Horse Park, 312 Clark Street;
- 4) July 11 – 15 - **Cedar Run Tournament Horse Show** - 8a.m. – 12a.m., Cedar Run Horse Park, 312 Clark Street;
- 5) July 14th - **Peak to Shore Festival** – Bruce Street south of Highway 26 (Grey Road 13) to Louisa Street from 9:00 am to 7:00 pm.
- 6) July 18 – **Schooling Show** - 10a.m. – 4p.m. Cedar Run Horse Park, 312 Clark Street;
- 7) July 29 – **Horse Trials** - 9a.m. – 5p.m., Cedar Run Horse Park, 312 Clark Street;
- 8) August 1, - **Schooling Show** - 10a.m. – 4p.m., Cedar Run Horse Park, 312 Clark Street;
- 9) August 8 – 12- **Cedar Run Blue Mountain Celebration Horse Show** - 8a.m. – 12a.m., Cedar Run Horse Park, 312 Clark Street;

- 10) August 15 - **Schooling Show** - , 10a.m. – 4p.m., Cedar Run Horse Park, 312 Clark Street;
- 11) August 18 – 19 - **Trillium Show** - 8a.m. – 6p.m., Cedar Run Horse Park, 312 Clark Street;
- 12) August 24th – **Rodeo Weekend Street Dance** - Bruce Street south of Highway 26 (Grey Road 13) to Louisa Street from 4:00pm to 10:00pm
- 13) August 25 – 27 - **Cedar Run Rodeo Weekend** - 12p.m. – 1a.m., Cedar Run Horse Park, 312 Clark Street;
- 14) August 29 - **Schooling Show** - 10a.m. – 4p.m., Cedar Run Horse Park, 312 Clark Street;
- 15) September 1 - **Horse Trials** - 9a.m. – 5p.m., Cedar Run Horse Park, 312 Clark Street;
- 16) September 29 - **Hunter Pace Horse Show**- 11a.m. – 6p.m., Cedar Run Horse Park, 312 Clark Street;
- 17) December 8th - **Old Fashioned Christmas** – Bruce Street south of Highway 26 (Grey Road 13) to Louisa Street from 9:00am to 11:00pm.

B. Background

Requests for Relief of the Towns Noise By Law 2002 – 9 have been received by Staff for organizers of each event identified within recommendations 1 through 17. Events 2, 5, 12, 13, and 17 are subject to review through the Towns Event Notification Process.

All requests contained in the recommendations of this report have been reviewed and endorsed by By-Law Services staff. Recommendations 2, 5, 13, and 17 are annual events and have been successful in receiving relief in the past.

In 2011 Town staff received some concern from residents regarding Events taking place at the Cedar Run Horse Park, however the event that generated these comments was the Ribfest & Chili Cook off, this event however is not taking place in 2012 and the level of sound generation for the 2012 events are not anticipated to be of the same magnitude of music production. All events hosted at the Cedar Run Horse Park are detailed in Attachment “B”.

There are 4 major events that require Relief to the Towns Noise By Law 2002 – 9 as listed above. Each event drives an increase in sales, increased community involvement, and increase in regional profile.

2.. On **Canada Day**, July 1st, there is a proposed third annual parade down Marsh and Bruce Streets beginning in Clarksburg and finishing in Thornbury at the Highway 26 and Bruce Street intersection. In 2010 and 2011, the parade has been a great success and

well organized. Sound will be generated by Parade procession and some Disc Jockey entertainment.

5. The Peak to Shore Festival is a regional event hosted in partnership with The Blue Mountain Village Association and attracts visitor from all over Ontario. The event is an annual event and numerous businesses in the downtown area of Thornbury record their highest sales day for the summer.

Similar to last year, the event is to be held on Bruce Street south from Highway 26 (Grey Road 13) to Louisa St.. Sound will be generated by Live Music and some Disc Jockey entertainment.

12. The Rodeo Weekend Street Dance, a new event that is planned in conjunction with the Cedar Run Rodeo is a partnership with the Cedar Run Horse Park and the Thornbury BIA that will host a street dance the Friday evening of the Rodeo weekend. The event is to be held on Bruce Street south from Highway 26 (Grey Road 13) to Louisa St. from 6p.m. to 9:30p.m. Proceeds of this event will go to the Beaver Valley Outreach. Sound will be generated by Live Music and some Disc Jockey entertainment.

17. Old Fashioned Christmas has run on Bruce Street for over 20 years. It is an annual event that brings out locals and visitors to downtown Thornbury and is viewed by some as the kick off to the Christmas season. Every year Bruce Street south (Grey Road 13) from Highway 26 to Louisa Street is closed to accommodate the festivities. It is requested this happen again in 2012. This is the historical location for the event and has proven successful. Sound will be generated by Live Music and some Disc Jockey entertainment.

C. The Blue Mountains' Strategic Plan

- Supporting the development of social and recreational programs to meet the broad range of needs in the community
- Preserving and enhancing natural and environmental features, and cultural heritage of the community

D. Environmental Impacts

These events will have very little environmental impact; they will actually promote more active transportation by restricting the use of vehicles in the Town.

E. Financial Impact

There will be a small impact on the budget from these events in the form of wages to Town Staff delivering barricades, signs, garbage cans, and other necessary equipment to ensure a safe, clean and positive event.

F. In Consultation With

David Finbow, Director of Planning and Building
Greg Miller, Manager of Building & By Law/CBO

G. Attached

- 1) Noise By Law 2002 – 9
- 2) 2012 Cedar Run Schedule of Events

Respectfully submitted,

Shawn Everitt, Director of Recreation
For more information, please contact:
Shawn Everitt
severitt@thebluemountians.ca

CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW 2002 - 9

Being a By-law to prohibit or regulate noises within the municipality likely to disturb.

WHEREAS Section 210 (138) of the *Municipal Act*, chap. M.45, R.S.O. 1990 and amendments thereto enables the councils of local municipalities to pass by-laws for prohibition or regulation within the municipality of noises likely to disturb the inhabitants;

AND WHEREAS section 61 of the *Provincial Offences Act*, chap. P.33, R.S.O. 1990 and amendments thereto provides for a general maximum penalty upon conviction not to exceed \$5,000.00;

AND WHEREAS it is deemed expedient to pass a by-law for the prohibition or regulation of noise within the municipality in a format that would allow enforcement by both a Municipal Law Enforcement Officer and the Ontario Provincial Police;


NOW THEREFORE the Council of the Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. THAT no person shall make noise or cause noise to be made or permit noise to be made that would be likely to disturb the inhabitants of the municipality.
2. THAT for the purposes of Section 1, the following noises or sounds, among others, shall be deemed likely to disturb the inhabitants of the municipality:
 - (a) The sound or noise from, or created by, any radio, television, phonograph, or any other electronic device, or any musical or sound producing instrument of whatsoever kind when such radio, television, phonograph, device or instrument is played or operated in such a manner or with such volume likely to disturb the peace, quiet, comfort or repose of any inhabitant within, or having quiet enjoyment of the lands upon which is located, any dwelling unit, apartment building, hotel, motel, or any other type of residence.
 - (b) The yelling, shouting, hooting, whistling, singing, or any other sound made by an individual in such a manner which is likely to disturb the peace, quiet, comfort or repose of any other inhabitant within, or having quiet enjoyment of the lands upon which is located, any dwelling unit, apartment building, hotel, motel or any other type of residence.
 - (c) The operation of construction vehicles or the act of construction between the hours of 19:00 hours of any weekday to 07:00 hours of the next weekday save and except Saturday from 08:00 hours to 13:00 hours which is likely to disturb the peace, quiet, comfort or repose of any other inhabitant within, or having quiet enjoyment of the lands upon which is located, any dwelling unit, apartment building, hotel, motel or any other type of residence, unless written permission to specifically extend or alter the hereinbefore mentioned time periods has been given in writing by Council.
 - (d) The sound from the operation of any powered or non-powered tool, for domestic purposes (other than snow removal) which is operated in such a manner likely to disturb the peace, quiet, comfort or repose of any inhabitant within, or having quiet enjoyment of the lands upon which is located, any dwelling unit, apartment building, hotel, motel or any other type of residence, between the hours of 23:00 hours of one day to 07:00 hours of the next day (09:00 hours on Sundays).
 - (e) The persistent noise made by any domestic pet, or any animals kept for commercial purposes, likely to disturb the peace, quiet, comfort, or repose of any inhabitant in the same building or in the neighbourhood, at any time.
 - (f) The grating, grinding, rattling noise or any other noise caused by a condition of disrepair or maladjustment of any motor vehicle or other vehicle whatsoever or part or accessory thereof likely to disturb the peace, quiet, comfort or repose of any other inhabitant within the municipality.
3. THAT this By-law does not affect:
 - 1) Any bona fide agricultural use or practice engaged in by a bona fide farmer or employee thereof.
 - 2) The operation of snow-making machinery or snow-grooming vehicles.
 - 3) The operation of snow-removal equipment.

4. THAT every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a penalty as provided in the *Provincial Offences Act*.
5. THAT should any section, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or in part hereof, other than the part which was declared to be invalid.
6. THAT Township of Collingwood By-laws No. 92-28, 95-37 and 96-9, Town of Thornbury By-law No. 20A-1983 and Town of The Blue Mountain By-law No. 2000-44 are hereby rescinded and repealed.

Read a first and second time this 28th day of January, 2002.

Read a third time and passed this 28th day of January, 2002


.....
Ross Arthur, Mayor


.....
Stephen Keast, Clerk



April 3, 2012

Town of the Blue Mountains
26 Bridge Street
Thornbury, ON
N0H 2P0

Attention: Shawn Everitt
Members of Council

Re: Cedar Run Horse Park 2012 Schedule of Events
Special Event Designation & Noise By-Law Exemptions

Cedar Run Horse Park wanted to make the Town of the Blue Mountains aware well in advance of our 2012 Event Schedule, including key dates for large shows that we would respectfully request a Municipal Resolution as to the event's significance. Cedar Run also requests a Noise By-Law Exemption for each of the following dates & times.

2012 Event Schedule

June 16-17 – Trillium Show

Timeframe: 8am-6pm

Description: Small B level horse show, 90-110 horses

Expected Noise: PA system for horse show

July 4-8 – Cedar Run Classic

Timeframe: Horse Show: 8am-6pm

Evening activities Thursday-Saturday: 5pm-Midnight

Description: A Level horse show, 500-600 horses

Evening entertainment: DJ or small band, beer garden for competitors, event attendees, sponsors

Expected Noise: PA system for horse show; some evening noise from beer garden and live entertainment

July 11-15 – Cedar Run Tournament

Timeframe: Horse Show: 8am-6pm

Evening activities Thursday-Saturday: 5pm-Midnight

Description: A Level horse show, 500-600 horses

Evening entertainment: DJ or small band, beer garden for competitors, event attendees, sponsors

Expected Noise: PA system for horse show; some evening noise from beer garden and live entertainment

July 18 – Schooling Show

C/O 20 Balsam Street Suite 14 Collingwood ON, L9Y 4H7

705-444-7653 or 1-800-265-3949

info@cedarrun.ca Website: www.CedarRun.ca

Timeframe: 10am-4pm
Description: small entry level practice horse show, 60-80 horses
Expected Noise: PA system for horse show

July 29 – Horse Trials
Timeframe: 9am-5pm
Description: B level horse show, 90-110 horses
Expected Noise: PA system for horse show

August 1 - Schooling Show
Timeframe: 10am-4pm
Description: small entry level practice horse show, 60-80 horses
Expected Noise: PA system for horse show

August 8-12 – Cedar Run Blue Mountain Celebration
Timeframe: Horse Show: 8am-6pm
Evening activities Thursday-Saturday: 5pm-Midnight
Description: A Level horse show, 500-600 horses
Evening entertainment: DJ or small band, beer garden for competitors, event attendees, sponsors
Expected Noise: PA system for horse show; some evening noise from beer garden and live entertainment

August 15 - Schooling Show
Timeframe: 10am-4pm
Description: small entry level practice horse show, 60-80 horses
Expected Noise: PA system for horse show

August 18-19– Trillium Show
Timeframe: 8am-6pm
Description: Small B level horse show, 90-110 horses
Expected Noise: PA system for horse show

August 25-26 – Rodeo Weekend
Timeframe: Noon-1am
Description: Weekend festival featuring international rodeo competition, The RCMP Musical Ride, vendors, beer garden, live music
Expected noise: Live music, PA system for rodeo, RCMP performances

August 29 - Schooling Show
Timeframe: 10am-4pm
Description: small entry level practice horse show, 60-80 horses
Expected Noise: PA system for horse show

September 1 – Horse Trials
Timeframe: 9am-5pm
Description: B level horse show, 90-110 horses
Expected Noise: PA system for horse show

C/O 20 Balsam Street Suite 14 Collingwood ON, L9Y 4H7
705-444-7653 or 1-800-265-3949
info@cedarrun.ca Website: www.CedarRun.ca

September 29 – Hunter Pace

Timeframe: 11am-6pm

Description: Casual ride through the park to mark the end of the season, 100-120 horses

Expected Noise: PA system; music for luncheon

Special Event Municipal Resolution

Cedar Run would like to request a Municipal Resolution designating the following events as municipally significant:

Cedar Run Classic – July 4-8

Cedar Run Tournament – July 11-15

Cedar Run Blue Mountains Celebration – August 8-12

Cedar Run Rodeo Weekend – August 25-26

Here is a brief overview of what we feel makes these events significant:

- Competitors for these events come from all over Canada, the US and in the case of the rodeo, Mexico & Brazil as well – all of whom will be staying at accommodations in the Blue Mountains.
- In addition to these competitors, for the horse shows they are also bringing their families and friends to the area, further stimulating our local economy through accommodations, dining, shopping and participating in local attractions. For the Rodeo, we are looking at marketing this event to tourists 100km+ as well as our relative local market to further drive increased attendance at the event and bringing more people to our community.
- Both the horse shows and the Rodeo weekend present staffing and volunteer opportunities for members of our community and offer promotional opportunities for our local businesses and attractions.
- We are looking to build and grow all of these events into long-standing, proven stimulators of the economy in The Blue Mountains by providing jobs, bringing people to the area and creating lasting festivals that people look forward to year over year.

Once provided with the Municipal Resolutions Cedar Run would follow all due diligence in following the Special Event Notification Process including the necessary site plans, Fire & Emergency Services Safety Plans and executing the necessary permits to hold each event.

Please contact me should you have any related questions or require additional information. Thank you in advance for your consideration and anticipated approval for these events.

Respectfully Submitted,

Nicole Paara

Director, Events & Marketing

Cedar Run Horse Park

Nicole@cedarrun.ca / 705-446-5546

C/O 20 Balsam Street Suite 14 Collingwood ON, L9Y 4H7

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