

Permit A

THE CITY OF PITT MEADOWS
HIGHWAY and TRAFFIC BYLAW, NO.2260- 2006

Highway Use Permit

Section 1

Date: _____

Permit No.: _____

File No.: _____

Name of permit applicant: _____

Address of permit applicant: _____

Telephone No. of permit applicant: (____) _____

A. Section 2

Pursuant to the provisions of the City of Pitt Meadows Highway and Traffic **Bylaw No.2260**, permission is hereby granted to the above named permit applicant to: _____

insofar as such work or other matter relates to the use of municipal highways or any part thereof.

Section 3

This permit shall be valid and subsisting from the:

_____ day of _____, 20____,

and shall expire on the:

_____ day of _____, 20____,

during the hours of:

_____,
and at all times during the currency thereof, shall be subject to cancellation if the holder thereof shall neglect, fail, or refuse to observe and comply with all the requirements of the City of Pitt Meadows Highway and Traffic **Bylaw No.2260**, and is issued subject to the following conditions:

1. That all necessary plans and specifications of any works involved have been deposited with the Director and have been approved by him/*her*.
2. That this permit shall be valid only for the specific works or other uses of a municipal highway stated herein. All alterations and additions must be covered by a separate permit.
3. That the construction and maintenance of said works shall be carried out and completed to the satisfaction of the Director.
4. That any person appointed by the Director for that purpose shall have free access at all times to all parts of the works for the purpose of inspecting the same.
5. That this permission shall be in force only during such time as the said works are used and maintained by the applicant to the entire satisfaction of the Director.
6. That the Corporation shall not be responsible for grade changes on accesses caused by the reconstruction of any municipal highway.
7. That while reasonable care will be taken on the part of the Corporation to avoid damage to any private works while carrying out the construction or maintenance of any public work in any highway, the Corporation accepts no responsibility of any kind for such damage if the same should result from such public work.
8. That before opening up any highway or interfering with any public work, notice in writing of intention to do so shall be given to the Municipal Engineer, not less than seven (7) clear days before the work is commenced.
9. That the permit applicant shall hold and save harmless the Corporation from and against all claims, damages and lien claims of every kind, arising out of or in any way connected with the said work and other things for which this permit is issued.
10. That this permit applicant shall obtain and maintain during the term of the permit a comprehensive general liability insurance policy providing coverage of not less than two hundred thousand (200 000) dollars, naming the City of Pitt Meadows as an additional named insured and providing that the said policy shall not be canceled, lapsed or materially altered without thirty (30) days notice in writing to the City of Pitt Meadows. A copy of such policy shall be delivered to the City of Pitt Meadows prior to the issue of this permit.

11. It is the applicant's responsibility to contact the various utility companies which may be operating in the area to ensure that there is no conflict. Utility companies owned by the Province of British Columbia, the Governments of Canada and public utility corporations are not always required to notify the City prior to working within the City. Companies may include but are not limited to Telus, BC Hydro and Shaw Cable.

12. The Applicant shall ensure that any and all person(s) being affected by the blockade has been informed and agrees to the blockade and that adjacent residents are allowed access in and out at all times. The Applicant shall ensure that all barricades used are wooden only so that they can easily be removed in the event that emergency vehicles need to access the roadway and that access is maintained for emergency vehicles at all times.
 The Applicant shall ensure that property owners are aware of the Liquor Act specifically section 40. "Consumption of liquor in public" (See Attachment 'A') and ensure that property owners are aware of the Noise Control Bylaw (see Attachment 'B')

13. Other conditions: _____

B. Section 4

Special conditions, if applicable, are as follows:

1. Your company is responsible to clean / sweep / flush City highways as follows:
 - a. _____ Road / Avenue / Street from
 _____ Road / Avenue / Street to
 _____ Road / Avenue / Street
 is to be cleaned on a daily basis.

 - b. _____ Road / Avenue / Street from
 _____ Road / Avenue / Street to
 _____ Road / Avenue / Street
 is to be flushed every Friday.

 - c. _____ Road / Avenue / Street from
 _____ Road / Avenue / Street to
 _____ Road / Avenue / Street
 is to be swept every Friday.

If _____ Road / Avenue / Street that is North / East / South / West of _____ Road / Avenue / Street require sweeping, it will be at the discretion of the City of Pitt Meadows Public Works Foreman.

2. Your company is to assume full responsibility for any damages to highways, ditches, City of Pitt Meadows utilities and the clean-up of any debris resulting from your activities. The cost of any City of Pitt Meadows Crew involvement will be deducted from your five thousand (5 000) dollars Security Bond.
3. All vehicles related to your company are to be licensed and adequately insured.
4. Your company must have adequate Liability Insurance which contains the City of Pitt Meadows as a Named Insured and contains a Cross Liability or Severability of Interest Clause, which is to be submitted to the City of Pitt Meadows.
5. That appropriate Traffic Control Practices must be followed as per the Traffic Control Manual for Works on Roadways Second Edition and the satisfaction of the City of Pitt Meadows.

Section 5

I, the applicant for this permit, agree to all terms and condition herein before expressed, and am bound thereby and by all provisions of the City of Pitt Meadows Highway and Traffic **Bylaw No.2260**, as the same pertain to this permit, and deposit herewith the required security, being:

_____ dollars (\$ _____)
in cash, or by irrevocable letter of credit, to guarantee the fulfillment by me of the terms and conditions set out herein with the time specified in this permit.

Section 6

Application fee of \$ _____ paid.
Receipt No.: _____

Security Deposit by way of
cash or bond \$ _____ paid.
Receipt No.: _____

Insurance Policy deposited the:
_____ day of _____, 20 _____

Permit No.: _____ issued this:
_____ day of _____, 20_____

X _____
Signature of permit applicant

X _____
Director

Your personal information is collected under the authority of sections 26(c) of the Freedom of Information and Protection of Privacy Act (FOIPPA). This information will be used for engineering permit application purposes and will not be disclosed to the public except as may be required by law. Questions about the collection and use of this information may be directed to Ike de Boer, Engineering Services Coordinator, City of Pitt Meadows 12007 Harris Road, Pitt Meadows, BC V3Y 2B5. Telephone: 604-465-2425.

Attachments: Noise Control Bylaw No. 2138, 2003
Liquor Control & Licensing Act Ch. 26, Sec. 40 Consumption of Liquor in Public

NOISE CONTROL BYLAW

Bylaw No. 2138 and Amendments thereto

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws listed below. The amending bylaws have been consolidated with the original bylaws for convenience only.

Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>BYLAW NO.</u>	<u>ADOPTED</u>
2138	December 21, 2004
2387	September 2, 2008

The bylaw numbers in **bold** at the end of the clause refer to the bylaws that amended the principal bylaw.

CITY OF PITT MEADOWS

A Bylaw to provide for the Regulation and Prohibition of Certain Noises and Sounds

WHEREAS the Council deems it necessary to regulate the making of noises in the municipality;

AND WHEREAS the Council deems it necessary to regulate and prohibit the making of certain noises produced on lands used for agricultural purposes;

NOW THEREFORE, the Council of The Corporation of the District of Pitt Meadows in open meeting assembled, ENACTS AS FOLLOWS:

PART 1 – Citation and Interpretation

1. This Bylaw may be cited for all purposes as the **“District of Pitt Meadows Noise Control Bylaw No. 2138, 2003”**.
2. **“District of Pitt Meadows Noise Control Bylaw No. 1612, 1994”** is hereby repealed.
3. In this Bylaw, unless the context otherwise requires:

“agricultural land” means land designated as agricultural land pursuant to the Agricultural Land Commission Act R.S.B.C. 1979, c.9, as that Act may be amended from time to time;

“activity zone” includes every area of the municipality, which is not specifically designated as a quiet zone in Schedule “C” which is attached to and forms part of this Bylaw;

“Bylaw Enforcement Officer” means the person designated as such by Council;

“continual sound” means any uninterrupted or frequent sound occurring for a period or periods totaling in excess of three (3) minutes in any fifteen (15) minute period of time;

“construction” includes the erection, reconstruction, alteration, repair, relocation, demolition and removal of a building, structure, or thing, structural maintenance, painting, land clearing, earth moving, grading, excavating, the laying of pipe or conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and

materials in any form or for any purpose and includes any work being done in connection therewith;

“District” means The Corporation of the District of Pitt Meadows;

“farming equipment” means tractors, combines, mechanical pickers, pesticide spraying machinery, irrigation pumps, fans boilers, trucking or products used on agricultural land;

“holiday” includes:

- (a) Sunday, Christmas Day, Good Friday and Easter Monday;
- (b) Canada Day, Victoria Day, British Columbia Day, Labour Day, Remembrance Day and New Year’s Day;
- (c) December 26th; and
- (d) A day set by the Parliament of Canada or by the Legislature or appointed by proclamation of the Governor General or the Lieutenant Governor, to be observed as a day of general prayer or mourning, a day of public rejoicing and thanksgiving, a day for celebrating the birthday of the reigning Sovereign, or as a public holiday.

“noise scare devices” means for Category “A” - Propane Cannons and Category “B” - fixed Scaring Devices that do not create impulse sounds such as AV-Alarm Systems, Phoenix Wailers, Distress Call Systems or similar devices that use sound as a means of bird or pest control and includes the devices referred to in Sec. 6.6;

“non-continual sound” means any sound, which is not defined as a continual sound;

“person” includes a natural person, company, corporation, owner, partnership, firm, association, society, party or other like entity;

“point of reception” unless otherwise defined or described here in, means any place or parcel where sound originating from any source, other than a source on such parcel, is received;

“quiet zone” means those areas within the municipality, which are so designated from time to time in Schedule “B” which is attached to and forms part of this Bylaw;

“real property” does not include highways but does include all other land and all improvements which have been affixed to land;

“sound” is said to exist if a disturbance is propagated through an elastic medium (particularly air) which causes an alteration in pressure which can be detected aurally by a person or by an appropriate instrument;

“sound level” means the level of sound as measured in decibels with the (A) weighted network and slow response of a sound level meter;

“sound level meter” means a device which meets the “C.S.A. Standard Z107.1 - 1973”; or the International Electro-Technical Commission Standard No. 123 or the British Standard No. 3539 Part 1 or the United States of America Standard A.N.S.I. SI.4 -1971.

4. **GENERAL REGULATIONS**

- 4.1 No person shall make or cause, or permit to be made or caused, any noise or sound 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.
- 4.2 No person being the owner or occupier of real property shall allow or permit such real property to be used so that noise or sound which emanates there from, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity.
- 4.3 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.
- 4.4 No hawker, huckster, peddler, 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.

5. **CONSTRUCTION HOURS**

- 5.1 No person in the District shall on any day before 07:00 hours or after 21:00 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.

- 5.2 No person in the District shall carry out construction in any manner for profit or gain on a Sunday or statutory holiday which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of the persons in the vicinity. Notwithstanding the aforementioned a person may carry out construction on their residence on a Sunday or statutory holiday between the hours of 09:00 hours and 18:00 hours, provided that such construction is not being carried out for profit or gain.
- 5.3 Where it is impossible or impractical to comply with this section, the Director of Operations and Development Services may give written approval to carry on the work that is found to be necessary at designated hours.
- 5.4 Responsibility for obtaining written approval lies with the person carrying on the work of the owner of the land on which such work is carried on.

6. **USE OF NOISE SCARE DEVICES ON AGRICULTURAL LANDS**

- 6.1 A person may employ propane powered exploders, "AV-Alarm" systems, Phoenix Wailers, Distress Call Systems, or similar noise scare devices to create noise or sound as a method of bird or pest control between the hours of 06:00 hours and 20:00 hours of any day.
- 6.2 A person may employ a starting pistol, orchard pistol, or similar noise scare device to create noise as a method of bird or pest control except that such use shall not create noise that disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or people in the vicinity.

To increase the distance from 150m from neighbouring residences to 200m.

- 6.3 No person shall operate a Category "A" Propane Cannon Noise Scare Device to create noise as a method of bird or pest control within 200m of neighbouring residences and not within 300m of the Urban-Residential/ALR edge.
(Bylaw No. 2387)
- 6.4 No person shall operate a Category "B" Fixed Scaring Device to create noise as a method of bird or pest control within 100m of neighbouring residences and not within 200m of Urban-Residential/ALR edge.
- 6.5 No more than one firing per 5 minutes for Single Shot Cannons and no more than 11 activations or 33 shots in an hour for a Multiple Shot

Cannon. Multiple shots from a cannon are regarded as one activation if they occur in less than a 30 second period.

- 6.6 On a parcel that is two hectares or more in area, no more than one propane powered exploder AV-Alarms, Phoenix Wailers, distress call systems may be used to produce noise for each two hectares of the area of the parcel at one time.
- 6.7 No person shall operate a bear banger device to create noise as a method of bird or pest control. **(Bylaw No. 2387)**
- 6.8 No person shall operate propane cannons to create noise as a method of bird or pest control between noon and 1500 hours. **(Bylaw No. 2387)**

7. **OTHER**

- 7.1 No person shall operate any outdoor public address system in the District without first having obtained a permit therefore.
- 7.2 Notwithstanding any provisions of this Bylaw, a person may perform work of an emergency nature for the preservation or protection of life, health or property but the onus shall be on the person performing the work to show cause that the work was of an emergency nature.
- 7.3 Notwithstanding any other provision of this Bylaw, between the hours of 07:00 hours and 21:00 hours from Monday to Saturday and between the hours of 09:00 hours and 21:00 hours on Sunday and statutory holidays a person may operate a power lawn mower or power gardening tool provided that such equipment does not make or cause to be made noise or sound the level of which exceeds 87 dBAs.
- 8. No person shall cause any sound to be made anywhere in the District that has a sound level in excess of that authorized by this Bylaw and no owner or occupier of real property in the District shall allow the making of any sound that exceeds the sound level authorized by this Bylaw to emanate from real property so owned or occupied.
- 9. Except as provided herein, sound levels emanating from or impinging upon real property shall not exceed values prescribed by the following tables:

Quiet Zone

	Continual Sound	Non-Continual Sound
Daytime	55 dBA	80 dBA
Nighttime	45 dBA	75 dBA

Activity Zone

	Continual Sound	Non-Continual Sound
Daytime	65 dBA	80 dBA
Nighttime	60 dBA	75 dBA

10. No person owning a motor vehicle or operating a motor vehicle on a highway shall allow a sound level to emanate from that motor vehicle in excess of the following:
- (a) up to a speed of fifty (50) kilometers per hours (km/h):
 - with a licenced gross vehicle weight of 2,700 kg or more **88 dBA**
 - all other motor vehicles **80 dBA**

 - (b) Vehicles exceeding fifty (50) kilometers per hour (km/h):
 - with a licenced gross vehicle weight of 2,700 kg or more **92 dBA**
 - all other motor vehicles **85 dBA**
11. A person may perform work of a temporary nature where sound levels are expected to exceed the values provided for in this Bylaw only when permission is granted by the Director of Operations and Development Service or his designate. Requests to do so must include name, address of applicant, location of source of sound, description of the nature of the sound, expected maximum sound levels, the duration of the excessive sound levels and the times during the day when the sound will be produced.
12. The Bylaw Enforcement Officer or any designated person of the District is hereby authorized to measure sound levels with sound level meter in accordance with the provisions of this Bylaw and the sound levels thereby measured shall be deemed to be conclusive statements of whether the sound emanating from real property or a motor vehicle does so at a sound level higher than that allowed by this Bylaw.
13. (a) The sound level emanating from a motor vehicle must be measured at a distance no closer than six (6) meters to the motor vehicle;
- (b) The sound level emanating from real property must be measured at a distance no greater than six (6) meters from the property line;

- (c) The sound level impinging upon real property must be measured inside the property line of the affected property no further than six (6) meters from the property line.
14. The provisions of this Bylaw do not apply to :
- (a) police, fire or other emergency vehicles proceeding upon an emergency;
 - (b) excavation, construction or repair of bridges, streets, highways or lands by the District;
 - (c) snow removal or highway cleaning operations by the District;
 - (d) operation of a public transportation system;
 - (e) operation of a public address system required under a building or fire code; and
 - (f) farming equipment and farm vehicles operating legitimately on agricultural land.
15. A Bylaw Enforcement Officer may enter on any property at anytime for the purpose of ascertaining whether the regulations and requirements of this Bylaw are being observed.
16. If any division, section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision shall no way affect the validity of the remaining portions of this Bylaw.
17. Every person who violates any provision of this Bylaw shall be guilty of an offence under this Bylaw punishable on summary conviction and shall be liable to a fine not exceeding Two Thousand dollars (\$2,000.00) and not less than One Hundred dollars (\$100.00) for each day during which the offence continues and, in default of payment thereof, to imprisonment for a term not exceeding Thirty (30) days for each day the offence continues.

CERTIFIED to be a true and correct copy of
"District of Pitt Meadows Noise Control Bylaw
No. 2138, 2003", Finally Considered and
Adopted on the 21st day of December, 2004.

Corporate Officer

Schedule "A"

Operating Procedures

1. All sound levels shall be determined with a sound level meter with (A) weighting and "slow" response setting.
2. Sound level meters shall be used and operated in accordance with manufacturer's instructions. The sound level meter shall be calibrated with or found to be correct by reference to a calibrator not more than three (3) days before taking a measurement under this Bylaw and found to be correct by reference to a calibrator not more than three (3) days after taking that measurement.
3. When determining the sound level from a source, the ambient or background noise or sound level shall be established at the appropriate position and during the relevant period of time wherever possible before taking sound measurements from the source. No measurement should be attempted if the difference is 3 db or less.
4. Sound level measurements should, in general, be made at a height of approximately one (1) meter and a distance of greater than three (3) meters from any wall, buildings or other reflecting structures with the microphone appropriately oriented.
5. Precautions shall be taken to ensure that the values recorded correspond to the noise or sound being investigated and are not due to wind or extraneous sources.
6. When the wind velocity is above eight (8) kilometers per hour, a windscreen must be used. No test shall be attempted when the when velocity is above forty (40) kilometers per hour. Testing of motor vehicles in motion should not be done when pavements are wet.
7. In accordance with the prescribed measurement techniques so far described, various locations about the source should be tested to determine the minimum sound level emanating from the source for purposes of the application of the Bylaw.

Schedule "B"

For the purpose of this Bylaw, all real property which is classified in the District of Pitt Meadows Land Use Bylaw No. 1250 as:

AG	Agricultural
RR-1	Rural Residential I
RR-2	Rural Residential II
RR-3	Rural Residential III
RS	Suburban Residential
R-1	One-Family Residential I
R-2	One-Family Residential II
R-3	One-Family Residential III
R-4	One-Family Residential IV
R-5	One-Family Residential V
RC-1	Compact One-Family Residential
RD-1	Two-Family Residential
RD-2	Two-Family Residential
RM-1	Multiple Family Residential I
RM-2	Multiple Family Residential II
RM-3	Multiple Family Residential III
RM-4	Multiple Family Residential IV
RM-5	Multiple Family Residential V
P-1	Neighbourhood Institutional
P-2	Park and Public Institutional
CD-3	Comprehensive Development III
CD-4	Comprehensive Development IV
CD-10	Comprehensive Development X
CD-12	Comprehensive Development XII
CD-14	Comprehensive Development XIV
CD-15	Comprehensive Development XV
CD-16	Comprehensive Development XVI
CD-20	Comprehensive Development XX
CD-21	Comprehensive Development XXI

and classified in the Dewdney Alouette Regional District Zoning Bylaw No. 311-1982 as:

A-DARD
R-1 DARD
R-2 DARD
R-3 DARD
O R-1 DARD
O R-2 DARD

and any other residential or comprehensive development residential zones, which may be added to the District of Pitt Meadows Land Use Bylaw No. 1250 and Dewdney Alouette Regional District Zoning Bylaw No. 311-982, as amended from time to time, shall be **QUIET ZONES**.

Schedule "C"

For the purpose of this Bylaw, all real property which is classified by the District of Pitt Meadows Land Use Bylaw No. 1250 as:

AP	Airport
AF	Agricultural & Farm Industrial
TC	Town Centre Commercial
CS-1	Service Commercial
CS-2	Service Station Commercial
CS-3	Tourist Commercial
MC	Marine Commercial
M-1	Service Industrial
M-2	General Industrial
M-3	Waterfront Industrial
M-4	Clean Industrial "Business Park Zone"
CD-1	Comprehensive Development I
CD-5	Comprehensive Development V
CD-11	Comprehensive Development XI
CD-13	Comprehensive Development XIII
CD-19	Comprehensive Development XIX

and any mining activity undertaken in accordance with permits issued under the Mines Act and any other commercial and industrial zones, which may be added to amend the District of Pitt Meadows Land Use Bylaw No. 1250 and Dewdney Alouette Regional District Zoning Bylaw No. 311-1982, as amended from time to time, shall be **ACTIVITY ZONES**.

Liquor Control and Licensing Act

Consumption of liquor in public

40 (1) Except for liquor purchased and consumed in accordance with a licence that permits consumption in a public place, a person must not consume liquor in a public place.

(2) Despite subsection (1), but subject to terms and conditions approved by the general manager not inconsistent with this Act and the regulations, a public beach, public park or public campground, or part of it, may be designated by

(a) an order of the government of Canada or of British Columbia, or

(b) a bylaw of a municipality or regional district

having jurisdiction over it as a place where liquor may be consumed.

(3) Subsection (1) does not apply to a place designated under subsection (2).

(4) This section does not affect section 41, and subsection (2) does not apply to an offence under section 48 (1) in respect of a contravention of section 41.

Drunkenness in public place

41 (1) A person who is intoxicated must not be or remain in a public place.

(2) A peace officer may arrest, without a warrant, a person found intoxicated in a public place.