

CITY OF KELOWNA

BYLAW NO. 10573

Amendment No. 9 to Kelowna Noise and Disturbances Control Bylaw No. 6647-90

The Council of the City of Kelowna, in open meeting assembled, enacts the following:

1. THAT Kelowna Noise and Disturbances Control Bylaw No. 6647-90, Section 2. DEFINITIONS, Sub-Section 2.2 be amended by adding the following new definitions in their appropriate location:

“dB(A)” means the sound pressure measured in decibels using the “A” weighted scale of a sound level meter.

“Motor Vehicle” has the same meaning as in the Motor Vehicle Act, Chapter 318 [RSBC 1996], as amended from time to time.

“Motor Cycle” has the same meaning as in the Motor Vehicle Act, Chapter 318 [RSBC 1996], as amended from time to time.

“Sound level meter” means a device used to measure sound pressure which meets the National Standards Institute S1.4-1983 (R2006), or the International Electro-Technical Council Standard No. 123, or the British Standard No. 3539 Part 1, or the U.S.A. Standard S1.4-1961.

2. AND THAT Kelowna Noise and Disturbances Control Bylaw No. 6647-90, Section 3. GENERAL REGULATIONS, be amended by adding the following new Sub-Sections:

“3.12 A person shall not operate a motor cycle that is capable of:

- (a) Emitting any sound exceeding 92 dB(A), as measured at 50 centimetres from the exhaust outlet, while the engine is at idle; or
- (b) Emitting any sound exceeding 96 dB(A), as measured at 50 centimetres from the exhaust outlet, while the engine is at any speed greater than idle.

3.13 A person shall not cause or permit sound from a motor vehicle to exceed 90 dB(A), as measured at 50 centimetres or more from the motor vehicle.”

3. AND THAT Kelowna Noise and Disturbances Control Bylaw No. 6647-90, Section 4. MOTOR BOATS, sub-section 4.6 be deleted that reads:

“4.6 No person shall operate a motor boat so as to cause noise which disturbs the peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.”

And replace with a new sub-section 4.6:

“4.6 No person shall operate a motor boat that is capable omitting any sound exceeding 85 dB(A), as measured at 50 centimetres or more from the exhaust outlet, while the engine is at any speed greater than idle.”

4. This bylaw shall come into full force and effect and be binding on all persons as and from the date of adoption.
5. This bylaw shall be cited for all purposes as 'Bylaw No. 10573, being Amendment No.9 to Kelowna Noise and Disturbances Control Bylaw No. 6647-90'.

Read a first, second and third time by the Municipal Council this 22nd day of August, 2011.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk