

Proposed Seasonal Outdoor Patio Noise Control By-law Amendments

1. That Noise By-law 121-2021, as amended, be further amended by adding section 16.0(4.1) to read as follows:

(4.1) Notwithstanding section 16.0(4) an *Eating Establishment* or a *Banquet Hall* that has a patio that is in compliance with this By-law and all other applicable *City* by-laws may operate a *Sound Reproduction Device* such that the amplified *Sound* from it allows for normal conversation.
2. That Noise By-law 121-2021, as amended, be further amended by adding section 16.0(4.2) to read as follows:

(4.2) For purposes of section 16.0(4.1), an *Officer* has discretion to establish whether the amplified *Sound* allows for normal conversation.
3. That Noise By-law 121-2021, as amended, be further amended by adding section 16.0(4.3) to read as follows:

(4.3) Notwithstanding section 16.0(4.1), if three or more complaints are received by the *City* respecting the amplified *Sound* being emitted, as per section 16.0(4.1), within a one-month period with respect to the same *Eating Establishment* or *Banquet Hall*, the *Director* may impose limitations on that *Eating Establishment* or *Banquet Hall's* municipal business licence or endorsement in accordance with *City's* Business Licensing By-law, including prohibiting the use of a *Sound Reproduction Device*.
4. That Noise By-law 121-2021, as amended, be further amended by adding the following line to Schedule 6:

Section	Description	Fine Amount
16.0(4.1)	Operate a <i>Sound Reproduction Device</i> , originating from or in connection with a commercial establishment outside seating area with an amplified <i>Sound</i> beyond normal conversation	\$750