



Noise Regulation Bylaw No. 1694, 2017
adopted May 13, 2019

**CONSOLIDATED FOR
CONVENIENCE ONLY**
Includes amendments adopted
up to **July 28, 2025**

**Record of Amendments
to
District of Coldstream Noise Regulation Bylaw No. 1694, 2017**

Amendment Bylaw No.	Adoption	Amendment
1861, 2025	July 28, 2025	• Section 9 Item (f) Add noise exemption for special events approved by the Regional District of the North Okanagan for the Greater Vernon Athletic Park

**DISTRICT OF COLDSTREAM
BYLAW NO. 1694, 2017**

**A BYLAW TO REGULATE OR PROHIBIT THE MAKING OR CAUSING
OF NOISES OR SOUNDS IN THE DISTRICT OF COLDSTREAM**

WHEREAS the District of Coldstream deems it desirable to enact a bylaw to regulate or prohibit the making of noises or sounds within the District;

AND WHEREAS the *Community Charter* grants the Council of the District of Coldstream the authority to make such regulation or require such prohibition of noises or sounds within the District and the authority to make different regulations or prohibitions for different areas of the District;

NOW THEREFORE the Council of the District of Coldstream ENACTS AS FOLLOWS:

TITLE

- 1 This Bylaw may be cited as “DISTRICT OF COLDSTREAM NOISE REGULATION BYLAW NO. 1694, 2017”.

INTERPRETATION

- 2 (1) In this Bylaw:

“Activity Zone” means those areas indicated in Schedule ‘A’;

“approved sound meter” means an acoustic instrumentation system which:

- (a) is comprised of a microphone, wind screen and data logger which conforms to class 1 or class 2 requirements for an integrating sound level meter as defined by IEC 61672 or ANSI S1.4 that conforms to Type 1 or Type 2; and
- (b) has been field calibrated before and after each sound measurement using a class 1 or class 2 field calibrator as defined by IEC 60942;

“Building Official” means the person appointed, or their designate, by the Chief Administrative Officer for the District;

“Bylaw Enforcement Officer” means the person appointed, or their designate, by the Chief Administrative Officer for the District and shall include a Peace Officer or member of the Royal Canadian Mounted Police;

“Council” means the municipal council of the District;

“daytime” means:

- (a) the hours of 7:00 am to 11:00 pm Monday through Saturday; or
- (b) the hours of 9:00 am to 11:00 pm on a Sunday or holiday;

“dBA”, or “A-weighted decibel”, means the unit used to measure the sound pressure level using the “A” weighting network setting on an approved sound meter;

“dBC”, or “C-weighted decibel”, means the unit used to measure the sound pressure level using the “C” weighting network setting on an approved sound meter;

“District” means The Corporation of the District of Coldstream;

“holiday” has

- (a) the same meaning as in the *Interpretation Act*, and
- (b) includes a day named in lieu of a day that is a holiday that falls on a Saturday, Sunday or the following Monday;

“IEC” means the International Electro-Technical Commission;

“impulsive Sound” means specific sound that is characterized by brief bursts of sound pressure, with the duration of each impulse usually less than one second, including without limitation specific sound containing “bangs”, “clicks”, “clatters” or “thumps” from hammering, banging of doors and metal impacts;

“impulsive sound adjustment” means a 5 dBA increase applied to a specific sound classified as impulsive sound and a 0 dBA increased applied to a specific sound that is not classified as impulsive sound’

“Intermediate Zone” means those areas indicated in Schedule A;

“ISO” means the International Organization for Standardization;

“Leq”, or “equivalent continuous sound pressure level”, means that constant or steady sound level, rounded to the nearest decibel, which, in a specified time period, conveys the same sound energy as does the actual time-varying sound level;

“lawn and garden power equipment” means any equipment or machinery used in lawn and garden care, including without limitation leaf blowers, edge trimmers, rototillers, lawn mowers and chainsaws;

“measurement time interval” means the total time over which sound measurements are taken, and:

- (a) is chosen to best represent the situation causing disturbance;
- (b) is between 1 minute and 30 minutes;
- (c) is chosen to avoid influence from residual sound where possible; and
- (d) may consist of a number of non-contiguous, short-term measurement time intervals that add up to 1 to 30 minutes;

“nighttime” means any period of any day not specifically defined as daytime;

“noise” includes any loud outcry, clamour, shouting or movement, or any sound that is loud or harsh or undesirable;

“point of reception” means a position within the property line of the real property occupied by the recipient of a sound that best represents the location at which that specific sound, emanating from another property, is received and the resulting disturbance experienced and is:

- (a) at least 1.2 metres from the surface of the ground and any other sound reflecting surface; and
- (b) outdoors, unless there is no point of reception outdoors because the specific sound is within the same building or the wall of one premises is flush against another, in which case the point of reception shall be within the building where the specific sound is received and the resulting disturbance is experienced;

“premises” means:

- (a) the area contained within the boundaries of a legal parcel of land and any building situated within those boundaries; and
- (b) each unit, the common areas of the building, and the land within the apparent boundaries of the legal parcel of land are each separate premises where a building contains more than one unit of commercial, industrial or residential occupancy;

“property” means real property and includes land, other than a highway, together with all the improvements which have been so affixed to the land as to make them in fact and in law a part thereof;

“Quiet Zone” means those areas indicated in Schedule ‘A’;

“rating level” means the specific sound level plus the impulsive sound adjustment and the tonal sound adjustment;

“residential occupancy” in respect of premises, means a dwelling unit located within a building, and includes a room for rent in a hotel or motel;

“residual sound” means the sound remaining at a given location in a given situation when the specific sound source is suppressed to a degree such that it does not contribute to the total sound;

“sound” means an oscillation in pressure in air which can produce the sensation of hearing when incident upon the ear;

“specific sound” means the sound under investigation;

“specific sound level” means the equivalent continuous sound pressure level or L_{eq} at a point of reception produced by the specific sound over the measurement time interval;

“tonal sound” means specific sound which contains one or more distinguishable, discrete, continuous tones or notes including, without limitation:

- (a) specific sound characterized by a “whine”, “hiss”, “screech” or “hum”; and
- (b) music;

“tonal sound adjustment” means a 5 dBA increase applied to a specific sound classified as tonal sound and a 0 dBA increase applied to a specific sound that is not classified as a tonal sound;

“total sound” means the totally encompassing sound in a given situation at a given time, usually composed of sound from many sources near and far;

“total sound level” means the equivalent continuous sound pressure level or L_{eq} at the point of reception produced by the total sound over the measurement time interval; and

“vehicle” means a device in, on or by which a person or thing is or may be transported or drawn along a highway, but does not include a device designed to be moved by human power or device used exclusively on stationary rails or tracks.

- (2) Unless otherwise provided in this Bylaw, words and phrases used herein have the same meanings as in the *Community Charter*, *Local Government Act* and the *Interpretation Act* as the context and circumstances may require.

- (3) A reference to an Act in this Bylaw refers to a statute of British Columbia, and a reference to any statute, regulation, bylaw or other enactment refers to that enactment as it may be amended or replaced from time to time.
- (4) Words in the singular include the plural, and words in the plural include the singular.
- (5) Headings are for convenience only and must not be construed as defining or limiting the scope or intent of the provisions.
- (6) Provisions in this Bylaw that authorize the Building Official or Bylaw Enforcement Officer to take any action must not be interpreted to mean that the Official or Officer has any duty to take such action.

SCHEDULES

- 3 Schedules 'A', 'B' and 'C' are attached to and form part of this Bylaw.

SEVERABILITY

- 4 If any part of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid part is severed and the remainder of the Bylaw continues to be valid.

GENERAL PROHIBITIONS

- 5
- (1) A person must not make or cause a noise in or on a public or private place that disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of persons in the neighbourhood or vicinity.
 - (2) A person who is the owner or occupier of, or is in possession or control of, property must not make, suffer, or permit any other person to make a noise, on that property, which can be easily heard by a person not on the same property and which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of persons in the neighbourhood or vicinity.
 - (3) A person must not play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound either in or on private premises or in any public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of persons in the neighbourhood or vicinity.
 - (4) A person must not own, keep or harbour any animal or bird which, by its cries, unduly disturbs the quiet, peace, rest, enjoyment, comfort or convenience of persons in the neighbourhood or vicinity.
 - (5) Subsections (1) through (4) do not apply if the specific sound level can be practically measured and the specific sound level does not exceed the permitted outdoor sound levels at the point of reception as set out in Schedule 'B'.

ASSESSMENT AT LOCATIONS AFFECTED BY RESIDUAL SOUND

- 6 Where the total sound level exceeds the prescribed sound levels in Schedule B and is influenced by residual sound at the point of reception such that the specific sound cannot be accurately measured, the specific sound may be measured at distances close to the source and then predicted at the point of reception using the calculation of an internationally accepted calculation standard.

ROLE OF BYLAW ENFORCEMENT OFFICER OR BUILDING OFFICIAL

- 7 Any Bylaw Enforcement Officer or Building Official may measure sound levels with an approved sound meter, and may enter at all reasonable times upon any real property, to determine compliance with the provisions of this Bylaw.

SPECIFIC PROHIBITIONS

- 8
- (1) A person must not operate any outdoor public address system in the District without first having obtained a permit, license, or similar agreement granted by the District.
 - (2) A person must not operate, or cause, suffer or permit the operation of any lawn and garden power equipment that produces noise that can be heard from an adjacent property in the District before 7:00 am or after 9:00 pm.
 - (3) A person must not use or operate a “Jacobs” brake or other type of engine brake on a motor vehicle for any purpose other than as an emergency braking device incidental to the safe operation of the motor vehicle.
 - (4) Construction:
 - (a) A person must not, on a day Monday through Saturday before 7:00 am or after 9:00 pm, construct, erect, reconstruct, alter, repair or demolish any building or thing or excavate or fill in land in any manner which causes the specific sound level to exceed the permitted outdoor sound levels at the point of reception as set out in Schedule ‘B’.
 - (b) A person must not, on a Sunday before 8:30 am or after 5:00 pm, construct, erect, reconstruct, alter, repair or demolish any building or thing or excavate or fill land in any manner which causes the specific sound level to exceed the permitted outdoor sound levels at the point of reception as set out in Schedule ‘B’.
 - (c) Subject to paragraph (b), a person must not, on a Sunday, engage a contractor or other similar person, for profit or gain, to construct, erect, reconstruct, alter, repair or demolish any building or thing or to excavate or fill land in any manner unless the contractor or other similar person is working with the owner or tenant of the property at the time of the activity.

- (d) Where it is impossible or impractical to comply with this section, the Building Official may give written approval to carry on the work that is found to be necessary at designated hours. Responsibility for obtaining written approval lies with the person carrying on the work.

SPECIFIC EXEMPTIONS

9 This Bylaw does not apply to sound made by:

- (a) a person performing works 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;
- (b) operation or maintenance of Fire Department, Police or Ambulance vehicles by personnel in the execution of their duties;
- (c) normal farm practices conducted in accordance with the *Farm Practices Protection (Right to Farm) Act* within the agricultural land reserve;
- (d) operation of residential household equipment including, but not limited to, pool pump motors, air conditioning units, exhaust fans and hot tub pumps, provided that the sound or noise therefrom does not exceed the sound or noise common to such household equipment when in good operating order and being used in accordance with generally accepted industry standards;
- (e) operation of any motor vehicle, machinery or other apparatus or thing during an emergency or for a public purpose or in furtherance of the public interest including, but not limited to, snow removal, water main and sewer main break repairs and civil defense exercises;
- (f) by a parade, procession, performance, concert, ceremony, event, gathering or meeting in or on a street or public space provided that a permit, license, or similar agreement has been granted by the District, or in the case of the Greater Vernon Athletic Park (GVAP) by the Regional District of North Okanagan, for the event.

(Bylaw 1861, 2025)

APPLICATION FOR SPECIFIC MODIFICATION OR EXEMPTION TO A RATING LEVEL

- 10 A person may, in respect of a specific property, submit an application for a modification of this Bylaw in respect to a rating level set out in Schedule 'B' to the Building Official or Bylaw Enforcement Officer in a form and with a content satisfactory to the Building Official or Bylaw Enforcement Officer who shall refer the application to Council with recommendations for their consideration.

PROPERTIES WHERE SPECIFIC MODIFICATIONS OR EXEMPTION TO RATING LEVELS APPLY

- 11 Properties listed in Schedule 'C' are subject to the permitted sound levels set out in Schedule 'C'.

OFFENCES AND PENALTIES

- 12 (1) Every person who
- (a) contravenes this Bylaw,
 - (b) permits, suffers or allows any act or thing to be done in contravention of this Bylaw, or
 - (c) fails or neglects to do anything required to be done under this Bylaw or of any permit or direction issued under this Bylaw,
- commits an offence, and each day any contravention continues shall constitute a separate offence.
- (2) A person found to have contravened this Bylaw is liable to pay any of the following:
- (a) a penalty imposed under the *District of Coldstream Bylaw Notice Enforcement Bylaw*;
 - (b) a penalty imposed under the *District of Coldstream Municipal Ticket Information Utilization Bylaw*;
 - (c) a penalty of up to \$10,000, and any further amounts that may be ordered by the court if proceedings are brought under the *Offence Act*.

REPEAL

- 13 The District of Coldstream Noise Control Bylaw No. 1570, 2010 is hereby repealed in its entirety.

READ A FIRST TIME this	23 rd	day of	April	2019
READ A SECOND TIME this	23 rd	day of	April	2019
READ A THIRD TIME this	23 rd	day of	April	2019
ADOPTED this	13 th	day of	May	2019

 Corporate Officer

 Mayor

Attachment: Schedule 'A' – Sound Zones
 Schedule 'B' – Summary of Permitted Outdoor Sound Levels by Zone
 Schedule 'C' – Specific Modifications/Exceptions to Sound Levels

SCHEDULE 'A'**SOUND ZONES**

QUIET ZONE	INTERMEDIATE ZONE	ACTIVITY ZONE
Residential Zones: • R1 • R1-A • R2 • R3 • R3-A • R4 • R5 • R6 • RBB • RCD1 • RCD2 • RE1 • RE2 Rural Zones: • RU1 • RU-LH • RU-ALR	Commercial Zones: • C1 • C2 • C3 • C5 • C6 • C7 Special Use Zones: • S1 • W1 Institutional Zone: • P1 Parks and Open Space Zone: • P2	Industrial Zones: • I1 • I2 • I5

* All listed Zones as referenced by their short form description as taken from the District of Coldstream Zoning Bylaw.

SCHEDULE 'B'**SUMMARY OF PERMITTED OUTDOOR
SOUND RECEPTION LEVELS BY ZONE****dBA Weighting Table**

Sound Source Zone	Sound Reception Zone					
	Quiet		Intermediate		Activity	
	Day	Night	Day	Night	Day	Night
Quiet	55	45	60	50	70	70
Intermediate	60	50	60	50	70	70
Activity	60	50	65	55	70	70

dBc Weighting Table

Sound Source Zone	Sound Reception Zone					
	Quiet		Intermediate		Activity	
	Day	Night	Day	Night	Day	Night
Quiet	65	55	70	60	80	80
Intermediate	70	60	70	60	80	80
Activity	70	60	75	65	80	80

“daytime” means:

- (a) the hours of 7:00 am to 11:00 pm Monday through Saturday; or
- (b) the hours of 9:00 am to 11:00 pm on a Sunday or holiday;

“nighttime” means any period of any day not specifically defined as daytime.

SCHEDULE 'C'**SPECIFIC MODIFICATIONS/EXEMPTIONS TO SCHEDULE 'B'**

Civic Address of Sound Source	Civic Address of Point of Reception	Permitted Sound Level