



CONSOLIDATED BYLAW

Incorporating amendments pursuant to:

“Delta Noise Control Bylaw No. 1906, 1972”

THIS CONSOLIDATION HAS BEEN UPDATED TO INCLUDE ALL AMENDMENTS
TO THE ORIGINAL PARENT BYLAW.
IT IS NOT THE OFFICIAL VERSION OF THE BYLAW AND IS FOR REFERENCE
PURPOSES ONLY. THIS IS NOT A LEGAL DOCUMENT.

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CITY OF DELTA
BYLAW NO. 1906, 1972

Consolidated Bylaw Tracking

Bylaw No.	Date	Bylaw Name	Reference
		Incorporating amendments pursuant to Bylaws: 4987, 5271, 6227, 6081, 6714, 7322, 7550, 7638, 7838, 7879, 7949	
8520, 2025	2026-02-23	Amendment Bylaw No. 8520, 2025	(i)

THE CITY OF DELTA

BYLAW NO. 1906

A Bylaw to regulate noise or sound within City of Delta

(i) The Council of the City of Delta in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as the "**Delta Noise Control Bylaw No. 1906, 1972**".

2. Delta Bylaw No. 1478 cited as "Delta Noise Control Bylaw No. 1478, 1968" is hereby repealed.

3. **Interpretations**

Words defined in the "Motor Vehicle Act" and the "Municipal Act" shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw or unless the context otherwise requires.

4. **Definitions**

In this Bylaw, unless the context otherwise requires:

"Activity Centre" means commercial uses within those areas shown in Schedules A, B and C of this Bylaw.

(i) "Arterial Highway" has the same meaning as in the *Transportation Act*.

"Bird Control Manager" means the person designated as such in the Bird Predation Management Plan.

"Bird Predation Management Plan" means an integrated pest management program designed to use normal farm practices in a socially responsible manner prepared in.

"Bylaw Enforcement Officer" means any person appointed to enforce the provisions of this Bylaw, and includes a Bylaw Inspector, Animal Control Officer and a sworn member of the Delta Police Department.

(i) "City" shall mean the City of Delta.

(i)	"Council"	shall mean the Council of the City of Delta
(i)	"General Manager, Development"	means the person appointed by the City as head of the Department of Development and those persons sub-delegated by the said appointee in accordance with the Delegation of Authority Bylaw No. 8199, 2022.
(i)	"General Manager, Engineering"	means the person appointed by the City as head of the Department of Engineering and those persons sub-delegated by the said appointee in accordance with the Delegation of Authority Bylaw No. 8199, 2022.
(i)	"General Manager, Facilities and Major Projects"	means the person appointed by the City as head of the Department of Facilities and Major Projects and those persons sub-delegated by the said appointee in accordance with the Delegation of Authority Bylaw No. 8199, 2022.
(i)	"General Manager, Parks, Recreation and Culture"	means the person appointed by the City as head of the Department of Parks, Recreation and Culture and those persons sub-delegated by the said appointee in accordance with the Delegation of Authority Bylaw No. 8199, 2022.
(i)	"General Maintenance"	means the upkeep of structures, buildings, and landscaped or hardscaped areas on residential Real Property by an owner or occupier of the property, primarily involving mowing, trimming, edging, power washing, leaf blowing and debris cleanup for aesthetic appeal.
	"Highway"	means a street, road, lane, bridge, viaduct and any other way open to public use, other than a private right of way on private property or an Arterial Highway.
	"Holiday"	has the same meaning as defined in the <i>Interpretation Act</i> .
	"Park or Municipal Land"	has the same meaning as in Delta Parks Regulation Bylaw No. 7206, as amended from time to time.
	"Person"	shall include any company, corporation, owner, partnership, firm, association, society or party.
	"Real Property"	shall mean land, other than a highway, together with all improvements which have been so affixed to the land as to make them in fact and in law a part thereof, and includes such land should there be no such improvements so affixed thereto.

5. Except in an Activity Centre no person shall make or cause any noise or sound in or on a highway or elsewhere in the City which disturbs, or tends to disturb, the quiet, peace, rest, enjoyment, comfort, or convenience of the neighborhood, or of persons in the vicinity by any means whatsoever.
6. Except in an Activity Centre no owner or occupier of real property in the City shall allow any real property to be used so that noise or sound emanating therefrom disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood, or of persons in the vicinity.
 - 6.1 In an Activity Centre, noise is allowed between 9:00 am and 9:00 pm Sunday through Wednesday, inclusive and between 9:00 am and 10:00 pm Thursday through Saturday, inclusive, with the exception of:
 - (a) Shouting;
 - (b) Yelling;
 - (c) The use of megaphones; and
 - (d) Excessively loud music
7. No person shall keep any animal or bird which by its cries, barks, chirps or other noises, disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood, or of persons in the vicinity.
- (i) 8. No person shall carry on or cause to be carried on any works in connection with the construction, reconstruction, alteration, repair or demolition of any building, structure or thing in such a manner that tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity before 7:00 a.m. or after 7:00 p.m. any day of the week from Monday to Friday, inclusive, before 9:00 a.m. or after 5:00 p.m. on Saturday, or at any time Sunday or a Holiday.
- (i) 9. No person shall carry on or cause to be carried on any works in connection with the construction, reconstruction, alteration or repair of any highway in such a manner that tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity before 7:00 a.m. or after 7:00 p.m. any day of the week from Monday to Friday, inclusive, before 9:00 a.m. or after 5:00 p.m. on Saturday, or at any time Sunday or a Holiday.

- (i) 10. No persons shall carry on or cause to be carried on any works in connection with any excavation or filling-in of land in such a manner that tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of persons in the vicinity before 7:00 a.m. or after 7:00 p.m. any day of the week from Monday to Friday, inclusive, before 9:00 a.m. or after 5:00 p.m. on Saturday, or at any time Sunday or a Holiday.
- (i) 11. No person shall operate or cause to be operated any machine, engine or mechanical device in a manner that disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity before 7:00 a.m. or after 7:00 p.m. any day of the week from Monday to Friday, inclusive, before 9:00 a.m. or after 5:00 p.m. on Saturday, or at any time Sunday or a Holiday. As an exception, General Maintenance is permitted on Saturdays, Sundays, and Holidays between 9:00 a.m. and 7:00 p.m.
- 12. No person shall use or operate a horn or other warning device on a motor vehicle except to avoid an accident.
- 13. The provisions of this Bylaw shall not apply to the following:
 - (a) equipment in use for agricultural purposes except for equipment used for audible agricultural bird scare purposes;
 - (b) police, fire, or ambulance employees, vehicles or equipment acting or being used in an emergency;
 - (c) City employees, vehicles or equipment and private business contracted by the City, acting or being used in an emergency or for public safety purposes, including, but not necessarily limited to snow and ice removal, at the direction or subject to the approval of the City Manager, the General Manager, Engineering, or their designates;
 - (i) (d) employees, vehicles or equipment of other agencies, including Delta School District #37, acting or being used in an emergency or for public safety purposes, including, but not necessarily limited to snow and ice removal, with the prior written approval of the City Manager or their designate;
 - (e) works undertaken by federal or provincial government entities such as Crown corporations, agencies, ministries, and by contractors or agents of those entities;
 - (f) noise created by safety devices required by the *Workers Compensation Act* or the Occupational Health and Safety Regulation, such as back-up alarms, warning signal devices, and whistles; or

- (g) events, games, sports or other activities taking place in a Park or Municipal Land that are authorized by a valid and subsisting permit issued by the General Manager, Parks, Recreation and Culture under the Delta Parks Regulation Bylaw No. 7206, 2013 and that are conducted in accordance with that permit.
- (i) 13.1 A person may submit an application to vary or waive the provisions of sections 5 to 12 inclusive and 14 of this bylaw to the General Manager, Engineering, General Manager, Development, General Manager, Parks, Recreation and Culture or the General Manager, Facilities and Major Projects, in a form and with content satisfactory to the General Manager, Engineering, General Manager, Development, General Manager, Parks, Recreation and Culture or the General Manager, Facilities and Major Projects.
- (i) 13.2 Without limiting Council's authority, is hereby delegated to the General Manager, Engineering, General Manager, Development, General Manager, Parks, Recreation and Culture and the General Manager, Facilities and Major Projects, subject to the provisions of this bylaw, to approve any variance or waiver of the provisions of sections 5 to 12 inclusive and 14 of this bylaw, with or without terms and conditions, or to refuse any variance or waiver.
- 13.3 To grant a waiver or variance, the General Manager, Engineering, General Manager, Development, General Manager, Parks, Recreation and Culture or the General Manager, Facilities and Major Projects must be satisfied that:
 - (a) the impact to residents and businesses in the area of the proposed activity can be minimized; and,

in relation to sections 8 to 11 inclusive of this bylaw, if the proposed activity were to be undertaken within the time period allowed by the applicable section, either
 - (b) the volume of traffic in the area of the proposed activity is typically such as to potentially cause danger to workers involved in the activity;
 - (c) the proposed activity would likely to cause traffic congestion;
 - (d) the proposed activity could not be undertaken efficiently or safely; or

- (e) the proposed activity would interrupt the provision of a service that would cause a person undue hardship.
- (i) 13.4 If a variance or waiver is granted under section 13.2, the applicant must, at least five days prior to the start of the activity for which the variance or waiver applies, distribute a notice, in a form and with content satisfactory to the General Manager, Engineering, General Manager, Development, General Manager, Parks, Recreation and Culture or the General Manager, Facilities and Major Projects, to all residences and businesses within a 100 metre radius of the extent of the activity. Such notice is to include, but is not necessarily limited to, the times, dates, specific location, and general description of the activity for which the variance or waiver was granted as well as any terms or conditions imposed.
- (i) 13.5 Without advance notification, the General Manager, Engineering, General Manager, Development, General Manager, Parks, Recreation and Culture or the General Manager, Facilities and Major Projects may rescind or modify any variance or waiver that has been granted, including any terms or conditions relating thereto if the activity no longer meets the criteria set out in section 13.3 or at the direction of the City Manager or Council.
- (i) 13.6 Where an applicant is dissatisfied with a decision made by the General Manager, Engineering, General Manager, Development, General Manager, Parks, Recreation and Culture or the General Manager, Facilities and Major Projects pursuant to sections 13.2 or 13.5 of this bylaw, the applicant may apply to Council for reconsideration of the matter in accordance with the following procedures:
 - (a) The application for reconsideration must include the grounds for reconsideration.
 - (b) The application for reconsideration must be delivered in writing to the City Clerk within 14 days of the decision being communicated to the applicant.
 - (c) The City Clerk must place each application for reconsideration on the agenda of a Committee-of-the-Whole meeting of Council and notify those seeking reconsideration of the date of the meeting at which the reconsideration will occur.
 - (d) The applicant may address Council in writing or in person concerning the specific variance or waiver or any future variances or waivers.

- (i) (e) At the meeting, Council may hear from those seeking reconsideration and, at Council's discretion, any other person interested in the matter under reconsideration who wishes to be heard. At a regular Council meeting, Council may either confirm or amend the decision of the General Manager, Engineering, General Manager, Development, General Manager, Parks, Recreation and Culture or the General Manager, Facilities and Major Projects or substitute its own decision with or without terms and conditions.

14. Noisemakers for crop protection:

- 1. The use of audible bird scare devices for crop protection that create an impulse sound from impacts or explosions, such as propane fueled exploders or cannons, but not including shell launchers or orchard pistols, is not permitted unless:
 - (a) The device is only operated from:
 - (i) 6:30 a.m. to noon and 3 p.m. to 8:00 p.m. or
 - (ii) sunrise to noon and 3 p.m. to sunset
whichever is of lesser duration;
 - (b) The device is relocated every four days;
 - (c) The device has a maximum firing frequency of one firing per 5 minutes for single shot devices and a maximum of 11 activations or 33 shots in any hour for a multiple-shot device. Multiple shots from a device are considered as one activation if they all occur in less than a 30-second period;
 - (d) The device is located a minimum of 200 metres from all adjacent dwelling units as defined in the "Delta Zoning Bylaw No. 2750, 1977 and Delta Zoning Bylaw No. 7600, 2017" as amended from time to time;
 - (i) (e) The device is located a minimum of 300 metres from residential zoned property as contained in Part VI of the "Delta Zoning Bylaw No. 2750, 1977" and Parts 11-13 of the "Delta Zoning Bylaw No. 7600, 2017" as amended from time to time;
 - (f) The bird scare device, if it is a single shot device, is pointed away from the nearest neighbouring residence.

2. The use of audible bird scare devices for crop protection which generate sounds to scare or disturb birds such as birdcalls or other sounds broadcast through loud speakers, excluding devices referred to in subsection 1, are not permitted unless:

- (a) The device is operated only from 6:30 a.m. to 8:00 p.m. or sunrise to sunset whichever is of lesser duration;
- (b) The device is relocated every four days;
- (c) The device is located a minimum of 100 metres from an adjacent dwelling unit as defined in the "Delta Zoning Bylaw No. 2750, 1977" and "Delta Zoning Bylaw No. 7600, 2017" as amended from time to time;

(i)

- (d) The device is located a minimum of 200 metres from residential zoned property as contained in Part VI of the "Delta Zoning Bylaw No. 2750, 1977" and Parts 11-13 of the "Delta Zoning Bylaw No. 7600, 2017" as amended from time to time.

3. A Bird Control Manager is required to:

- (a) implement the Bird Predation Management Plan and the terms it establishes for the use of bird scare devices;
- (b) make regular visits to the sites to ensure that bird scare devices are functioning properly;
- (c) monitor the operation and use of bird scare devices in the context of bird pressures;
- (d) adjust bird scare device usage in relation to bird pressure with a view to minimizing both bird scare device use and bird habituation;
- (e) respond quickly and proactively to misfiring of bird scare devices and making adjustments to the firing frequencies of bird scare devices based on variations in bird pressures and issues of bird habituation to bird scare devices; and
- (f) record bird pressure and the operation of bird scare devices on a regular basis.

4. Audible bird scare devices used for crop protection can only be used as part of a Bird Predation Management Plan.

5. A Bird Predation Management Plan must be completed in the form prescribed by the Manager of Property Use & Compliance or their designate and may include, but is not necessarily be limited to the following:
 - (a) The name of the person designated as Bird Control Manager;
 - (b) a description of the site where the bird scare device would be located, including the name of the site and its location (street address), and the full names and contact phone numbers of the person responsible for the Bird Predation Management Plan and a local contact person available to respond promptly should operation of the bird scare device outside the hours allowed by this bylaw occur;
 - (c) a description of the total acreage of the site where the bird scare device would be located;
 - (d) a description of the bird species for which the bird scare device is used, and an estimate of crop/feed loss by bird species if appropriate, based on observations from previous years;
 - (e) an outline of the use of bird control techniques with a focus on maximizing their effectiveness and minimizing disruption to neighbours, such techniques include, but are not limited to:
 - (i) netting;
 - (ii) falconry;
 - (iii) bird scare devices;
 - (iv) visual devices; and
 - (v) bird trapping
 - (f) records of bird pressure and bird scare device use within the overall Bird Predation Management Plan, such records to be maintained by the Bird Control Manager on a regular basis including the evaluation of bird pressure in conjunction with the effectiveness of bird control techniques based on the time of day, period of growing season, location of the bird scare device, and bird habituation.
6. An owner, operator, and Bird Control Manager of Real Property that contains an audible bird scare device must:
 - (a) implement and comply at all times with the Bird Predation Management Plan;

- (b) produce the Bird Predation Management Plan to a Bylaw Enforcement Officer upon request; and
- (c) not permit more than one audible bird scare device referred to in Sections 14.1 and 14.2 per two hectares of cropland.

7. 'Bear bangers' are not permitted for use.

8. A Bylaw Enforcement Officer may disable an audible bird scare device that is operating in contravention of this bylaw and may enter a property, after reasonable notice has been provided to the property owner, for that purpose.

9. A person must not use shell launchers, orchard pistols, or any similar device unless:

- (a) the device is located a minimum of 200 metres from an adjacent dwelling unit as defined in "Delta Zoning Bylaw No. 2750, 1977 and Delta Zoning Bylaw No. 7600, 2017", as amended or replaced from time to time;
- (b) the device is pointed away from an adjacent dwelling unit as defined in "Delta Zoning Bylaw No. 2750, 1977 and Delta Zoning Bylaw No. 7600, 2017", as amended or replaced from time to time; and
- (c) the device is operated only from 6:30 a.m. to 8:00 p.m. or sunrise to sunset whichever is of lesser duration."

15.1 A person who:

- (a) contravenes, violates or fails to comply with any provision of this Bylaw;
- (b) 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;

commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00), and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

15.2 This Bylaw may be enforced by a Bylaw Enforcement Officer:

- (i)
 - (a) by means of a ticket in the form prescribed for the purpose under the *Community Charter*, and fines imposed for offences under the City of Delta Municipal Ticketing Information Bylaw No.6639, 2007, as amended;
 - (b) by proceedings brought under the *Offence Act*; or
 - (c) by means of a bylaw notice as authorized by the *Local Government Bylaw Notice Enforcement Act* and fines imposed for offences under Delta Bylaw Notice Enforcement Bylaw No. 7009, 2011, as amended."

15.3 A Bylaw Enforcement Officer may refer any disputed tickets under 15.2 (a) to the Provincial Court and may represent the City in any related proceedings."

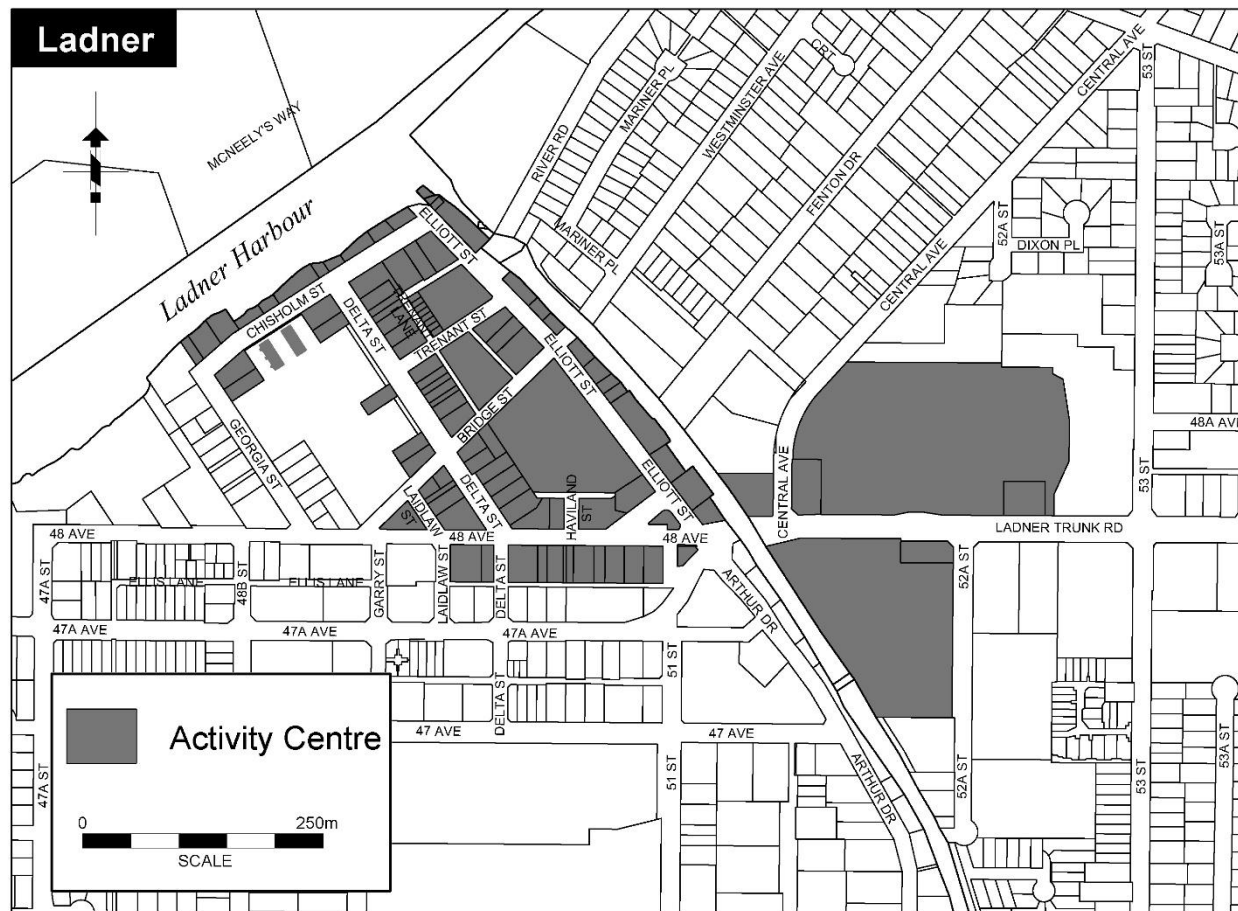
16 Schedules A, B and C attached hereto shall form part of this Bylaw.

INTRODUCED AND PASSED by the Municipal Council of The Corporation of Delta the 7th day of August, A.D. 1972.

RECONSIDERED AND FINALLY ADOPTED by the Municipal Council of The Corporation of Delta the 14th day of August, A.D. 1972.

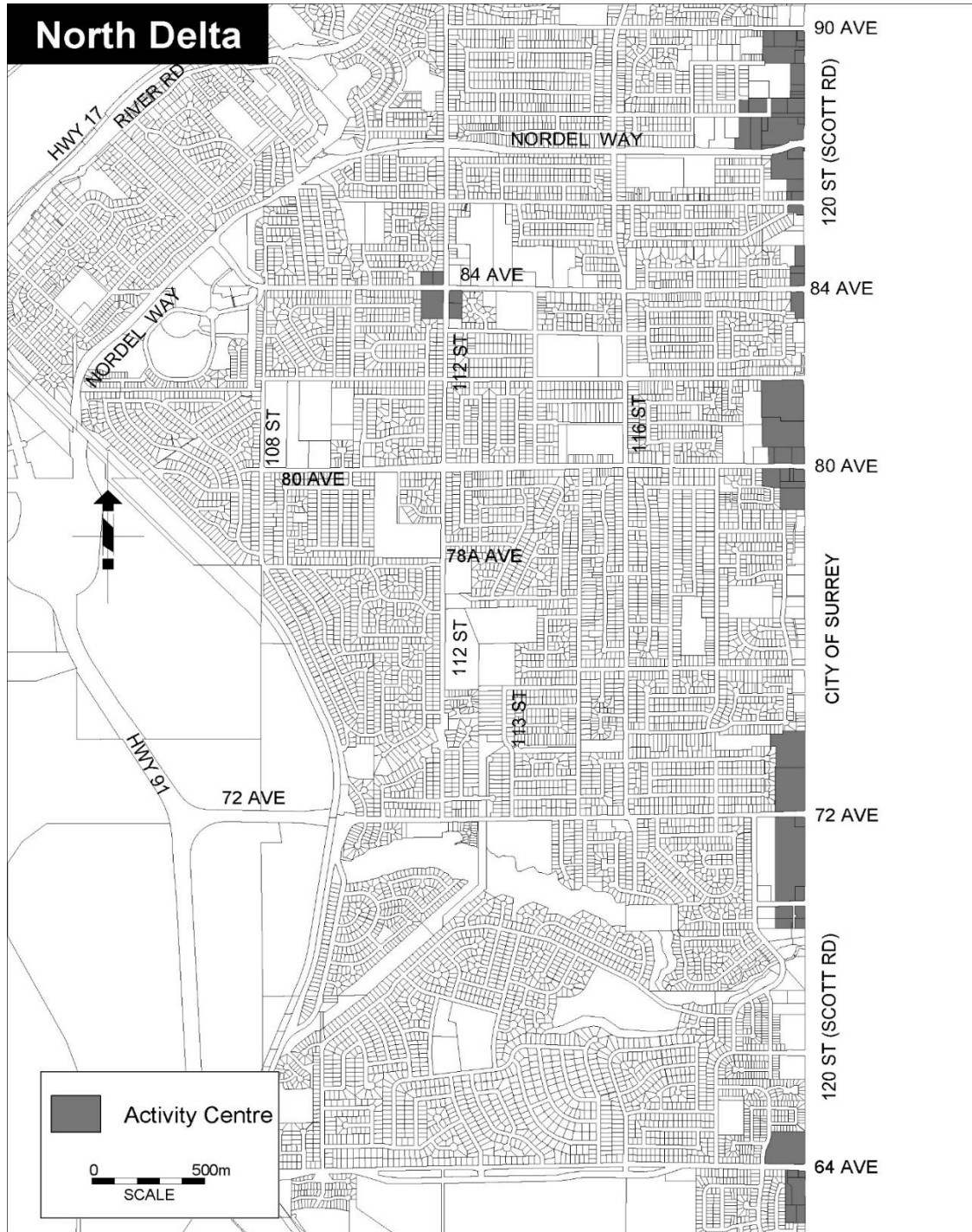
"D. J. Morrison"
MAYOR

"P. J. Gairns"
CLERK



Schedule B

to "Delta Noise Control Bylaw No. 1906, 1972"
North Delta Activity Centres



Schedule C

to "Delta Noise Control Bylaw No. 1906, 1972"
Tsawwassen Activity Centres"

