



Administration and Operations Committee Report

To: The Chair and Members of the Administration and Operations Committee
From: Amanda Paine, Supervisor of Enforcement and Regulatory Services
Date: June 17, 2025
Report #: RPT-166-25
Subject: Noise By-law Update
Purpose: For Information

Recommendation

That the Committee receive this report as information and that a review of the County of Brant Noise By-law No. 108-22 will be completed in 2026.

Executive Summary

Noise control is an essential aspect of maintaining community well-being and livability in urban and non-urban environments. Schedule B of the County of Brant Noise By-law prohibits amplified noise (from a source other than a commercial establishment or a public or municipal hall) when the device is played in such manner or with such volume as to annoy or disturb any person at a Point of Reception. The prohibition applies at all times.

Amplified noise emanating from inside a commercial establishment or public/municipal hall is regulated under schedule C and only permitted during certain times.

Relief from the provisions of the By-law may be sought through a noise exemption process.

This approach allows for consistency across the municipality and the ability for both our police service and our By-law enforcement team to enforce these complaints.

This report outlines the primary difficulties municipalities face when using decibel levels as the basis for noise regulation.

Strategic Plan Priority

Strategic Priority 2 - Effective Communication

Impacts and Mitigation

Social Impacts

A decibel-based enforcement system holds some advantages and disadvantages for the municipality and its residents. Some residents and businesses may welcome a quantifiable limit for their music for instance, while others may still feel the limit is excessive and disruptive.

Environmental Impacts

Noise levels can contribute to environmental impacts in several ways including wildlife disruption, energy use, noise pollution and high levels can create vibration impacts on aquatic ecosystems.

Economic Impacts

If a decibel-based enforcement system was adopted, the use of a consultant would be required to develop such a program. Subject to further analysis, additional resources may be required to administer and enforce the program as the OPP would not have access to the equipment or have the required training and, possibly resources to conduct decibel readings for after-hours complaints. Purchasing equipment and potentially increases in staffing levels would increase the operating costs.

Report

Background

At the February 25, 2025 Council meeting, a delegation attended to address his concerns about the Noise By-law and suggested that decibel levels should be considered for the County By-law. Members of Council posed questions surrounding decibel levels and requested staff to provide further information.

Analysis

Some municipalities consider decibel-based noise bylaws as a method of regulating or prohibiting disruptive sounds. However, while such bylaws offer a seemingly objective approach, they also present implementation and enforcement challenges. Using expensive and specialized equipment can still lead to subjective results due to background noise levels, environmental factors and location of the sound.

Municipal noise by-laws are often written in three different ways: with noise decibel levels, without noise decibel level or a mix of both. With decibel levels, a noise complaint can be assessed with an objective measurement.

Without decibel levels, noise violations may be considered to be subjective based on the evidence of a complainant(s) and/or Municipal Law Enforcement Officers who decide whether the noise is unreasonable or not. This approach is often easier to enforce in practice.

There are pros and cons to both approaches. Noise that stays within a set decibel level limit can still disturb some people based on the environment, weather conditions or location of the noise. Below are some of the challenges that impact decibel reads.

1. Enforcement Complexity

One of the most significant challenges is the complexity of enforcement. Accurately measuring sound requires specialized equipment, such as calibrated sound level meters. The use of a sound meter app on a cellular phone would not be an acceptable tool in a legal proceeding. Preliminary estimates revealed that a sound level meter costs approximately \$3,370.00. The unit requires annual recalibration at an approximate cost of \$660.00. Municipal staff must receive proper training in the use of these devices and in interpreting the data collected to ensure they are complying with the By-law requirements.

As the County transitions from prosecuting noise by-law violations via provincial courts to the administrative penalty system, the quantifiable parameters obtained through the use of costly

decibel meters become less important. Under the administrative penalty system, the burden of proof is based on a balance of probability. The provincial court system requires a much higher burden of proof which is based beyond a reasonable doubt.

2. Environmental Variability

Environmental conditions heavily influence decibel readings. Background noise from traffic, construction, wind, or crowds can interfere with measurements. Additionally, sound levels vary depending on distance from the source, the presence of buildings, foliage, other barriers and atmospheric conditions. This variability makes it difficult to obtain consistent and fair readings and can complicate enforcement efforts.

3. Time-Specific Challenges

Noise levels often fluctuate over time. For instance, music volume, machinery sounds, or barking can spike and dip. Measuring during quieter periods may not capture disruptive peaks, while brief loud events may not raise the average decibel level enough to constitute a violation. Determining when and for how long to measure is critical, yet subjective, making enforcement even more difficult.

4. Public Perception & Practicality

Most residents are unfamiliar with decibel levels and what specific readings actually mean in practical terms. As a result, a By-law based on decibel thresholds may appear confusing or arbitrary. Additionally, certain noises, such as bass-heavy music or persistent dog barking, may be deeply disruptive without necessarily exceeding legal decibel limits. This disconnect can lead to frustration and a perception that the By-law is ineffective or unfair.

Summary and Recommendations

While decibel-based noise bylaws provide measurable standard for noise regulation, their practical implementation is fraught with challenges. Development of a By-law would require the use of a consultant, the purchase of equipment, maintenance costs, training and may be difficult for the public, courts or hearing officers to understand.

The County of Brant may benefit from modernizing the current By-law. Staff are in support of continuing to incorporate a nuisance-based approach that prioritizes community impact over strict numerical thresholds.

A review of our current Noise By-law is scheduled to be conducted before the end of 2026 where further analysis will be undertaken. Staff may utilize public consultation and conduct an environmental scan of similar municipalities to determine where improvements can be made.

Attachments

N/A

Reviewed By

Cindy Stevenson – General Manager Emergency and Protection Services Department
Greg Bergeron – Director of Enforcement and Regulatory Services

Copied To

Alison Newton – CAO

By-law and/or Agreement

By-law Required	No
Agreement(s) or other documents to be signed by Mayor and /or Clerk	No