



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2023

To Amend Public Nuisance By-law 136-2018 – Introduction of Decibel Sound Limits

WHEREAS section 128 of the Municipal Act, 2001, provides that, without limiting sections 9 and 11, a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS Council deems it appropriate to prohibit or regulate matters that are, or could become or cause public nuisances, including excessive noise in excess of acceptable sound limits;

AND WHEREAS Council passed Resolution _____ to amend Public Nuisance By-law 136-2018, as amended, to introduce decibel sound limits into the by-law for enforcement purposes;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. By-law 136-2018, as amended, is further amended by adding the following definitions, in alphabetical order, to section 1 under PART I – DEFINITIONS:

“dBA” means the A-weighted sound pressure level;

“Police Officer” means a chief of police or any other police officer, including a person who is appointed as a police officer under the Interprovincial Policing Act, 2009, but does not include a special constable, a First Nations Constable, a municipal law enforcement officer or an auxiliary member of a police force;

2. By-law 136-2018, as amended, is further amended by adding to the definition for “Public Nuisance” in section 1 under PART I – DEFINITIONS, the following:

(gg) Refuse to provide for inspection a motor vehicle owned or operated by that person to any police officer duly authorized to enforce this by-law.

(hh) Operate any motor vehicle on a highway if the motor vehicle is emitting a sound from the exhaust outlet exceeding 92 dBA as measured by means of a Sound Level Meter, while the engine is at idle.

3. By-law 136-2018, as amended, is further amended by deleting sections 9 and 10 under PART IV – ENFORCEMENT AND INSPECTION, and replacing with the following:
- “9. For the purposes of conducting an inspection pursuant to this By-law, an Officer may:
- (1) require the production for inspection of documents or things relevant to the inspection;
 - (2) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (3) require information from any person concerning a matter related to the inspection; and
 - (4) alone, or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 9A. For the purposes of conducting a motor vehicle inspection to measure the sound from the exhaust system pursuant to this by-law, a police officer may alone or in conjunction with a person possessing special or expert knowledge conduct any reasonable tests including measuring sound loudness levels to determine the dBA levels of such motor vehicle.
10. No Person shall prevent, hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under this By-law, including refusing to identify themselves when requested to do so by an Officer.
- 10A No person shall fail to comply with any police officer’s instructions or refuse to provide for inspection a motor vehicle owned or operated by that person to any police officer duly authorized to enforce this by-law.”

ENACTED and PASSED this 31st day of July, 2023.

Approved as to
form.
20__/_/month/day
[insert name]

Patrick Brown, Mayor

Approved as to
content.
2023/07/18
P. Fay

Peter Fay, City Clerk