

ENHANCED VEHICLE NOISE ENFORCEMENT - OPTIONS AND IMPLEMENTATION PLAN

RECOMMENDATION

That the November 21, 2022, Community Services report CS01456, be received for information.

Requested Council Action	Information only		
ConnectEdmonton's Guiding Principle	ConnectEdmonton Strategic Goals		
CONNECTED This unifies our work as we achieve our strategic goals.	Healthy City		
City Plan Values	LIVE		
City Plan Big City Move(s)	Inclusive and Compassionate	Relationship to Council's Strategic Priorities	Community safety and well-being
Corporate Business Plan	Serving Edmontonians		
Council Policy, Program or Project Relationships	<ul style="list-style-type: none"> ● C590 - Community Traffic Management ● C573A - Complete Streets ● Vision Zero ● Safe Mobility Strategy ● Complete Streets Design and Construction Standard (September 2018) ● Community Standards Bylaw 14600 ● Traffic Safety Act and Regulations ● Project TENSOR 		
Related Council Discussions	<ul style="list-style-type: none"> ● CR_4772, Community and Public Services Committee, April 4, 2018 ● CR_5895, Community and Public Services Committee, May 29, 2019 ● CR_7275, Community and Public Services Committee, February 17, 2021 ● CS01091, Community and Public Services Committee, August 22, 2022 ● UPE00228, Urban Planning Committee, August 23, 2022 		

ENHANCED VEHICLE NOISE ENFORCEMENT - OPTIONS AND IMPLEMENTATION PLAN

Previous Council/Committee Action

At the August 22, 2022, Community and Public Services Committee, the following motion passed:

That Administration provide a report to Committee outlining options and an implementation plan for enhanced vehicle noise enforcement, including fine amounts, budget requirements, potential funding options, and a plan for enhanced deployment starting in second quarter 2023.

Executive Summary

- Administration reviewed existing legislation and penalties both at a provincial level and within the context of City bylaws for vehicle noise enforcement.
- Options including enhanced excessive vehicle noise enforcement have been explored.
- Support services and additional resources are necessary to create consistent deployment and meaningful change.
- Administration proposes a bylaw amendment to create a new offence and penalty specific to vehicle noise.
- Year-round enhanced deployment options are offered to reduce the impacts of excessive vehicle noise on communities while creating meaningful deterrence via a revised regulatory framework.

REPORT

Excessive vehicle noise has an impact on Edmontonians and visitors to the city and is contrary to the safe, vibrant, clean and healthy communities envisioned in The City Plan. Since 2019, Administration's peace officers have taken a more active role in the enforcement of excessive passenger vehicle noise offences, with the Edmonton Police Service as lead on overall enforcement efforts. While targeted enforcement has increased substantially, and joint partnerships are ongoing with the Edmonton Police Service, the issue persists.

Bylaw amendments - Fine Amounts

Municipal and provincial governments establish legislation within their respective jurisdictions and seek to implement penalties that will serve as sufficient deterrence. As it relates to excessive noise emanating from passenger cars and trucks, the City of Edmonton does not currently have a bylaw that addresses these behaviours. Peace officers currently enforce these infractions via the *Traffic Safety Act* and its *Regulations*. Noise related infraction fine amounts under the *Act* are set at \$162. As mentioned in the August 22, 2022 Community and Public Services Committee report (CS01091 - Fines and Penalties for Excess Vehicle Noise), Council has previously supported the following principles when establishing fine amounts:

- fines act as a sufficient deterrent, and
- fine amounts reflect the severity of the offence.

Bylaw 14600 - Community Standards Bylaw currently regulates noise within the City of Edmonton. Enforcement provisions within the bylaw regulate noise such as motorcycle noise, engine

ENHANCED VEHICLE NOISE ENFORCEMENT - OPTIONS AND IMPLEMENTATION PLAN

retarder brake noise, any noise that disturbs the peace and enjoyment of property, along with construction-related noise. Fine amounts range from \$250 to \$500 for the first offence and any subsequent offences can be doubled.

To add an additional enforcement tool for vehicle noise, if directed by Council, Administration could duplicate the provincial offence and set the minimum fine at \$500 in the City's bylaw. This proposed fine amount is in line with similar noise violations, including construction noise, which impacts livability in Edmonton, seeks to establish a meaningful deterrent, provides a discretionary option to enforcement officers and represents a substantial increase in comparison to the offences listed in the *Traffic Safety Act*.

Enforcement Capacity and Options

The following are options for consideration as they relate to enhanced vehicle noise enforcement:

Option 1: Status Quo

Excessive vehicle noise emanating from passenger vehicles was adopted into the mandate of peace officers and existing resourcing in 2021, resulting in 708 vehicle noise violation tickets being issued that year. This level of enforcement was accomplished using tactics such as traffic stops, static operations and joint projects with the Edmonton Police Service such as Project TENSOR, a project designed specifically for Traffic Enforcement, Noise/Speed Offence Reduction.

The City of Edmonton has approximately 20 general duty peace officers who address and enforce excessive vehicle noise as part of their regular enforcement mandate. Deployment and commitment to this file will continue to reflect what has been accomplished to date.

Option 2 - Additional Resources

The creation of two dedicated, five-person teams would mirror similar models for the commercial vehicle and vehicle for hire units. These teams are solely responsible for enforcement related services within their respective industries. The creation of a vehicle noise enforcement unit would be composed of eight peace officers and two sergeants dedicated to excessive vehicle noise enforcement. Having two dedicated teams would allow for coverage seven days a week and up to 88 hours of enforcement coverage every week.

Additionally, this option would allow for extended coverage during the early morning hours and would be nimble enough to shift quickly based on complaint trends. The current model does not have the capacity to adjust quickly to complaint trends. With an increase in enforcement complement, the goal would be to reduce the impact excessive or objectionable vehicle noise has on Edmontonians and visitors.

Cost Driver	Annual Total	Total (2023-2026)
Peace Officers (8 full-time employees)	\$951,224	\$3,804,896
Peace Officer Sergeants (2 full-time employees)	\$247,616	\$990,464
Dispatchers (2 full-time employees)	\$176,760	\$707,040

ENHANCED VEHICLE NOISE ENFORCEMENT - OPTIONS AND IMPLEMENTATION PLAN

Vehicles (5)	\$203,000	\$812,000
Overall Total	\$1,578,600	\$6,314,400

**Cost includes full costing - personnel, uniforms, radios, body armour, training, etc*

***Vehicle costing includes outfitting and maintenance for leased vehicles*

Enhanced Deployment

The current service level expectation for excess vehicle noise is one of many enforcement functions that peace officers perform on a daily basis. Administration has developed in-house training, governance and deployment plans for vehicle noise.

Any enhancement and dedicated enforcement resources provided would create further efficiencies including:

- scheduling and deployment of resources to target impact areas,
- an increase in stationary enforcement operations (a fixed location at a predetermined date and time whereby enforcement officers wave in/direct vehicles for inspection),
- standardization of reinspection processes, and
- joint efforts with Edmonton Police Service and other established regional enforcement partnerships.

Any growth and/or enhanced deployment for vehicle noise would take place in Q3 2023. Existing operations and service levels would be maintained during the interim.

Budget/Financial Implications

The following requirements have been identified to support the implementation of each of the options listed above, should Council choose to direct Administration to bring forward an unfunded service package to 2023-2026 budget deliberations:

Creation of two dedicated full-time teams would require eight Peace Officers, two Peace Officer Sergeants, two dispatchers and five vehicles as per the table above. The total annual cost would be approximately \$1,578,600.

COMMUNITY INSIGHT

While formal engagement regarding vehicle noise has not been conducted recently, Administration and the Edmonton Police Service continue to receive complaints from those affected by vehicle noise. Increased enforcement requests are a common theme.

Based on complaint data, there has been an increase in vehicle noise complaints reported to both Administration and the Edmonton Police Service, reported at the August 22, 2022 Community and Public Services meeting (CS01091 Fines and Penalties for Excess Vehicle Noise).

Year	Total Complaints
2019	150
2020	770

ENHANCED VEHICLE NOISE ENFORCEMENT - OPTIONS AND IMPLEMENTATION PLAN

2021	1,028
2022 (YTD - June 21, 2022)	399

Complaints about the effects of excessive vehicle noise continue to have the following themes:

- not being able to sleep,
- increased stress levels,
- hot spots,
- equipment used to make the noise, usually performance exhaust systems,
- lack of visible enforcement efforts,
- perception that enforcement is only during daytime hours,
- current penalties do not serve as a sufficient deterrent, and
- behaviour of drivers, including speeding and revving engines.

At the time this matter was previously discussed at Committee, Administration gathered website use data from edmonton.ca. The following insights (previously provided to Council as a memorandum) can be provided when looking at the web statistics from the noise page (edmonton.ca/noise):

- The traffic to this page is seasonal in nature. Traffic on the page increases from April to September each year.
- Visits to noise-related content on edmonton.ca accounts for 0.22 per cent of overall website traffic (2019-2022).
- Website traffic to the noise page can spike in response to things like major events, such as outdoor concerts, or community traffic impacts such as the Freedom Convoys. These types of correlations are not identified or tracked in an ongoing way and are not strong determinants for decision making.
- From April to September, the noise page is among the top 10 pages visited in the City Government section. For the remainder of the year, it ranks among the top 100 pages of the City's 3,600+/- webpages.

Each webpage on edmonton.ca provides users the option to submit feedback. Reviewing feedback received over the period when traffic is highest on the noise bylaw page, the majority of feedback is related to loud music and neighbour noise. Also high on that list, is noise related to construction.

Although web traffic over a specific period of time or over a number of years can provide interesting information, without additional context or analysis it may not provide sufficient insight to draw clear conclusions.

GBA+

Those who live, work and play near vehicle noise hot spots are disproportionately impacted by the actions of others who choose to purchase, modify or not maintain and still drive their vehicles,

ENHANCED VEHICLE NOISE ENFORCEMENT - OPTIONS AND IMPLEMENTATION PLAN

resulting in excess vehicle noise. This continues to impact Edmontonians living and working in these areas as they may not be able to change residence or their place of employment.

Vehicle maintenance affordability is a consideration as income and time disparities exist for those who have vehicles that cause excessive noise. In such circumstances, enforcement discretion is applied. There are three different types of vehicle users that enforcement officers encounter:

- those who purchase stock vehicles with equipment that generates excessive noise and drive them in an objectionable manner,
- those who modify the vehicle to create excessive noise, and
- those who do not maintain the vehicle due to a wide variety of reasons, resulting in excessive noise.

The impacts to both drivers and those experiencing noise external to the vehicle are short and long-term, with significant impacts during the spring and summer months and occasionally into fall. Furthermore, complaint trends indicate that those living in central Edmonton are disproportionately affected by excessive vehicle noise. Ultimately, careless use of motor vehicles causing excessive noise appears to impact Edmontonians throughout the City of Edmonton and on a regional level.