

November 24, 2014

To: His Worship the Mayor
and Members of City Council

Please accept the following brief with respect to proposed changes to the Regina Noise Abatement Bylaw No.6980.

INTRODUCTION

I commend the City of Regina for looking into and attempting to modernize a number of their bylaws, in this instance *The Regina Noise Abatement Bylaw No. 6980*. However, I do not believe the changes as proposed go far enough to give the individuals attempting to enforce the tools the need to do the job both effectively and financially efficiently.

BACKGROUND

I have been living in the Lakeview area for over seven years. During the first four years the neighboring property would have excessive music and or other noise such as yelling, parties, squealing tires, revving vehicles and/or other equipment on the property at all hours of the night at least twice a week. During this time we didn't report any noise violations as we were of the opinion that everyone is young once and things will change, unfortunately they haven't'.

For the past three years we have started calling the City when things would get out of hand, not every time we were woken up and/or disturbed, just when it became more than we could bare. I would estimate that we have called the City Police approximately thirty (30) times from my residence (although the police will not confirm the exact number) alone. Other neighbors called as well, so there has been numerous times in which two or more individuals have called in a complaint per incident.

There have been numerous instances where I can hear the police banging on the neighbors door, yelling at him to turn the music down with little to no effect.

I have spoken to police officers who have attended the neighboring property while excessively loud music was playing and the officers were told by the belligerent intoxicated individuals inside the residence to "take off". I was informed by these officers that the police have no authority to force open a personal dwelling when there is not an emergency or without a issued warrant, so there is little they can do and it's apparent the occupants of the house know this. This is not a corrective measure especially with a chronic noise violation situation.

Of all the noise violation reported only one ticket has been issued after a June 15, 2013, court with four neighbors in attendance April 9, 2014 ticket eventually thrown out July 16, 2014 thirteen months after the occurrence as the Justice of the Peace indicated that it couldn't be proven that the individual charge was responsible for the noise (i.e. didn't open the door).

DISCUSSION

Noise violation are one of the very lowest priority calls for the police and rightly so, often taking hours to respond to, in many cases the party has moved on to the bar when the police arrive only to start up again once the bar lets out. Depending on the number of individuals at the residence, it often involves two cars and four officers.

Currently it is costing the City of Regina thousands of dollars (police attending the scene, issuing a ticket, attending court along with four other people taking time off work to do so, a prosecutor, Justice, recorder etc.) to try and unproductively pursue a \$100 ticket. These are the numbers that tax payers need to see in order for the city to give the proper tools to the people who enforce the bylaws.

The system needs to be changed so that ultimately someone is held accountable when bylaws are flagrantly being violated.

City Bylaws are in place so that individual's can live in close proximity relatively amicably. The bylaw only works when individuals respect their neighbors and the law/authority. What is needed is a bylaw that addresses and quickly corrects the potential creation of a chronic violation.

RECOMENDATIONS

- 1) After hours city bylaw officers should respond to noise complaints, as they would have the flexibility to respond in a much shorter timeframe and contact the police only if needed. A bylaws officer could simply take a video with their phone, and have undisputable evidence of the violation.
- 2) Tickets should be issued to the owner of the property, and if not paid be added to the property taxes. This would ensure the fines are paid, and force the property owner and/or landlord to either deal with their tenants instead of the City or Police.
- 3) There has to be an escalation in the fines for chronic violators, this is standard in any other type of reoccurring infractions.

Trevor Linford