

**THE CORPORATION OF THE CITY OF ST. THOMAS**  
**MINUTES**  
**THE FIRST MEETING OF THE SPECIAL EVENTS COMMITTEE 2023**

**VIA MICROSOFT TEAMS**

**JANUARY 18TH, 2023**

3:30 p.m. The meeting convened with Councillor Clarke, Chair, presiding.

**ATTENDANCE**

**Members**

Councillor Gary Clarke, Chair  
Jeff Bray, Director of Parks, Recreation and Property Management  
John Cosby, St. Thomas Police Service  
David Gregory, Fire Chief  
Karen English, Purchasing Agent & Insurance Coordinator  
Paul Jenkins, Chamber of Commerce  
Sheila Rodaway, MAAC  
Simran Saini, Southwestern Public Health  
Earl Taylor, Chair, DDB

**Officials**

Matt Smale, Corporate Admin Clerk

**Absent**

Mayor Joe Preston, Alternate Chair  
Matt Byl, Supervisor of Property Management  
Angelo DiCicco, Chief Building Official  
Megan Pickersgill, Tourism Manager  
Martin Run, Booking Coordinator  
Matt Vriens, Manager, Roads & Transportation

**Guests**

Kyle Rolph  
Dawn Sutton

**DISCLOSURES OF INTEREST**

Nil.

**MINUTES**

Motion by S. Rodaway - K. English:

THAT: The minutes of the meeting held on November 2, 2022 be confirmed.

Carried.

**NEW BUSINESS**

**Coldest Night of the Year - February 25, 2023**

Motion by K. English - S. Rodaway:

THAT: The Special Events Committee supports the permit for the Coldest Night of the Year to be held on February 25, 2023; and further,

THAT: All other necessary requirements be fulfilled to the satisfaction of the Corporation of the City of St. Thomas.

Carried.

**Amplified Music at Pinafore Park - Appendix "A"**

The members requested additional information regarding the amount of the surety deposit charged by the City of London for its special events.

Motion by D. Gregory - K. English:

THAT: Report PD-58-23 be received for information

Carried.

CONFIRMED \_\_\_\_\_ CHAIRMAN

1st meeting - Special Events Committee - 2

Proposed Revisions to Special Events Manual

The Corporate Administrative Clerk advised that any members wishing to make additional changes to the Special Events Manual should submit them for inclusion in the manual.

The Corporate Administrative Clerk advised that the manual will include information about no smoking in City parks and requirements relating to food handling requested by Southwestern Public Health.

Music and Noise

Paul Jenkins advised that restrictions should be reasonable so as not to discourage music festival events and that input from music event organizers would be important to help define the term, reasonable.

The members discussed the need to coordinate with appropriate department heads regarding any changes that may require additional by-law staff support.

Garbage Cans and Picnic Tables

Earl Taylor advised that the request for garbage cans and picnic tables form was not readily available on the Special Events webpage and inquired about the charge listed in the manual to rent such items.

The Director of Parks, Recreation and Property Management advised that the \$5 per table/can fee was applicable when the items had to be transported and setup by staff.

Recycling/Organic Containers

The Corporate Administrative Clerk advised that recycling and organic containers could be requested from Environmental Services who would also arrange pick-up following the event. He added that event organizers would be responsible for ensuring that the materials were properly sorted.

The members directed that Special Events Manual revisions remain as unfinished business.

Canada Day

The members inquired whether a special event was being planned for Canada Day in 2023.

The Director of Parks, Recreation and Property Management advised that Canada Day festivities were being planned.

**UNFINISHED BUSINESS**

**ADJOURNMENT**

3:52 p.m. The meeting adjourned.



Report No.

PD-58-2022

File No.

**Directed to:** Special Events Committee

**Date Authored:** 12/19/2022

**Department:** Planning & Building Services Department

**Attachments**

**Prepared By:** Chris Peck, Chief Building Official

**Subject:** Request for Information regarding amplified music at Pinafore Park

**RECOMMENDATION:**

**THAT:** Report PD-58-2022 relating to amplified music at Pinafore Park be received for information.

**ORIGIN:**

The City and the Special Events Committee have received numerous complaints related to noise (amplified music) coming from Pinafore Park during events sanctioned by the Committee. The Committee has requested that the Special Events policies be investigated in relation to the City's Noise By-law.

**BACKGROUND:**

Special Events are an economic generator for the City and are desirable to Council. Music festivals have become more popular and the electronic amplification of bands playing at these events can impact neighbouring residential properties. A method of regulating and monitoring these festivals is necessary to balance these two opposing interests.

**NOISE BY-LAW ANALYSIS:**

The City of St. Thomas By-law 160-2020 is a by-law to control Noise within the City. The overriding directive of the Noise By-law is that no one shall cause Noise:

- 2.1 No Person shall emit Noise, or cause or permit the emission of Noise that is likely to disturb the inhabitants.*

The by-law goes on to define that anything within the limits of NPC-300 shall not be deemed Noise:

- 3.1 No Person shall cause or permit the emission of Noise from a stationary source such that the level of sound from that source at a Point of Reception located in a Residential Area exceeds the applicable sound level limit prescribed in Publication NPC-300 "Environmental Noise Guideline," as amended.*
- 4.3 Excepting those Noises specifically described in Section 2.2 of this By-law, any level of sound at a Point of Reception which is below the limit set out in a Technical Noise Control Publication published by the Ministry of the Environment, Conservation and Parks shall be deemed not to be noise for the purpose of this By-law.*

However NPC-300 does not speak to amplified music. The by-law does go on to limit the times of day that amplified music may be played. There is no decibel level applied to this permission, but Article 2.1 still applies:

- 3.3 No Person shall emit or permit the emission of Noise resulting from an act listed in Schedule "A" to this By-law if clearly audible at a Point of Reception located in any area of the Municipality within a time period when that Noise is prohibited in the area where the Point of Reception is located, as set out in Schedule "A" to this By-law.*

**Schedule A (line 2) ...**

ITEM	RESIDENTIAL AREA	BUSINESS AREA	OPEN SPACE AREA
<i>The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electromechanical transducers and intended for the production, reproduction, or amplification of sound.</i>	<i>At all times</i>	<i>11 pm – 7 am</i>	<i>11 pm – 7 am</i>

Article 3.3 would be the controlling clause to regulate amplified music in conformance with Article 2.1. However, in the case of events approved by the Special Events Committee, the exemptions section of the by-law goes on to exempt these events:

*4.5 Notwithstanding any provisions of this By-law, it shall be lawful to emit or cause or permit the emission of Noise in connection with a Special Event.*

Therefore any event approved by the Special Events Committee is not subject to the Noise By-law. This was purposely done so that special events, desirable to the Committee, might proceed unencumbered.

**ROCK THE PARK:**

Among other events, the City of London hosts a similar event to the type being contemplated herein, “Rock the Park.” As in St. Thomas, London also exempts Special Events from their Noise By-law and regulates these types of events through their Special Events Committee. London’s committee enters into an agreement with the promoter which sets the terms of noise generation and requires a deposit as a surety. By-law enforcement officers monitor the noise level (max 90 dB) at residential points of reception and report findings directly to the sound control booth that adjustments to sound levels may be made as required.

**STAFF RECOMMENDATION:**

It is recommended that the Special Events Committee add a section to the Special Events Manual regarding amplified music. It is further recommended that a draft agreement be developed which will address all of the issues, such as, but not limited to;

- Surety deposit
- Time of day permissions
- Maximum decibel levels at residential points of reception
- Fees to cover by-law enforcement forces and equipment
- Dynamic contact with sound control booth during the event

Further to this, discussions will be required with by-law enforcement as to their requirements in support of this venture.

Respectfully submitted,



Chris Peck  
Chief Building Official