



REPORT

TO: Mayor Lawlor and Members of Council

FROM: Heather Kaufmann, Community Development Supervisor –
Volunteer and Group Support

DATE: May 14, 2024

REPORT NO.: RP-2024-015

SUBJECT: Parks By-Law Exemption Request for Music in Georgetown
Fairgrounds

RECOMMENDATION:

THAT Report No. RP-2024-015, dated May 14, 2024 regarding the Parks By Law Exemption Request for Music in Georgetown Fairgrounds, be received;

AND FURTHER THAT the request for a Parks By-Law exemption for amplified sound during permitted times by the Halton Hills Minor Baseball Association and the Halton Hills Girls Fastpitch Association as outlined in Report No. RP-2024-015 be:

a) denied in accordance with the provisions of the Parks By-Law;

OR

b) be approved with a condition that any amplified sound or music comply with the decibel levels in the Noise By-law.

KEY POINTS:

The following are key points for consideration with respect to this report:

- The Town of Halton Hills Parks By-Law 2003-0065 and Noise By-Law 2010-0030 provide the regulatory framework governing amplified sound in parks and noise levels in the community.
- The Town received complaints from surrounding residents regarding the use of music and amplified sound by groups using the baseball diamonds at the

Georgetown Fairgrounds, resulting in the Town enforcing the provisions of the Parks By-Law regarding amplified sound.

- The Halton Hills Minor Baseball Association and the Halton Hawks Girls Fastpitch Association have formally requested an amplified music exemption for their youth baseball leagues at the Georgetown Fairgrounds.
- Granting this exemption could set a precedent for other sports organizations to request similar allowances, potentially leading to amplified music becoming a more common feature in neighboring parks or lead to increased complaints about the current use of amplified sound in parks.

BACKGROUND AND DISCUSSION:

Town staff have received complaints from two residents whose properties border the Georgetown Fairgrounds, citing various disturbances stemming from activities from organized sports associations in the park. These concerns encompass excessive noise from the baseball organizations, including human voices, music, events, and a perceived lack of supervision of children frequenting the park.

Recently, complaints have been received regarding the playing of music during baseball games, primarily occurring between 5:30 p.m. and 8:00 p.m. on weekdays and intermittently on weekends. The groups primarily involved in these activities include the Halton Hawks Girls Fastpitch Association and Halton Hills Minor Baseball Association.

In response, Town staff have been actively engaged in discussions with the park users to address these concerns. Efforts have included enforcing the prohibition of amplified music, as mandated by the Parks By-Law. Additionally, the President of the Halton Hills Minor Baseball Association has shown a willingness to collaborate with concerned neighbours to find mutually acceptable solutions.

Previous measures to mitigate noise disturbances, such as relocating the Georgetown Ribfest, have been implemented. Both Georgetown Highland Games and the Georgetown Fall Fair have [noise exemptions](#) for their events. Despite these actions, concerns persist, leading to discussions regarding compliance with the noise and parks by-laws for organized regular sports activities in the Georgetown Fairgrounds.

The Town of Halton Hills [Parks By-law 2013-0062](#) prohibits amplified sound as per Part IV Section 9(j) which states:

While in a Park, no Person shall;
operate or use any apparatus, mechanism, or device for the amplification of the human voice, music or sound, in a manner that disturbs, or is likely to disturb other Persons, unless authorized by Council or by Permit;

The Parks By-law provides an option for amplified sound or music to be used if approved through a Permit or approved by Council.

The Town of Halton Hills [Noise By-law 2010-0030](#) regulates amplified sound in both the qualitative and quantitative sections of the by-law.

Part 2 Qualitative: Prohibitions by Time and Place

Part 2, Section 4 states noise from the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers intended for the production, reproduction, or amplification of sound other than from an outdoor patio or in an open-air area of a restaurant, bar, tavern, pub, café, or similar establishment **is prohibited in a residential area between the hours of 11:00 p.m. and 9:00 a.m. the following day.**

Part 3 Quantitative: Regulating Noise with the Use of Sound Levels

Part 3, Section 3.5 – Limitation on Exterior Sound Levels due to a sound reproduction device states that: **No Person shall operate or cause to be operated or used any Sound reproduction device, the Noise from which Sound reproduction device has Sound levels greater than the following scheduled levels specified in Table 6** (below) when measured outside of the business, dwelling house, apartment house, hotel or other residence inside the Property of another Person.

	Maximum Leq Sound Level in any Consecutive 20 Minutes	
Time of Day	Leq 20 minutes in dBA	Leq 20 minutes in dB
0700 – 1700 Weekdays & Saturdays	55 dBA	63 dB
0900 – 1700 Sundays and Statutory Holidays	55 dBA	63 dB
1700 – 2400 All days	50 dBA	50 dB
2400 – 0700 Weekdays and Saturdays	Not Clearly Audible (must use qualitative provisions of this Noise By-law)	
2400 – 0900 Sundays and Statutory Holidays	Not Clearly Audible (must use qualitative provisions of this Noise By-law)	

The Halton Hills Minor Baseball Association and the Halton Hawks Girls Fastpitch Association have formally requested an amplified music exemption to be added to their permits for the diamonds at the Georgetown Fairgrounds, where their youth baseball leagues are held. Both organizations have permits each day of the week between 6:00 p.m. and 11:00 p.m. They seek permission to incorporate walk-up music into their games, involving brief clips of songs as players approach the batting position. These clips, lasting approximately 10 seconds each, are intended to energize players and create an engaging atmosphere. The organizations are committed to ensuring that the music played is appropriate and free of profanity or explicit content. They propose establishing a committee to oversee compliance with permitted music selections. The request emphasizes that the modest use of amplified music will enhance the overall atmosphere of the games without causing disruption to the surrounding community. Please see the request letter in Appendix A.

This report presents two options for Council's consideration: denying the exemption; or granting it with conditions, such as adherence to specified decibel levels, both of which are contemplated in the Parks By-law.

Town staff note the following observations regarding the options:

- If an exemption is granted, other groups such as soccer, lacrosse, and football may request the same exemption, considering many of these activities occur in neighborhood parks with residents backing onto the facilities.
- This exemption request is specific to the Georgetown Fairgrounds since complaints have been received at this park facility. Staff are aware that amplified sound is played in other park areas, given the widespread availability of portable music devices.
- Enforcement of any option would prove challenging given the typical working hours of Enforcement Staff and the complaint-based nature of enforcement. Unlike special events, which occur only once a year and require specific approvals for music, the proposed walk-up music would be a daily occurrence during games.
- With seven diamonds at the Georgetown Fairgrounds, relocating these sports organizations would present logistical challenges if this was a desired solution.

In light of the above, staff have outlined two options for Council to consider, in order to address this situation:

- 1) Granting a Parks By-Law exemption for music to be played during permitted times, while considering the concerns of neighbours backing onto the park. This approach would emphasize the balance between community recreational needs and enjoyment of neighbouring properties. It is important to ensure a fair and transparent process to consider the concerns from all parties involved. If an exemption is granted, staff recommend that the maximum sound levels contained within the Noise By-law be set as the maximum level for any amplified sound or music allowed under an exemption/permit to the Parks By-law (50dB to 63dB).
- 2) Enforcing the current provisions of the Parks By-law (no amplified sound is permitted). The baseball groups using the Georgetown Fairgrounds would be informed that no amplified sound or music is permitted for daily use.

Enforcement of any matters pertaining to the use of amplified sound or music in parks would continue to be enforced on a complaint basis only (i.e. staff would not proactively attend all park locations to enforce the existing provisions of the Parks By-law).

STRATEGIC PLAN ALIGNMENT:

This report identifies a safe and welcoming community as one of the Town's Strategic priorities.

RELATIONSHIP TO CLIMATE CHANGE:

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

PUBLIC ENGAGEMENT:

Public Engagement has been conducted as follows: email and phone consultation with neighbours of the Georgetown Fairgrounds and both baseball associations. Public Notice was issued on the Town's website and via Halton Hills Today. The current Parks by-law does not specify or require public notice.

INTERNAL CONSULTATION:

Staff have consulted with Parks & Open Space and Enforcement staff in regard to the Parks and Noise By-Laws.

FINANCIAL IMPLICATIONS:

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Damian Szybalski, Commissioner of Community Services

Chris Mills, Chief Administrative Officer