


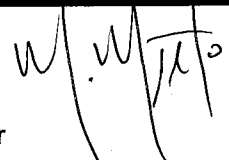
Request for Decision City Council



Type of Decision									
Meeting Date	June 7, 2007				Report Date	June 13, 2007			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
<p align="center">ELECTRONIC MAIL POLL - NOISE BY-LAW EXEMPTION K. J. BEAMISH AND INTERPAVING LIMITED - NIGHT PAVING - FALCONBRIDGE AND LASALLE INTERSECTION</p>

Budget Impact / Policy Implication	Recommendation
<p>This report has been reviewed by the Finance Division and the funding source has been identified.</p> <p><u>POLICY IMPLICATIONS</u></p> <p>This telephone/electronic mail poll was conducted in accordance with Article 31 of Procedure By-law 2006-100.</p> <p>The request for noise exemption is in accordance with Chapter 776 of the former City of Sudbury Municipal Code (Noise).</p> <p><u>BUDGET IMPACT</u></p> <p>There is no financial impact associated with this Request for Decision.</p>	<p>That this Council has no objection to the granting of relief to Chapter 776 of the former City of Sudbury Municipal Code (Noise) to K. J. Beamish and Interpaving Limited to carry out construction activity at the Falconbridge Road and Lasalle Boulevard intersection on the following dates and times:</p> <ul style="list-style-type: none"> - Sunday, June 10th, 2007 - 5 a.m. to 7 a.m. - Monday, June 11 and Tuesday, June 12, 2007 - 9 p.m. to 7 a.m. <p>That a public service announcement to advise the public of the proposed activities be issued by staff;</p> <p>That K. J. Beamish and Interpaving Limited provide written notification to the area residents in the immediate vicinity and provide the City Clerk with a copy of said notification.</p>
<p><input checked="" type="checkbox"/> Background Attached</p>	<p><input checked="" type="checkbox"/> Recommendation Continued</p>

Recommended by the Department	Recommended by the C.A.O.
 Caroline Hallsworth Executive Director, Administrative Services	 Mark Mieto Chief Administrative Officer

Date: June 7, 2007

Report Prepared By	Division Review
<p>Angie Haché City Clerk</p> <p><i>A. Haché</i></p>	

BACKGROUND

The City Clerk's Office received a request from Greg Clausen, City Engineer on behalf of J. K. Beamish and Interpaving Limited for an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise) to carry out night paving at the Falconbridge Road and Lasalle Boulevard intersection on the following dates:

Wednesday, June 6th and Thursday, June 7th, 2007 from 9 p.m. to 6 a.m.
Sunday, June 10th, 2007 from 5 a.m. to 7 a.m.

A electronic poll was authorized by the Chief Administrative Officer in accordance with the policies set out in Council's Procedure By-law.

This poll was conducted of Members of Council during on Friday, June 1, 2007 with the following motion being presented:

"That this Council has no objection to the granting of relief to Chapter 776 of the former City of Sudbury Municipal Code (Noise) to K. J. Beamish and Interpaving Limited to carry out construction activity at the Falconbridge Road and Lasalle Boulevard intersection on the following dates and times:

***Wednesday, June 6th and Thursday, June 7th, 2007 - 9 p.m. to 6 a.m.
Sunday, June 10th, 2007 - 5 a.m. to 7 a.m.***

That a public service announcement to advise the public of the proposed activities be issued by staff;

That K. J. Beamish and Interpaving Limited provide written notification to the area residents in the immediate vicinity and provide the City Clerk with a copy of said notification."

Date: June 7, 2007

Councillors Cimino, Barbeau, Berthiaume, Dupuis, Rivest, Thompson, Callaghan, Craig, Caldarelli, Gasparini and Landry-Altmann responded favourably regarding the motion.

On Thursday, June 7, 2007, a further request from K. J. Beamish and Interpaving Limited was received advising that due to the Beamish plant having problems and inclement weather, they would not be night paving on June 6th or 7th, 2007. The night paving is now planned to take place on the evenings of Monday, June 11th, 2007 and Tuesday, June 12th, 2007 between the hours of 9 p.m. and 7 a.m. They are still planning to pave during the night of Sunday, June 10th, 2007 between 5 a.m and 5 p.m. Their request is contingent on weather conditions. K. J. Beamish and Interpaving Limited are requesting an exemption to the noise by-law in order to pave at night to minimize major inconveniences to the public.

By-law 2007-259, authorizes the City Clerk to grant routine exemptions to the Noise By-law. As Members of Council by e-mail poll approved night paving for the evenings of June 6 and 7th, 2007, the construction companies subsequent request was granted and the recommendation contained in this report appears on the Agenda for formal ratification by Council in accordance with the Rules of Procedure By-law 2006-100.