

**From:** [Rebecca V.D.](#)  
**To:** [Town](#)  
**Subject:** Mayor and Members of Council  
**Date:** Thursday, December 6, 2018 8:38:28 AM

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Dear Mayor and Members of Council of the Town of Fort Frances,  
Dec 6<sup>th</sup>, 2018

I would like to respectfully request that By-Law No. 48/97 enforced under the Provincial Offences Act be re-evaluated. The Anti-Noise By-Law is enforced twenty-four hours a day, seven days a week. It specifically address musical instruments in 3. a) It also says that any device or instrument played or operated at such volume as to annoy or disturb the peace, quiet, comfort or repose of any individual. These are deemed to be unusual noises.

I would like to see this be re-evaluated as I feel the law is draconian and possibly discriminatory against musicians. There is no reasonable time frame given for practicing an instrument where it acoustically carries sound. It also does not specify what noise decibel level would constitute disturbing the peace. Instead it's left to the discretion of neighbors and/or the by-law officer.

I realize that there are musicians who not will respect others around them and not try their best to contain the noise and find a decent time that works for the neighbors and themselves; just as there are musicians that will do their best to be respectful and follow the laws. I, also, realize that some neighbors will be willing to work with each other and some will not. A happy medium between these two opposites would be wonderful to see.

I believe music to be very important to the community as a whole, as well as very important to individuals. I would like to live in a community that includes and considers musicians. We have very few events where local professional and amateur musicians can play for each other and the community. The Rainy Lake Square has added huge opportunities for such activities and it is very much appreciated. However, if musicians can not practice with any level of sound for fear of committing a offensive act, we will quickly have no more local musicians. Sound is a necessary part of musical instruments.

I would like to see a time frame where a person can practice their instrument, during reasonable hours, with a reasonable decibel level be included in this by-law. I, personally, believe something between the hours of 2 pm and 8pm Sunday to Thursday and 2pm to 10pm Friday and Saturdays to be a happy medium. Children tend to have bedtimes around 8 for school. Shift workers sleep during the day and need to be able to get their rest undisturbed. Most people sleep between the hours of 10pm and 8am. Also, if there is a concern about daily never ending practice, could the law not specify the noise can not go longer than two consecutive hours or every second day? Or something along those lines to address such issues. That is my reasoning anyways.

My concern about leaving the tolerable noise levels to each individual has many sides. One: this can

be heavily abused by someone holding a grudge or someone who simply has zero tolerance for music. Two: a musician has no way of knowing each neighbors individual tolerance levels without finding out the hard way with police or by-law officers being called in. If one neighbor complains no matter the noise levels or times, the musician is left with zero options. If this is a professional musician, the lack of ability to play with sound could greatly impact their ability to continue to produce an income from their skill.

I am bringing this to your attention today, because I just learned of the extreme extent that our Anti-Noise By-Law covers yesterday. I am buying a drum set this coming weekend. I went to the town to ensure that I am complying with our laws. I was so shocked and disturbed by it, that here I am writing to all of you.

I will be speaking to all my neighbors, giving them my number and will do my utmost best to not disturb them. I will also be buying a mute set for the drums and a rug for underneath. However, I have been told that I can not play silent all the time. I must have some sessions with noise. I am learning to drum due to a stroke I suffered from two years ago. I have discovered that drumming (specifically) helps stroke survivors immensely. Hence, I am going to be a beginner. I would really like to have clear cut decibel levels to adhere to instead of it being based off the whims of another. I would also like to feel that musicians, whether beginners or professionals, are welcomed in our community. Our Anti-Noise By-Law has the exact opposite effect.

Thank you for your time and consideration. I look forward to hearing from all of you concerning this matter.

Respectfully,

Rebecca Van Drunen  
Fort Frances Resident