

Model Noise Bylaw for Audible Bird Scare Devices in South Coastal British Columbiaⁱ

1. Definitionsⁱⁱ

In this Bylaw, unless the context otherwise requires:

**Category ‘A’ bird
scare device**

shall mean a stationary bird scare device that creates an impulse sound. Impulse sound is from impacts or explosions. Propane fueled exploders or cannons are examples of Category ‘A’ devices. Firearms and shell launchers such as orchard pistols are not included.

**Category ‘B’ bird
scare device**

shall mean a bird scare device that is any other stationary device, not in Category ‘A’, which generates sounds to scare or disturb birds. Examples are devices that broadcast birdcalls or other sounds through loudspeakers. Firearms and shell launchers are not included.

Activation

shall mean multiple shots from an audible bird scare devices are considered as one activation if they occur in less than a 30-second period.

2. Noisemakers for crop protection:

1. The use of audible bird scare devices for crop protection is not permitted unless:
 - 1.1 The device is only operated from:
 - 1.1.1 6:30 a.m. to 8:00 p.m. or
 - 1.1.2 Sunrise to sunset.Whichever is of lesser duration;
 - 1.2 A maximum of one audible bird scare devices per two hectares of cropland is operated at any one time;
 - 1.3 The device is relocated every four days;
 - 1.4 The device is used a part of a bird predation management plan which includes monitoring of bird activity and crop damage, strategies to minimize device use and bird habituation to devices, and device maintenance and strategies to minimize the impact of device malfunction.
 - 1.5 Audible bird devices are registered with [name of local government] with the contact information of the person responsible (optional)

2. In addition to subsection 1, Category ‘A’ bird scare devices are not permitted unless:
 - 2.1 The device has a maximum firing frequency of one firing per 5 minutes for single shot devices and a maximum of 11 activations or 33 shots in any hour for a multiple-shot device;
 - 2.2 The device is located a minimum of 200 metres from all adjacent dwelling units as defined in the “[local government zoning bylaw reference]”. Where written permission from the owner of an adjacent dwelling unit is obtained, the separation distance is waived.
 - 2.3 Do not operate the device between noon and 3:00 p.m.
3. In addition to subsection 1, Category ‘B’ bird scare devices are not permitted unless:
 - 3.1 The device is located a minimum of 100 metres from all adjacent dwelling units as defined in the “[local government zoning bylaw reference]”. Where written permission from the owner of an adjacent dwelling unit is obtained, the separation distance is waived.
4. In addition to subsection 1, shell launchers or orchard pistols must not be used within 200 metres from all adjacent dwelling units as defined in the “[local government zoning bylaw reference]”. Where written permission from the owner of an adjacent dwelling unit is obtained, the separation distance is waived. Shell launchers must not be pointed in the direction of adjacent dwelling units. Notwithstanding the above, ‘bear bangers’ are not permitted for use as bird scare devices.

ⁱ The Model Bylaw is based on the BCFIRB 2009 [Report](#) titled “Review of the Use and Regulation of Propane Cannons in the South Coastal Region” and the Ministry’s Farm Practice [factsheet](#) “South Coastal BC Wildlife Damage Control”.

ⁱⁱ The definitions are drawn or adapted from the *Farm Practices Protection (Right to Farm) Act*. “Guide for Bylaw Development in Farming Areas”, *BC Assessment Act*, and various existing local government bylaws.