

Hamilton Music Industry Working Committee* Response & Recommendations Re: Music on Patios Report

The Big Picture

Rules and regulations surrounding live music in public and private spaces have a direct impact on a city's ability to maintain and enhance its positioning and image as a city of music. More broadly; increasing and supporting opportunities for live music city assist with Corporate Priorities of:

- economic prosperity and growth;
- built environment and infrastructure;
- culture and diversity and

Goals within the city's Economic Development Action Plan of:

- vibrant commercial and cultural districts and places; and
- thriving entrepreneurship and innovation.

And increased and more flexible opportunities for live music support all four of the Goals of the city's Music Strategy:

1. Strengthen the local music industry
2. Grow audiences and appreciation of music
3. Increase access to music experiences
4. Cultivate music creation and talent

Music & Economic Development: How Does Live Music on Patios Support Economic Prosperity in a City?

- Artists/musicians are entrepreneurs and are at the centre of the music economy; increasing opportunities assists with their ability to be successful.
- All rules and regulations that impact businesses affect opportunities for growth, retention and attraction.
- Certain industries, music being one of them, are highly visible in establishing a city's identity and reputation – a vibrant city helps attract and retain a wide variety of businesses, investment and residents.
- While, artists and creative industries are often known for leading change and innovation our recommendations are intended to seek a balance between supporting artists and respecting residents as well as city enforcement resources AND we recognize that changes take time and respectful negotiations.

Recommendation 1:

Focus on Live versus Recorded Music or Broadcasts

The pilot should only allow live music (artists) on patios as this offers the most direct economic benefit and support of entrepreneur musicians as these musicians would be receiving payment from the venues as well as additional opportunities to reach and expand their audience. Turning on or up a radio or tv has far fewer local economic benefits.

From a social or community development perspective having people as opposed to technology deliver music or sound brings people together increasing engagement and sense of community.

**Recommendation 2:
Increase the dBA from 60 to a minimum of 70dBA**

As indicated in the staff report normal conversations register at 60 dBA and traffic at 70 dBA. These common and competing noise levels help to put in perspective that the proposed noise limits are quite low. In recognizing that this is a pilot if we maintain the 60 dBA level as is the Noise By-law we aren't really testing a new threshold. In addition, other Canadian cities such as Toronto and London are moving towards increasing and testing their allowable dBA we'd like Hamilton musicians to have equal opportunity in their own city.

**Recommendation 3:
Request a Second Expert Opinion on How we Measure Sound & Level of Sound**

The 60 dBA was chosen following preliminary discussion with an acoustical consultant for this report and staff recommendation. The MIWC is requesting a second opinion and/or additional and future consultation with the music industry regarding sound measurements and ways to ensure venues adhere to the agreed upon sound levels. Artists and music businesses recognize that they are members of this community and have a responsibility to maintaining a positive environment for all residents.

**Recommendation 4:
Consistent Tool for City and Venues/Patio Operators to Measure Sound**

Establish one consistent and standardized tool for measuring sound. Having By-law and venues/patio operators using the same/standardized sound measuring equipment will assist in having the city and businesses on the same page. By using the same tool it will create an agreement in noise levels and can reduce the overall number of noise complaints, by clearly demonstrating legal boundaries to both residents and businesses.

The cost/purchase of the standardized measurement tool would be the responsibility of the venue/patio operator or could become part of the increased fee for a permit.

**Recommendation 5:
Pilot/testing connected to addresses or BIAs as opposed to larger city-wide areas**

In order to get a better understanding of the potential issues and successes can the city place, for the purposes of the pilot, not place a cap or limit on the number of live music on patio permit it issues to help manage by-law resources and neighbourhood responses. Just as the city's Pop Up Patio initiative was done in a cautious and manageable way with BIAs and City Improvement Areas; can we not take a similar approach?

Final Thoughts

Courageous Change: Innovation, creativity and risk taking.

The MIWC especially endorses the city's cultural pillar of Courageous Change as this is the environment that the music industry and all Creative Industries work within. The Music Industry Working Committee recognizes that some of these recommendations may be seen as risky. We understand there are potential/perceived risks when making any changes that may affect residents. We believe our recommendations strike a balance between managing residents' concerns about noise levels with the benefits of developing an even more vibrant city and supporting the music economy of artists and venues.

The Music Industry Working Committee

*The **Music Industry Working Committee** (MIWC) is a group of local music industry representatives from musicians; multicultural music genres/origins; venues; youth; music education; industry representation – managers, event organizers, record labels, promoters, recording studios; not for profit/support industries; festivals/events (outside of venues) who assist with the city's Music Strategy by:

- Providing advice on the goals and priorities of the music industry to help support and achieve corporate priorities such as Economic Prosperity & Growth and Culture & Diversity;
- Promoting Hamilton's music industry by monitoring and advising on marketing strategies to strengthen the viability of the music sector; and
- Acting as a point of contact for members of the music community regarding issues affecting Hamilton and to help inform Council of issues and achievements.

The MWIC assists with the Music Strategy's four goal goals of:

1. Strengthen the local music industry
2. Grow audiences and appreciation of music
3. Increase access to music experiences
4. Cultivate music creation and talent

The MISC has five **task teams** that include:

- Live Music Venue Alliance
- Musicians & Artists
- Industry Outreach
- Music Education
- Marketing & Promotion

Members of the Music Industry Working Committee:

Jeffrey C. Martin: President + Sr. Communications Counsel, Quorum Communications
(Co-chair)

Madeline Wilson: Artist Manager, Special Event Producer, Concert Promoter and Arts
Advocate (Co-chair)

Glen Brown: Music Teacher, Musician & Publisher, Hamilton Musician Magazine

Kojo Dampety: Music Artist/Music Curator

Lara Farcasan: Event Production / Co-Founder, F2 Events Corp.

Nathan Fleet: Musician, Filmmaker & Educator

Mark Furukawa: Owner of Dr. Disc, DJ and Music Advocate

Aaron Huchinson: Musician & Sound Artist

Laura Lukasik: Manager, Communications & Partnerships, Hamilton Public Library

Dan Medakovic: Singer/Songwriter

Janna Malseed: Vice President, Hamilton Musicians Guild

Judy Marsales: Musician and Music Advocate

Lou Molinaro: Co-owner & Talent Buyer, This Ain't Hollywood

Kurt Muller: Associate Dean of Media & Entertainment, Mohawk College

Marie Nash: Communications & Events Manager, Hamilton Chamber of Commerce

Paola Palazzo: VP of Talent, Live Nation Canada

Brodie Schwendiman: Owner, The Casbah

Debbie Spence: Business Development Consultant, City of Hamilton

Reg Titian: Owner, Titan Creative Entertainment Network Inc.

Scott Warren: General Manager, Core Entertainment (FirstOntario Centre, FirstOntario
Concert Hall and The Studio)

Diana Weir: Executive Director, Hamilton Philharmonic Orchestra

www.hamilton.ca/music-strategy