

RURAL MUNICIPALITY OF PRINCE ALBERT NO. 461

BYLAW NO 9 OF 2019

THE NOISE BYLAW

Being a Bylaw to prohibit certain activities creating noise and to abate the incidence of noise in the Rural Municipality of Prince Albert No. 461.

Whereas Section 215 (f) of the Rural Municipality Act 1989 provides that Council may pass a Bylaw for the prohibiting, eliminating or abating of noise in the Municipality:

Now therefore, the Council of the Rural Municipality of Prince Albert No. 461 in open meeting assembled enacts as follows:

1. This Bylaw shall be known as "The Noise Bylaw";
2. In this Bylaw, including this section:
 - (a) "municipality" means the Rural Municipality of Prince Albert No. 461;
 - (b) "holiday" means any holiday as defined in The Interpretation Act, or any holiday proclaimed as such by the municipality;
 - (c) "motor vehicle" means a vehicle propelled or driven by any means other than by muscular power;
 - (d) "occupant" means the owner, occupant or licensee of the premises or any person found on the premises as or around the time where the noise or sound issues from the premises;
 - (e) "premises" means the area contained within the boundaries of any lot and includes any building situated within such boundaries. Provided, however, that where any building contains more than one dwelling unit, each dwelling unit, or common area of such building and the land surrounding the building within the boundaries of the parcel of land shall be deemed to be separate premises;
 - (f) "residential building" means a building which is constructed as a dwelling for human beings;
 - (g) "signaling device" means a horn, gong, bell, klaxon, siren or other device producing an audible sound for the purpose of drawing people's attention to an approaching vehicle, including a bicycle;
 - (h) "weekday" means any day other than a holiday.

3. (1) Except to the extent that it is allowed in this Bylaw, no person shall make, or continue to make or cause to be made or allow to be made or allowed to be continued to be made, any loud noise or any unnecessary noise or any unusual noise;
- (2) Except to the extent that it is allowed by this Bylaw, no person shall make or continue to make or cause to be made or allow to be continued, any noise whatsoever which either annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace or safety of other persons within the boundaries of the Municipality;
- (3) What is a loud noise, an unnecessary noise, an unusual noise or a noise which annoys, disturbs, injures or endangers the comfort, repose, peace or safety of other persons,, is a question of fact for a Court which hears a prosecution of an offence against this Bylaw.
4. Without restricting the generality of Section 3, no person shall operate or allow to be operated a lawn mower of any kind, or a snow clearing device powered by an engine of any type or a model aircraft driven by an internal combustion engine in any residential district between the hours of;
 - (a) eleven o'clock in the evening and seven o'clock of the next forenoon on weekdays;
 - (b) eleven o'clock in the evening and eight o'clock in the afternoon of the following day which is a holiday.
5. No person who owns, keeps, houses, harbours, or allows a dog to stay in his premises shall allow such dog to bark excessively or to howl excessively;
6. No person being the owner or occupant of any premises shall operate, or permit to be operated, or suffer to be operated, or allow to be operated, play or allow to be played, any radio, phonograph, record player, tape recorder, television set, musical instrument, or any other apparatus appliance, device or machine used for the production or amplification of sound, either in or on private premises in a residential district in such a manner that the same can be easily heard by an individual or member of the public who is not on the same premises from which such noise or sound emanates;

CONSTRUCTION NOISES

7. Except in an emergency, no person shall carry on the construction, erection, demolition, alteration or repair of any type of building or structure which involves hammering, sawing, drilling or the use of any machine, tools or any other equipment capable of creating a sound beyond the boundaries of the site on which the activity is being carried on, after the hour of eleven o'clock in the evening and before the hour seven o'clock in the morning of any day.
8. Except in an emergency, no person shall operate or allow to be operated a cement mixer, a cement mixer truck, a gravel crusher, a riveting machine, a trenching machine, a drag

line, an air or steam compressor, a jack-hammer or pneumatic drill, a tractor or bulldozer or any other tool, device or machine of a noisy nature, so as to create a noise which may be heard in any residence between the hours of eleven o'clock in the evening and seven o'clock in the morning.

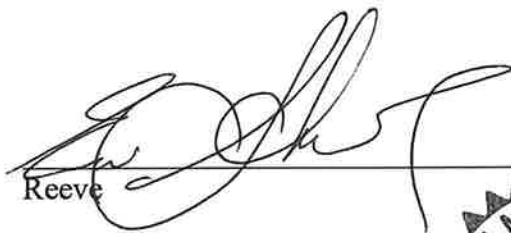
9. Exemption: Any equipment engaged in agricultural activities.

10. That Bylaw No. 7 of 2000 is hereby repealed.

Read a 1st time this 11th day of July, 2019

Read a 2nd time this 11th day of July, 2019

Read a 3rd time and adopted this 15th day of August, 2019


Reeve


Administrator

