

BYLAW NO. 2013 - 04

A Bylaw to prohibit certain activities creating noise and to abate the incidence of noise in the Rural Municipality of Canwood No. 494

The Council of the Rural Municipality of Canwood No. 494 enacts as follows:

1. This Bylaw may be cited as "*The Noise Bylaw.*"
2.
 - (1) Except to the extent it is allowed by this Bylaw, no person shall make, or continue to make, or cause to be made, or allow to be made, or allow to be continued to be made, any loud noise or any unnecessary noise, or any unusual noise.
 - (2) Except to the extent it is allowed by this Bylaw, no person shall make, or continue to make, or cause to be made, or cause to be continued, or allow 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 limits 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, health, peace or safety of other persons is a question of fact for a court which hears a prosecution of an offence against this Bylaw.

Domestic Noises

3. 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.
4.
 - (1) 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.
 - (2) For the purpose of this Bylaw, "premises" shall mean 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 lot shall be deemed to be separate premises.
 - (3) For the purpose of this Bylaw, "occupant" shall mean the owner, occupant or licensee of the premises or any person found on the premises at or around the time when the noise or sound issues from the premises.

Truck Motors

5. No person shall allow the motor on a tractor which pulls a trailer or on a semi-trailer truck or any other truck to remain running for longer than 30 minutes while the tractor-trailer, or tractor alone, is stationary in a residential district.
6. Council may, by resolution, exempt from the provisions of this Bylaw any noise made by any person, firm, or corporation in the lawful operation of any farming, industrial or commercial or any other business undertaking.

M-11 (a)

Penalties

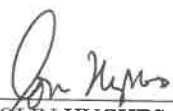
7. Any person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction and penalties provided in the General Penalty Bylaw of this Municipality.
8. This Bylaw shall come into force and take effect on, from and after the final passing thereof.

Introduced and read a first time this 11th day of September, 2013.

Read a second time this 11th day of September, 2013.


Read a third time and adopted this 11th day of September, 2013.




COLIN HUGHES
REEVE


MICHELE PERSON
ADMINISTRATOR

Certified a true copy of Bylaw
2013-04 adopted by Resolution
of Council on the 11th day
September, 2013.


Michele Person
ADMINISTRATOR