

BYLAW 01/2004

A BYLAW FOR THE RESORT VILLAGE OF GLEN HARBOUR TO CONTROL AND REGULATE NOISE.

The Council of the Resort Village of Glen Harbour, in the Province of Saskatchewan, enacts as follows:

1. This Bylaw may be cited as "The Noise Bylaw".
2. In this Bylaw, including this Section:
 - (a) "municipality" means the Resort Village of Glen Harbour;
 - (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 at 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 lot shall be deemed to be separate premises.
 - (f) "residential building" means a building which is constructed as a dwelling for human beings;
 - (g) "signalling 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. DOMESTIC NOISES
 - (1) No person shall operate or allow to be operated a lawn mower, a snow clearing machine or a rototiller which is powered by an engine of any type or a model aircraft driven by an internal combustion engine in any residential district or within 500 feet of an inhabited building between the hours of
 - (a) 10 o'clock in the evening and 7 o'clock of the next forenoon on weekdays;
 - (b) 10 o'clock in the evening and 9 o'clock in the forenoon of the following day which is a Sunday or holiday.

(2) No person who owns, keeps, houses, harbours or allows to stay on his premises a dog or any other animal shall allow or permit such dog or other animal by reason of barking, howling, or creating any other noise to disturb the comfort or repose of other persons in the vicinity of the premises of the said person.

(3) 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 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 or within 500 feet of an inhabited building in such a manner that the same can be easily heard and disturbs the comfort or repose of other persons in the vicinity of the premises of the said person.

(4) No person being the owner or occupant of any premises shall allow any person to create a noise on his premises so as to disturb the comfort or repose of any other person in the vicinity of the premises of the said person.

4. CONSTRUCTION NOISES

(1) 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 10 o'clock in the evening and before the hour of 7 o'clock in the morning of any day.

(2) 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 dragline, an air or steam compressor, a jack-hammer or pneumatic drill, a tractor or bulldozer or any other tool, device or machine so as to create a noise which may be heard in any residential district or within 500 feet of any inhabited building between the hours of 10 o'clock in the evening and 7 o'clock in the morning of any day.

5. ADVERTISING NOISES

(1) No person shall engage in ringing bells, blowing whistles, calling loudly, playing music, playing any type of musical instrument, playing or using any type of noise making instrument, or by the use of loud speakers or other devices for the amplification of sound, or by any other audible means on any street or other public or private place or in any building or premises with the intention or results that the sound therefrom shall be or is audible to persons who are not on the same premises from which the noise emanates.

6. DIESEL MOTORS

(1) No person shall allow a diesel motor to remain running for longer than 20 minutes while standing stationary in a residential district or within 500 feet of an inhabited building.

7. MOTOR VEHICLE NOISES

(1) No person or persons by use of any device on a motor vehicle, shall while operating a motor vehicle make any unnecessary or unreasonable noise on any street.

(2) Without restricting the generality of the foregoing, unnecessary or unreasonable noise shall include noise caused by the screeching of tires, backfiring of motors, blowing of horns and power turns.

8. EXCEPTIONS

The provisions of this Bylaw shall not apply to:

- (a) the ringing of bells in churches, religious establishments and schools;
- (b) the moderate use of musical instruments to call attention to an opportunity to contribute to a collection made for a charitable undertaking during the Christmas season or at any other time;
- (c) the playing of a band, the sounding of a steam whistle, the sounding of motor vehicles' horns or the use of sound amplification equipment used in connection with any parade;
- (d) the moderate playing of musical instruments appropriate to any religious street service;
- (e) the sounding of a general or a particular alarm or warning to announce a fire or other emergency or disaster;
- (f) the sounding of a factory whistle and similar devices at normal appropriate times;
- (g) the sounding of police whistles or the sirens on any vehicle used by the police or fire department or any ambulance or public service vehicle;
- (h) any use of sound amplification equipment used by the police, fire department or any ambulance service or public service;
- (i) the use in a reasonable manner of any apparatus or mechanism for the amplification of the human voice or of music in a public park or any other commodious space in connection with any public election meeting, public celebration, or other reasonable gathering;
- (j) snow removal equipment operated by the municipality for the purpose of emergency clearing of streets and lanes.

9. PENALTIES

(1) Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a minimum fine of Fifty (\$50.00) Dollars and a maximum fine not in excess of Five Hundred (\$500.00) Dollars.

10. This bylaw shall come into force and take effect on the day of final passing thereof.

Certified to be a true copy of Bylaw 01/2004,

Adopted by the Council of The Resort Village

of Glen Harbour on the 10th day of May 2004



A handwritten signature in black ink, appearing to be "H. E. McQueen", written over a horizontal line.

MAYOR

A handwritten signature in black ink, appearing to be "J. E. Ebbes", written over a horizontal line.

CLERK

Read a third time and adopted this 10th day of
May . 2004