
**SUMMER VILLAGE OF WEST BAPTISTE
BYLAW NO. 120/2020**

**BEING A BYLAW TO CONTROL AND REGULATE NOISE WITHIN THE
SUMMER VILLAGE OF WEST BAPTISTE**

WHEREAS, the Council of the Summer Village of West Baptiste may pass bylaws for municipal purposes respecting the safety, health, welfare and the protection of people and property; and

WHEREAS, under the provision of Section 160 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, 198 and amendments thereto, the Council may pass a bylaw for the purposes of prohibiting, eliminating, or abating noise and establishing permissible noise levels for all or varying periods of the day, in all or a designated part or location of the municipality;

WHEREAS, under the provisions of Section 16(1)(e) of the Highway Traffic Act, being Chapter H-7 of the Revised Statutes of Alberta, 198 and amendments thereto, the Council of a municipality may make by-laws defining what constitutes objectionable noises, devising a system of method of determining or measuring such noise, and prohibiting the operation of motor vehicles which in any manner make objectionable noise;


WHEREAS, the intent of this bylaw is that all noise shall be reduced far as possible, compatible with the normal activities of urban life and that unnecessary noise be eliminated or reduced.

NOW THEREFORE, THE Municipal Council of the Summer Village of West Baptiste, in Council, duly assembled, enacts as follows:

1. TITLE

This bylaw may be cited as "the Noise Control Bylaw"

2. DEFINITIONS

- 1) **"Village"**- means the Summer Village of West Baptiste
 - 2) **"Council"** means the Council of the Summer Village of West Baptiste
 - 3) **"Court"**-means the Provincial Court of Alberta
 - 4) **"Bylaw Enforcement Officer"**- means a person appointed by the summer village council pursuant to the provisions of Section 39 of the Police Act of Alberta
 - 5) **"Holiday"** means a public holiday as defined in the Interpretation Act (Alberta) and a day or portion of a day proclaimed by the Mayor or by Council as a civic holiday
 - 6) **"Residential District"** means any area or district classified as residential by the Land Use Bylaw
 - 7) **"Signaling Device"**- means a horn, bell, air horn, or other device producing an audible sound for the purpose of drawing people's attention to an appropriate vehicle, including a bicycle
 - 8) **"Vehicle or Motor Vehicle"** refers to such vehicles as defined in Section I of the Highway Traffic Act Chapter H-7 of the Revised Statutes of Alberta, as amended
 - 9) **"Person"** means and /or includes a corporation and heirs, executors, administrators, or other legal representatives of a person, and owner/occupier or person apparently in charge.
- 

- 10) "**Violation Ticket**"- means a form prescribed by the Council and will be used by the Council pursuant to the Municipal Government Act, R.S.A 2000 c. M-26 as amended.
- 12) "**Excessive Barking**"- means any continuous nonstop barking from a dog or dogs during the day or night
- 13) "**Loud Noise**:- means an unnecessary noise, an unusual noise, or a noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others
- 14) "**Special Events**" means fundraisers, community events, and/or parties,

3. REGULATIONS

(1) General Prohibition

No person shall make, continue, cause or allow to be made any loud, unnecessary, or unusual noise which either annoys, disturbs, injures, and angers, or detracts from the comfort, repose, health, peace or safety of other persons within the limits of the Summer Village. There should be a marked departure from the norm, which would offend a reasonable person given all of the circumstances.

No person shall allow property belonging to him/her under their control to be used so that there originates from the property any loud, unnecessary, or unusual noise which disturbs the comfort or repose of other persons in the vicinity of such property or generally within the limits of the Summer Village.

(2) Vehicle Noise Abatement

- (a) No person shall operate a motor vehicle on the street within a residential area at any time of the day or night, so as to unduly disturb residents or any such street or any part thereof.
- (b) No person shall leave a motor of a vehicle running in a residential area for a period of time longer than twenty (20) minutes

(3) Unloading or Loading of Trucks

- (a) No person shall unload or load a truck in a residential area between the hours of eleven o'clock in the evening and eight o'clock in the morning so as to unduly disturb the residents.

(4) Advertising

- (a) Except in a business area, no person shall advertise events or merchandise by making unnecessary noise by use of a mechanical device.

(5) Operation of Appliances

- (a) No person shall operate power equipment, including lawn mower, snow removal device or chain saws in a residential area between the hours of eleven o'clock in the evening and eight o'clock in the morning.

(6) Excessive Barking

- (a) No person shall allow a dog or dogs to bark incessantly during the day or night at any given time.



(7) Construction Noises

- (a) No person shall carry on construction of any kind using equipment, machinery, or mechanical devices that can be heard beyond the boundary of the construction site between the hours of eleven o'clock in the evening and eight o'clock in the morning

(8) Sound Amplifying Equipment

- (a) No person shall operate any sound amplifying equipment from any residence, yard, business premises, or in any park or other public place so as to unduly disturb residents of the village.

(9) Special Events and Fundraisers

- (a) Unless written permission from the Council is obtained no person shall hold a community event, fundraiser, special event or otherwise which would cause a general increase in noise.
- (b) No person shall set off fire works, poppers, or firecrackers at special events unless written permission from council is obtained to ensure public safety.

4. PENALTIES:

Any Owner of a parcel of land which contravenes this Bylaw is guilty of an offence and liable :

- (a) for the first offence, to a maximum fine of \$500.00;
- (b) for the second offence, to a maximum fine of \$1,000.00 and
- (c) for the third and each subsequent offence, to a maximum fine of \$2,500.00.

Read a first time on this 15th day of October, 2020.

Read a second time on this 15th day of October, 2020.

Unanimous Consent to proceed to third reading on this 15th day of October, 2020.

Read a third and final time on this 15th day of October, 2020.

Signed this 15th day of October, 2020.



Mayor



Administrator