

THE CORPORATION OF THE VILLAGE OF MONTROSE

BYLAW #531

A BYLAW TO REGULATE EXCESSIVE NOISE.

WHEREAS section 724 of the *MUNICIPAL ACT* (RS Chapter 323) authorizes the Council of the Village of Montrose to regulate or prohibit the making of excessive noise,

NOW THEREFORE the Council of the Village of Montrose, in open meeting assembled, ENACTS AS FOLLOWS:

SHORT TITLE

- 1. (1) This Bylaw may be cited as the "**NOISE REGULATION BYLAW**"

BYLAW OBJECTIVE

- 2. (1) It is not the purpose of this bylaw to regulate all possible sources and causes of noise that may from time to time be deemed objectionable or disturbing by the residents of the Village of Montrose.
- (2) The purpose of this bylaw is limited to provide guidelines that the residents of the Village of Montrose, acting reasonably, will respect, and to provide measures for the enforcement of the bylaw in such instances where the guidelines provided in this bylaw are repeatedly and consistently ignored by individuals to the detriment of other residents' right to peaceful and quiet enjoyment of their property.

NOISE REGULATIONS

- 3. (1) Subject to the exemptions provided in this bylaw,
 - (a) operating and/or running construction equipment and/or power tools between the hours of 10 p.m. and 7 a.m. on any day is deemed to be creating an objectionable noise and is hereby prohibited;
 - (b) operating loudspeakers or any sound generating equipment producing a volume that will carry sound beyond the limit of the property on which it is generated, between the hours of 10 p.m. and 7 a.m. on any day, is deemed to be creating an objectionable noise and is hereby prohibited;
 - (c) an owner, or a person responsible for, a dog who permits such dog to bark or howl, or fails to prevent such dog from barking or howling consistently or continuously, at any time, is deemed to be creating and objectionable noise that is hereby prohibited;
 - (d) a person who makes, or contributes to the making of a noise of any kind that exceeds a level of noise normally present in the neighbourhood, and who fails to comply with repeated requests from citizens to cease making such noise, is deemed to be in contravention of this bylaw.
- (2) Council may, by resolution, grant an exemption to any noise limitation regulation established in this bylaw where, in the opinion of council,
 - (a) the provisions of this bylaw may, for a specific and limited time, be in conflict with a broader community interest,
 - (b) consideration of an exemption is justified due to exceptional circumstances.

PENALTIES

- 4. (1) Any person committing an act or an omission in contravention of any provision of this bylaw is deemed to have committed an offense.
- (2) Any person, having been found guilty by a court of competent jurisdiction of an offense under the provisions of this bylaw, is liable to a fine not to exceed one thousand dollars (\$1,000).

ENACTMENT

- 5. (1) If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.
- (2) Bylaw 222 is hereby repealed.
- (3) This bylaw shall come into full force and effect on the final adoption thereof.

READ A FIRST TIME
READ A SECOND TIME
READ A THIRD TIME
RECONSIDERED AND FINALLY ADOPTED

this 18th day of August, 1998
this 1st day of September, 1998
this 15th day of September, 1998
this 6th day of October, 1998

Mayor

Village Clerk

Certified a true copy of Bylaw #531, as adopted.

André Carrel, Village Clerk

Close Bylaw