

BY-LAW NO. 994

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF BONNYVILLE NO. 87, IN THE PROVINCE OF ALBERTA TO PROHIBIT CERTAIN ACTIVITIES CREATING NOISE AND TO ABATE THE INCIDENCE OF NOISE AND TO RESTRICT THE HOURS WHEN CERTAIN SOUNDS MAY BE MADE.

WHEREAS, Section 160 of the Municipal Government Act Revised Statutes of Alberta 1980, provides that the Council of a M.D. may pass Bylaws among other things for the purpose of prohibiting, eliminating or abating noise;

AND WHEREAS, the incidence of noise in the Municipal District of Bonnyville No. 87 deems it expedient that regulations be made restricting, mitigating and abating the activities which can rise to unnecessary noise be eliminated;

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

NOW THEREFORE, the Council of the Municipal District of Bonnyville No. 87 enacts as follows:

1. This Bylaw may be cited as "The Noise ByLaw".
2. (1) In this Bylaw, including this section,
  - (a) "Municipal District" means the corporation of the Municipal District of Bonnyville No. 87 or the area contained within the boundaries of the Municipal District as the context requires;
  - (b) "Hamlet" means:
    - (i) an area of land subdivided into lots and blocks which exceeds ten residential lots in size;
    - (ii) any of the following subdivisions located within the municipal boundaries of the Municipal District, commonly referred to as; Ardmore, Beaver Crossing, Fort Kent, Iron River and Therien;
    - (iii) all lakeshore subdivision located within the municipal boundaries of the Municipal District;
  - (c) "Land Use Bylaw" means Bylaw No. 861, as amended from time to time.
  - (d) "Residential District" means a district defined as such in the Land Use ByLaw;
3. In a Hamlet or Residential District:
  - (1) No person shall make, continue or cause or allow to be made or continued any loud, unnecessary or unusual noise or any noise whatsoever which either annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace or safety of other persons.

- (2) In addition to but not in substitution for any penalty which a person may incur by a contravention of any provision of the Pest Bylaw a person who owns, keeps, houses, harbors or allows to stay on his premises a dog which by reason of barking or howling disturbs persons in the vicinity of his home is guilty of an offense under this Bylaw.
  - (3) No person shall operate or allow to be operated any type of musical or noise making instrument or sound amplifying equipment from any residence, business premises, vehicle or in any park or other public place so as to unduly disturb other persons.
  - (4) No person shall allow a motor of a motor vehicle to run more than twenty minutes while the motor vehicle is not in motion between the hours of ten o'clock in the evening and seven o'clock of the next forenoon.
  - (5) No person shall operate a snow clearing device, irrigation system, water system, lawn mower or any other equipment that is powered by an engine of any type between the hours of ten o'clock in the evening and seven o'clock of the next forenoon.
  - (6) No person shall carry on construction of any type of structure which involves hammering, sawing or the use of any machine tools or equipment capable of creating a sound which may be heard beyond the boundaries of the site on which the activity is being carried after the hour of ten o'clock in the evening and before the hour of seven o'clock in the morning of any day.
  - (7) This Bylaw does not apply to operations of the Canadian Forces or work of an exigent nature by the Municipal District or to any Public Utility or its contractors providing essential services.
4. Any person who commits an offense under this ByLaw is liable on summary conviction to the penalties imposed by ByLaw No. 36 (as amended by Bylaw No. 746) being a Bylaw for the enforcement of the Bylaws of the Municipal District of Bonnyville No. 87.
  5. This Bylaw shall come into effect upon the date of final reading.

READ A FIRST TIME IN COUNCIL THIS 16 DAY OF DECEMBER ,1988

READ A SECOND TIME IN COUNCIL THIS 9 DAY OF FEBRUARY , 1989 .

READ A THIRD TIME AND FINALLY PASSED IN COUNCIL THIS 26 DAY OF APRIL , 1989 .

  
REEVE

  
MUNICIPAL MANAGER