

BYLAW NO. 2016-5

A BYLAW TO REGULATE NOISE WITHIN THE TOWN OF LAMPMAN

The Council of the Town of Lampman in the Province of Saskatchewan enacts as follows:

1. SHORT TITLE

This Bylaw may be cited as “The Noise Bylaw”.

2. DEFINITIONS

a. In this bylaw, unless the context otherwise requires:

- i. “Town” means the Town of Lampman;
- ii. “Council” means the Council of the Town of Lampman;
- iii. “Inspector” means any person or persons appointed from time to time by Council to enforce and administer the bylaw;
- iv. “Noise” includes, without limited the generality of the word, and clamor, any loud outcry, screaming, shouting, yelling or swearing, or any other sound or sounds which are loud, harsh, undesirable or disagreeable;
- v. “Peace Officer” shall have the same meaning as in The Summary Offences Procedures Act, 1990, plus the person or persons who are appointed to enforce and administer this bylaw;
- vi. “Person” includes any company, corporation, firm, association, partnership, society, individual, party, tenant or owner;
- vii. “Property” means real property, together with all improvements which have been affixed or brought on to the land.
- viii. “Residential District” means any district, boundary, block where residences form a part of the immediate neighbourhood.

3. GENERAL REGULATIONS

- a. Except to the extent it is allowed by this Bylaw, no person shall make, or continue to make, or allow to be made, or continue to allow to be made, any unnecessary noise.
- b. Except to the extent it is allowed by this Bylaw, no person shall make, or allow to be made, or allow to be continued, any noise whatsoever which noise either annoys, disturbs, injures, endangers, or detracts from the comfort, repose, health, peace or safety of other persons within the limits of the Town.

4. DOMESTIC NOISES

- a. No person shall operate or allow to be operated a lawn mower of any kind, or a snow clearing devise powered by an engine of any type, or a model aircraft driven by an internal combustion engine in any residential district between the hours of: 11:00 p.m. and 6:00 a.m.
- b. No person who owns, keeps, houses, harbours or allows to stay on his premises a dog, shall allow such dog to bark or howl loudly or excessively at any time.
- c. No person shall own, keep, or harbour any animal or bird, which by its cries or sounds unduly disturbs the peace, quiet, rest or tranquility of the neighbourhood or the public at large at any time.

- d. No person, being the owner or occupier of any premises, shall operate, play, permit, suffer, or allow to be operated or played, any radio, phonograph, record player, tape recorder, television set, musical instrument, or any other apparatus, appliance, device or machine used for the production of 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 sound emanate at any time.

5. CONSTRUCTION NOISES

- a. 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, in any district in the Town of Lampman, after the hour of 11:00 p.m. and before the hour of 6:00 a.m. of any day.
- b. Where it is impossible or impractical to comply with this section, the Town Council or Town Administrator may give written approval to carry on the work that is found to be necessary at designated hours. Responsibility for obtaining written approval lies with the person carrying on the work.

6. ADVERTISING NOISES

- a. No person shall operate any outdoor public address system in the Town without first having obtained a permit therefore.
- b. No person shall advertise any event or merchandise by ringing bells, blowing whistles, calling loudly, playing music, playing any type of musical 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 place, or in any building or premises with the intention or result that the sound therefrom shall be or is audible to persons using or frequenting any street or other public place.

7. ENFORCEMENT

This Bylaw may be enforced by:

- i. The Royal Canadian Mounted Police
- ii. A special constable or Constable of the Town of Lampman
- iii. Any person designated by the Council of the Town of Lampman

8. EXEMPTIONS

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 vehicle horns or the use of sound amplification equipment used in connection with any authorized 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 whistles or sirens on any vehicles used by the police or fire department, or on any ambulance or public service vehicle;
- g. Any sound amplification equipment used by the police, fire department, or any ambulance service or public service;
- h. 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 or public celebration;
- i. The events sponsored by the Town of Lampman, Lampman Business Association or any other celebration or event which has been approved by Council.

9. PENALTIES

- a. Every person who contravenes or violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, is guilty of an offence against this bylaw and liable to the penalties hereby imposed. Each day that a violation continues to exist shall constitute a separate offence.
- b. Any person who fails to comply or contravenes any provision of this Bylaw is guilty of an offence and is liable, on summary conviction to a fine in an amount not less than One Hundred Fifty (\$150.00) Dollars and to a maximum of One Thousand (\$1,000.00) Dollars and in default in imprisonment for a period not exceeding thirty (30) days.
- c. Every person who commits an offence shall have the option of providing a voluntary payment as set out in the notice of violation. Failing to make voluntary payment shall result in court proceedings.

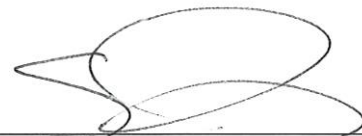
10. That Bylaw No. 2002-7 to regulate noise within the Town of Lampman be hereby repealed.

INTRODUCED AND READ A FIRST TIME THIS 13TH DAY OF APRIL, 2016

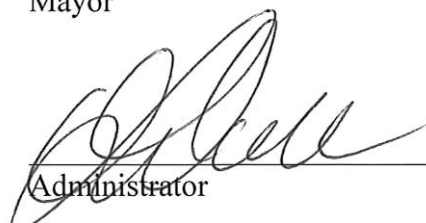
READ A SECOND TIME THIS 13TH DAY OF APRIL, 2016.

READ A THIRD AND FINAL TIME ON THE UNANIMOUS CONSENT OF THE COUNCIL PRESENT THIS 13TH DAY OF APRIL, 2016.





Mayor



Administrator