

VILLAGE OF CHASE

BY-LAW NO. 230

A By-law Of The Village of Chase To Prevent Abate And Prohibit Nuisances And To Regulate And Prohibit The Making or Causing of Noises.

WHEREAS it is deemed advisable and expedient and in the public interest to enact regulations to prevent, abate and prohibit nuisances and to regulate or prohibit the making or causing of noises or sounds on any highway or elsewhere in the Municipality, which tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighborhood or persons in the vicinity.

THEREFORE the Municipal Council of the Village of Chase in open meeting assembled, ENACTS as follows:

PART 1 - DEFINITIONS

1. The word "Village" or "Corporation" wherever used in this By-law shall mean the Village of Chase, or the total area lying within the corporate boundaries thereof, as the context may require.
2. The words "Village Council" shall mean the duly elected and constituted Village Council of the Village of Chase.
3. The words "disturbance of the peace" shall mean and include the disturbance of the quiet rest, peace, enjoyment, comfort or convenience of individuals or the public.
4. The words "motor-vehicle" shall be as defined in the "Motor-Vehicle Act."
5. The word "nuisance" shall mean a nuisance at law.
6. The word "person" shall be as defined in the "Interpretation Act."
7. The word "street" or "highway" shall mean and include public places, highways, roads, lanes, alleys, avenues, thoroughfares, bridges, viaducts, squares, triangles, courts, courtyards, boulevards, sidewalks, and rights-of-way open to the public.

PART 11 - NUISANCES

1. No person shall do any act or thing, or permit or allow any act or thing to be done, or construct or erect any building or structure or thing, or permit or allow any building, structure or thing, to be constructed or erected, which is a nuisance or which causes or creates a nuisance.
2. In addition to the penalties provided in this By-law, every person found by a Court of competent jurisdiction to have permitted, allowed, caused or created a nuisance, shall forthwith abate such nuisance.
If such nuisance is not abated within ten (10) days of the finding of such Court, it shall be lawful for the Village to abate such nuisance without notice to such person, and by its servants, agents and workmen to enter such buildings and premises and onto such property as is necessary and to do such acts and things as are necessary for the abatement of the nuisance, at the expense of the said person who permitted, allowed, caused or created the nuisance and the charges and expenses incurred by the Village in abating the said nuisance shall be paid forthwith by such person, and if unpaid on the 31st day of December in any year, the Village may, in addition to any other remedies, add the total amount of charges and expenses to the taxes payable by such person in respect of any real property within the Village, and such shall thereafter form part of such taxes.

PART 2 - DISTURBANCE OF THE PEACE

1. No persons or groups of persons shall meet, assemble or gather together within the limits of the Village so as to cause a disturbance of the peace.
2. No person being the owner or occupier of real property shall allow or permit such real property to be used so that noise or sound which emanates therefrom, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity.
3. No person shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound, either in or on private premises or in any public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.

PART 3 - NOISES AND SOUNDS

1. No person shall make or cause any noise or sound on a highway or elsewhere within the corporate limits of the Village which disturbs or tends to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.
2. No person shall drive or operate a motor-vehicle within the corporate limits of the Village so as to cause, or in a manner causing loud noise from the tires, or engine or exhaust of such motor-vehicle.
3. No person shall drive or operate a snowmobile or trail bike within the corporate limits of the Village which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.

PART 4 - PENALTY AND ENACTMENT

PENALTY

1. Every person who offends against or violates any provision of this by-law or who neglects to do or refrains from doing any of the things required to be done by the provisions of this by-law shall be liable on summary conviction to a fine of not less than Fifty Dollars (\$50.00) and not exceeding One Thousand Dollars (\$1,000.00).
2. This by-law may be cited, and for all purposes be known as "Village of Chase Nuisance and Noise By-Law, No. 230 , 1981."

READ A FIRST TIME this 28th day of MAY, 1981.
 READ A SECOND TIME this 28th day of MAY, 1981.
 READ A THIRD TIME this 11th day of JUNE, 1981.
 RECONSIDERED AND ADOPTED this 25th day of JUNE, 1981

William L. David

ACTING Mayor

Agnes Sweet

ACTING Clerk

I hereby certify that this is a true and correct copy of By-Law No. 230 , of the Village of Chase, cited as the "Village of Chase Nuisance and Noise By-Law No. 230 , 1981."

A true copy of By-Law No. 230 ACTING registered in the office of the Inspector of Municipalities this 8th day of July 1981 .

Agnes Sweet
Clerk

W. J. Moore
Deputy Inspector of Municipalities