

**VILLAGE OF CHASE
BYLAW NO. 579-1999**

Being a Bylaw to regulate noise within the Village of Chase of Chase

NOW THEREFORE the Council of the Village of Chase in open meeting assembled, enacts as follows:

Citation

1. This Bylaw may be cited as "Noise Control Bylaw No. 579 -1999"

Repeal

2. Noise and Nuisance Bylaw No. 230 is hereby repealed in its entirety.

Definition

3. In this Bylaw:

Council means the Council of the Village of Chase

Duly Authorized means authorized by the Municipality

Municipality means the area within the municipal boundaries of the Village of Chase.

Prohibited Noises and Sounds

4. No person, or owner, tenant or occupier of real property shall make or cause, or permit to be made or caused, any noise or sound which disturbs the quiet, peace, rest enjoyment, comfort or convenience of the neighbourhood or person(s) in the vicinity.
5. No person shall keep any animal or bird which by its calls, cries, barks, or other noises disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of person(s) in the vicinity.
6. The Council believes that the following noises or sounds are considered objectionable:
 - a) any calls cries, barks or other noises made by an animal or bird which are audible outside the premises or parcel where the animal or bird is kept between the hours of 10:00 p.m. and 7:00 a.m. Or the sound made by any animal or bird continually, sporadically or erratically for any period of time in excess of ten minutes; and
 - b) any amplified music or speech which is audible outside the parcel or premises where it originates or is reproduced, between the hours of 10:00 p.m. and 7:00 a.m.;

and no person shall cause or permit such noises or sounds to be made.

Exemptions

7. This Bylaw does not apply to:
 - a) police, fire ambulance or other emergency vehicles proceeding upon an emergency;
 - b) the excavation, construction, or infrastructure work of any kind, or repairing of bridges, streets, highways or lands by the Village of Chase or by the Ministry of Transportation and Highways or agents acting on their behalf;
 - c) the operation of maintenance, lawn mowing or power gardening equipment by the Village of Chase or the Ministry of Transportation and Highways or agent acting on their behalf;
 - d) snow removal or street cleaning operations;

- e) the erection, demolition, construction, reconstruction, alteration, repair, of any building, structure or thing between the hours of 7:00 a.m. and 10:00 p.m.;
- f) the operation of a public address system required under a building or fire code;
- g) the use of bells or chimes for the announcing of public worship services;
- h) the sounding of a horn or other signalling device upon any vehicle, boat or train where such sounding is properly and necessarily used as a danger or warning signal;
- i) a lawnmower, power gardening equipment, or power tools operated between the hours of 7:00 a.m. and 10:00 p.m.;
- j) the use, in a reasonable manner, of any apparatus or mechanism for the amplification of the human voice or of music in a public place in connection with any duly authorized public meeting, public celebration or other public gathering;
- k) Persons and their agents, servants, and employees or independent contractors under contract therewith and their agents, servants and employees who are engaged in work of an essential or emergency nature and being done for the primary purpose of ensuring the health, safety or welfare of the residents of the Municipality;
- l) Commercial or Industrial business operations undertaking their usual operations in Commercial or Industrial Zones.

Enforcement

8. A Peace Officer, Municipal Clerk or designate and any other person duly authorized by the Municipality may enter onto any property at any reasonable time to ascertain whether the provisions of this Bylaw are being followed.

Offences and Penalties

9. Any person who contravenes this Bylaw is liable upon summary conviction to a fine not exceeding \$2,000.00 and the costs of prosecution. Every day during which there is an infraction of this Bylaw shall constitute a separate offence.

Severability

10. If any portion of this Bylaw is held to be invalid by a Court of competent jurisdiction, such invalidity shall not affect the remaining portions of the Bylaw.

READ A FIRST TIME THIS 8TH DAY OF JUNE, 1999.

READ A SECOND TIME THIS 8TH DAY OF JUNE, 1999.

READ A THIRD TIME THIS 8TH DAY OF JUNE, 1999.

RECONSIDERED AND ADOPTED THIS 13TH DAY OF JULY, 1999.

M. Koffler
Mayor

Miss Deates
Clerk

Certified a true copy of Bylaw No. 579-1999

Miss Deates

Clerk