

THE CORPORATION OF THE TOWN OF RAYSIDE-BALFOUR

BY-LAW NO. 82-14

BEING A BY-LAW TO PROHIBIT
AND REGULATE NOISES IN THE
TOWN OF RAYSIDE-BALFOUR

WHEREAS authority is granted to the councils of all municipalities under Section 210 (132) of The Municipal Act, R.S.O. 1980, Chapter 302, to prohibit and regulate the ringing of bells, the blowing of horns, shouting and unusual noises or noises likely to disturb the inhabitants within the municipality or within any defined area or areas thereof;

AND WHEREAS the Municipal Council deems it expedient to pass a by-law to prohibit and regulate the ringing of bells, the blowing of horns, shouting and unusual noises or noises likely to disturb the inhabitants within the Town of Rayside-Balfour;

BE IT THEREFORE ENACTED by the Municipal Council of the Corporation of the Town of Rayside-Balfour as follows:

1. No person or persons shall cause any unusual noise or permit noise likely to disturb the inhabitants of the municipality.
2. For the purpose of section 1, the following noises or sounds among others, shall be deemed to be unusual noises and noises likely to disturb the inhabitants of the municipality:
 - (a) The sounding of any bell, horn, siren or signal device for an unnecessary or unreasonable period of time.
 - (b) Shouting or hollering in an unnecessary and disturbing manner in, or adjacent to any public street or place.
 - (c) Any sound made by any animal or bird which disturbs the peace, quiet, comfort or repose of any individual in the neighbourhood.
 - (d) The sound or noise from or created by any radio, phonograph, television, public address system, sound equipment, loudspeaker, or similar device or devices, or any musical or sound producing instrument of whatever kind when such device or instrument is played or operated in such volume as to annoy or disturb the peace, quiet, comfort or repose of any individual in the neighbourhood.
 - (e) The grating, grinding or rattling noise or sound caused by a condition of disrepair or maladjustment of any vehicle, or part or accessory thereof.
 - (f) Any unnecessary noise in the vicinity of any school, seminary of learning or court while the same is in session or in the vicinity of any hospital or convalescent or rest home when such noise interferes with the undertaking of such hospital or home.

- (g) The noise or sound created by the use or operation of any drum, horn, bell, radio or mechanical loudspeaker, or other instrument or device, or sound producing, sound reproducing, or sound transmitting instrument or apparatus for the purpose of advertising or for attracting attention to any performance, show or sale or display of goods, wares or merchandise, or which projects noise or sound into any street or other public place, or the noise or sound created by the use or operation of any radio or mechanical loudspeaker or amplifier or other instrument or device or sound-producing, sound reproducing or sound-transmitting instrument or apparatus in or upon any vehicle except for such time and under such conditions as may be established by the Town of Rayside-Balfour and written permission having been duly granted prior to the production of sound under this paragraph.
- (h) The noise or sound created by the use or operation of any radio or mechanical loudspeaker or amplifier or other instrument or device or sound producing, sound reproducing, or sound transmitting instrument or apparatus in or upon any vehicle.
- (i) The noise or sound created by the racing, idling or loud operation of a motor or a standing or parked vehicle in excess of that necessary for the reasonable operation of the same.
- (j) The noise or sound created by the repairing, wrecking, dismantling or modifying of any vehicle, motor, machine or any part or parts thereof.
- (k) Any unreasonable or unnecessary noise created by the operation of any air conditioning units, refrigeration units, generators, which are externally mounted or installed.
- (l) The discharge into the air of the exhaust of any steam engine, stationary internal combustion engine, or vehicle, except through a muffler or other device which effectively prevents loud or explosive noises.
- (m) Noises arising out of any manufacturing industry between the hours of 8:00 o'clock p.m. of any day and 8:00 o'clock a.m. of the next following day and which is calculated to disturb the repose of any inhabitant of the municipality.
- (n) Any unnecessary noise arising between the hours of 6:00 o'clock p.m. of any day and 7:00 o'clock a.m. of the next following day, from any construction work whatsoever, including the erection, demolition, alteration or repair of any building except in case of urgent necessity or unless approved by the Town of Rayside-Balfour.
- (o) The operation of a lawn mower which is run by electricity or gasoline between the hours of 9:00 o'clock p.m. and 8:00 o'clock a.m. of the following day, during the months of July and August in any year and between the hours of 8:00 o'clock p.m. and 8:00 o'clock a.m. of the following day for the other months of the year.

- (p) The operation of a chain saw which is run by electricity or gasoline, between the hours of 8:00 o'clock p.m. and 8:00 o'clock a.m. of the following day.
- 3. None of the provisions for this paragraph shall apply to:
 - (a) The use in a reasonable manner of any apparatus or mechanism for the amplification of the human voice or music in a public park or any other commodious space in connection with any public election meeting, public celebration or other reasonable gathering, provided written permission of the Town of Rayside-Balfour has first been obtained.
 - (b) Any military or other band or any parade operating under written permission obtained from the Town of Rayside-Balfour.
- 4. That any and all by-laws inconsistent with the provisions of this by-law be and are hereby repealed.
- 5. Any person who contravenes any of the provisions of this by-law, upon conviction, is liable to a fine not exceeding two thousand dollars (\$2,000.00), for each offence, exclusive of costs, pursuant to The Provincial Offences Act of Ontario.

READ A FIRST time and considered read a SECOND time in open Council this 27th day of April, 1982.



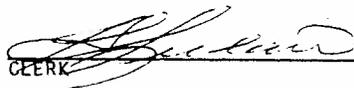

ACTING MAYOR


CLERK

READ A THIRD time and finally PASSED in open Council this 11th day of May, 1982.




MAYOR


CLERK

THE CORPORATION OF
THE TOWN OF RAYSIDE-BALFOUR

BY-LAW NO. 82-14: TITLE: NOISE BY-LAW

ITEM	COLUMN 1	COLUMN 2	COLUMN 3
			SET FINES (INCLUDING COST)

- | | | | |
|----|---|-----------|---------|
| 1. | Cause unusual noise. | Section 1 | \$53.00 |
| 2. | Permit noise that disturbs the inhabitants. | Section 1 | \$53.00 |

NOTE: The penalty provision for the offences indicated above is section 5 of By-law No. 82-14, a certified copy of which has been filed.



J. B. STANLEY
M.A. (HON.)

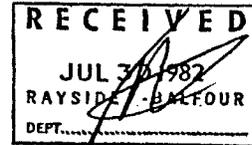
Chief Judge

Provincial Courts
(Criminal Division)

60 Queen Street West
Toronto, Ontario
M5H 2M4
Tel: (416) 965-7200

July 20, 1982.

Mr. Normand Roberge,
The Corporation of the Town
of Rayside-Balfour,
Municipal Office,
108 Hwy. 144,
(C.P.) P.O. Box 639,
CHELMSFORD, Ontario.
POM 1LO



Dear Sir:

Re: Set Fines For Municipal
By-Laws

I enclose schedule of set fines for
the by-laws indicated in the schedule.

The setting of the fines does not
constitute my approval of the short form of
wording used to describe the offences.

I have forwarded a copy of the set
fines to the Provincial Offences Court in
Sudbury, together with the certified copies
of the by-laws.

Yours very truly,

FCH:hf
Encl.

F. C. Hayes,
Chief Judge.