

BYLAW NO. 1156

A BYLAW OF THE TOWN OF GRIMSHAW IN THE PROVINCE OF ALBERTA, TO CONTROL AND ABATE NOISE.

WHEREAS, PURSUANT TO Section 7 of the Municipal Government Act (RSA 2000, as amended) a municipal council may pass bylaws for purposes respecting the following matters: the safety, health and welfare of people and the protection of people and property, and

WHEREAS, THE Council of the Town of Grimshaw deems it expedient to adopt measures to control and abate activities which give arise to undue and unnecessary noise, and

WHEREAS, it is the intent of this bylaw is to control and abate noise that disturbs the comfort or repose of citizens;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF GRIMSHAW, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS:

Title

1. That this Bylaw shall be cited as the "Noise Bylaw".

Definition

2. In this Bylaw:
 - a. "CAO" means the Chief Administrative Officer of the Town of Grimshaw;
 - b. "Council" means the Municipal Council of the Town of Grimshaw;
 - c. "Disturbance" means the interruption of the peace, quiet and good order of a neighborhood or community, including but not limited to unnecessary and distracting noises;
 - d. "Noise" means any sound which either annoys or disturbs Persons, or which injures, endanger or detracts from the comfort, repose, health, peace or safety of Persons within the boundaries of Grimshaw;
 - e. "Peace Officer" means a member of the Royal Canadian Mounted Police or a Bylaw Enforcement Officer of the Town appointed pursuant to Section 555(1) of the *Municipal Government Act*;
 - f. "Person" means an individual, partnership, corporation, trustee, executor, or administrator.
 - g. "Quiet Hours" shall mean between the hours of 11:00 p.m. and 7:00 a.m. on any day.
 - h. "Special Event" is an event that does not normally occur within the Town and, as such, may require special permits and/or authorizations to lawfully take place pursuant to this Bylaw.
 - i. "Town" means the Municipal Corporation of the Town of Grimshaw, or the area contained within the Town, as the context requires.
 - j. "Violation Ticket" means a ticket issued pursuant to Part II or Part III of the *Provincial Offences Procedures Act* (RSA 2000, as amended).

General Prohibitions:

- 3.1 No person shall permit any loud, unnecessary, or unusual noise whatsoever which either annoys, disturbs, injures, endangers or detracts from the comfort, repose, health,

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peace or safety of other persons, nor allow property, real or personal which he owns, occupies or controls, to be used in any manner that produces noise.

- 3.2 In determining what constitutes noise likely to annoy or disturb other persons, consideration shall be given to, but is not restricted to:
- a) the time of day or night,
 - b) the proximity to sleeping facilities, residential or commercial,
 - c) the duration and volume of noise
 - d) is the noise recurrent, intermittent or constant
- 3.3 No person shall permit a vehicle located on a Premise to emit noise which emanates from that Premises and disturbs or annoys a Person, including noise from aggressive engine revving and stereo and amplification equipment in the vehicle.
- 3.4 Unless written permission from a Development Officer is first obtained, no person shall during "quiet hours" carry on the construction, repair, alteration, or demolition of any type of structure including but not limited to hammering, sawing, and the use of any power tools or construction equipment capable of creating a sound which may be heard beyond the boundaries of the site on which the activity is being carried on within the Town.
- 3.5 With the exception of Section 3.4, the provisions of this Bylaw do not apply:
- 3.5.1 to work carried out by Town staff, agents, contractors or servants, while engaged in activity authorized by the Town.
 - 3.5.2 to Persons using domestic equipment, including without restricting the generality of the foregoing, lawnmowers, snow blowers, garden tillers and built in vacuum cleaners that vent to the outside of a Structure; or if any Person owning or controlling Property upon which equipment is used, if:
 - 3.5.2.1 the Noise is of a temporary or intermittent nature;
 - 3.5.2.2 the equipment is properly maintained, unmodified and operated in a normal manner; and
 - 3.5.2.3 the Noise occurs between the hours permitted pursuant to definition 2(g) of this Bylaw
- 3.6 No person shall make any noise in any park or other public place between the hours of 11:00 pm – 7:00 am so as to unduly disturb residents of the Town.
- 3.6.1 Organizers of special events in parks or other public places shall submit an application to the Town requesting a temporary relaxation of the provisions of this Bylaw for the period of that event.

Penalties:

4. Any person who violates any provision of this Bylaw is guilty of an offence punishable on summary conviction and is liable:
- a) for a first offence to a fine of \$100.00; or
 - b) for a second or subsequent offence, to a fine of \$250.00.
- 4.1 A Peace Officer may, at their discretion, issue a Violation Ticket pursuant to Part II or III of the *Provincial Offences Procedures Act* in relation to offences under this Bylaw.


Severability:

5. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the bylaw is deemed valid.

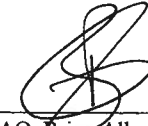
Repeal:

6. Bylaw No. 628 is hereby repealed.

First reading given on the 14th day of May, 2014

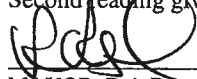


MAYOR, Bob Regal




CAO, Brian Allen

Second reading given on the 25th day of June, 2014

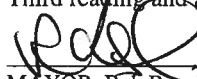


MAYOR, Bob Regal

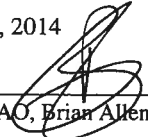


CAO, Brian Allen

Third reading and assent given on the 25th day of June, 2014



MAYOR, Bob Regal



CAO, Brian Allen