

RURAL MUNICIPALITY OF GOOD LAKE No. 274
BYLAW No. 03-2020

This Bylaw is enacted to protect, preserve and promote the safety, health, welfare, peace and quiet of citizens of the Rural Municipality of Good Lake No. 247 through the reduction, control, and prevention of loud and excessive noise or any noise which unreasonably disturbs, injures or endangers the comfort, repose, health, peace or safety of reasonable persons of ordinary sensitivity.

The Council of the Rural Municipality of Good Lake No. 274 in the Province of Saskatchewan, enacts as follows:

Short Title

1. This Bylaw may be cited as "The Noise Bylaw".

Definitions

2. In this Bylaw, including this section:

- (a) "**Council**" means the Council of the Rural Municipality of Good Lake No. 274.
- (b) "**Municipality**" means the Rural Municipality of Good Lake No. 274.
- (c) "**Motor Vehicle**" means a motor vehicle within the meaning of the *The Highway Traffic Act*.
- (d) "**Occupant**" means the owner, occupant, or licensee of the premises or any person found on the premises at or around the time where the noise or sound issues from the premises.
- (e) "**Premises**" means the area contained within the boundaries of any lot and includes any building situated within such boundaries. Provided, however, that where any building contains more than one dwelling unit, each dwelling unit, or common area of such building and the land surrounding the building within the boundaries of the lot shall be deemed to be separate premises.
- (f) "**Residential Building**" means a building which is constructed as a dwelling for human beings.
- (g) "**Signaling Device**" means a horn, gong, bell, klaxon, siren, or other device producing an audible sound for the purpose of drawing people's attention to an approaching vehicle, including a bicycle.

General Prohibition

3. (a) Except to the extent it is allowed by this Bylaw no person shall make, or cause to be made or continued, or suffer or permit to be made or continued any noise which is unreasonably loud or excessive.
- (b) For the purpose of this Bylaw, a noise will be considered to be unreasonably loud or excessive if it unreasonably disturbs, injures or endangers the comfort, repose, health, peace or safety of reasonable persons of ordinary sensitivity in the vicinity.
- (c) Factors for determining whether a sound is unreasonably loud or excessive, include but are not limited to, the following:
 - the proximity of the sound to sleeping facilities, whether residential or commercial;
 - the land use, nature and zoning of the area from which the sound emanates and the area where it is received or perceived;
 - the time of day or night the sound occurs;
 - the duration of the sound;
 - the volume of the sound;
 - the nature of the sound;
 - whether the sound is recurrent, intermittent or constant; and the nature of the event or activity from which the sound emanates.

- d) In residential zones during daytime hours from 7 a.m. to 11 p.m., the decibel limit is set at 60 decibels. During the nighttime hours from 11 p.m. to 7 a.m. it is lowered to 55 decibels.
- e) For all other zones within 30 metres of a residential building, it is set at 70 decibels during daytime hours and 65 decibels during nighttime hours.
- f) Commercial and industrial not in 30 meters of a residential zone is set at 85 decibels during the daytime hours, and 75 decibels during the nighttime hours.
- g) To ensure accuracy, two decibel measurements will be taken and recorded five minutes apart. Measurements will be taken on the property line of residential lots.

Noise Prohibited

4. General

- (a) The following acts are deemed to be violations of this Bylaw per se and are prohibited between the hours of 11:00 p.m. and 7:00 a.m. daily.

This enumeration does not constitute an exclusive list. No person shall do the following:

- idling trucks near a residence, the idling of any truck or power unit or the operation of any motor for more than twenty (20) minutes;
 - use of an engine brake on any motor vehicle driven within the Municipality, except in cases of emergency;
 - use of an air horn on any motor vehicle within the Municipality, except in cases of emergency;
 - use or operation of bells, whistles, calling loudly, playing music, playing any type of musical instrument, playing or using any type of noise making instrument, or by the use of loud speakers or other devices for the amplification of sound, or by any other audible means.
- (b) Where the use of land or activity otherwise lawfully permitted at a location within the Municipality necessarily involves the creation of noise as defined by this Bylaw, the person owning, operating, or controlling the activity; or the person owning or controlling the property upon or within which the activity is allowed to take place shall take all reasonable steps to ensure that the noise creation by the said activity is minimized as much as practicable, in all circumstances.
 - (c) No person who owns, keeps, houses, harbours, or allows to stay in their premises a dog, shall allow such dog to bark or howl excessively.

5. Construction Noise

- (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, after the hours of 11:00 p.m. and before the hour of 7:00 a.m.
- (b) Except in an emergency, no person shall operate or allow to be operated a cement mixer, a cement mixer truck, a gravel crusher, a riveting machine, a trenching machine, a drag line, an air or steam compressor, a jack-hammer or pneumatic drill, a tractor or bulldozer or any other tool, device or machine of a noisy nature, so as to create a noise which may be heard in any residence between the hours of 11:00 p.m. and 7:00 a.m.

Exceptions

6. 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 any other time;
- (c) the playing of a band, the sounding of a steam whistle, the sounding of motor vehicles' horns or the use of sound amplification equipment used in connection with any 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 another emergency disaster;
- (f) the sounding of a factory whistle and similar devices at normal appropriate times;
- (g) the sounding of whistles, sirens, signalling or sound amplification equipment or device used by the police, fire department, an emergency 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, public celebration, or other reasonable gathering;
- (i) transit vehicles engaged in normal transit operations;
- (j) the sounding of motor vehicle horns when used within reason;
- (k) the sound of golf course maintenance equipment;
- (l) the performance of work by any person directly associated with an Agricultural Operation for the purpose of carrying on all activities normally associated with a farming operation including the operation of farm implements;
- (m) work carried on by the Municipality or its agents, contractors, servants or employees, acting within the scope of their agency, contract, or employment, as the case may be.

7. Council Discretion

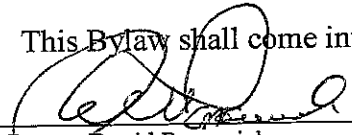
- (a) At the discretion of Council upon application the Council may by resolution, grant an exemption to any person, corporation or organization from any of the provisions of this bylaw with respect to any source of sound.

Penalties

8. Any person, corporation or organization who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to:
- (a) a minimum fine of One thousand Dollars (\$1,000.00) and a maximum fine not in excess of Five Thousand Dollars (\$5,000.00),
 - (b) costs as may be awarded by the Court hearing the matter,

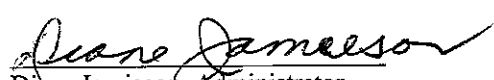
Repeal and Coming into Force

9. That Bylaw No. 3 – 1996 is hereby repealed.
10. This Bylaw shall come into force and take effect on the day of the final passing thereof.


Reeve, David Popowich


Administrator, Diane Jamieson

Certified a true and correct copy of Bylaw No. 03-2020, passed by resolution of the Council of The Rural Municipality of Good Lake No. 274 on the 9th day of March, 2020 and revised by resolution on the 14th day of November, 2022.


Diane Jamieson, Administrator

