

# RESORT VILLAGE OF PASQUA LAKE

## BYLAW No. 26-2026

### NOISE BYLAW

#### A Bylaw to Regulate Noise

The Council of the Resort Village of Pasqua Lake, in the province of Saskatchewan, enacts as follows:

1. Short Title

This Bylaw may be cited as the Noise Bylaw.

2. Application

That all of the provisions and enactments set forth in this bylaw shall relate to and be in full force and effect within the limits of the Resort Village of Pasqua Lake.

3. Interpretation

In this bylaw unless the content otherwise requires, the expressions:

- a. "Council" shall mean the Council of the Resort Village of Pasqua Lake
- b. "Municipality" shall mean the Resort Village of Pasqua Lake
- c. "Motor Vehicle" shall mean a vehicle propelled or driven by means other than by muscular power
- d. "Noise" shall mean any loud outcry, clamor, shouting, or movement, or any other sound that is loud or harsh or undesirable
- e. "Occupant" shall mean the owner, occupant, or licensee of the premises, or any person found on the premises or around at the time when the noise or sound issues from the premises occurred
- f. "Peace Officer" shall have the same meaning as in *the Summary Offences Procedure Act, 1990*
- g. "Person" shall mean all humans and shall include corporations, companies, partnerships, firms, associations or other aggregations of individuals
- h. "Premises" shall mean the area contained within the boundaries of any lot and includes any building situated within such boundaries
- i. "Public Place" shall mean any place to which the public have access as of right or by invitation, express or implied

4. General Prohibitions

No person shall make, continue, or cause to be made or continued, or suffer or permit to be made or continued:

- a. Any unreasonably loud or excessive noise;
- b. Any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace or safety of reasonable persons of ordinary sensitivity within the jurisdiction limits of the Resort Village; or
- c. Any noise which is so harsh, prolonged, unnatural, or unusual in time or place as to occasion unreasonable discomfort to any person within the neighbourhood from which said noises emanate, or as to unreasonably interfere with the peace and comfort of

neighbours or their guests, or operators or customers of places of business, or as to detrimentally or adversely affect such residences or places of business.

5. Factors for determining whether a sound is unreasonably loud, or obtrusively persistent, or excessive include, but are not limited to, the following:
  - a. The proximity of the sound to sleeping facilities;
  - b. The land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;
  - c. The time of day or night the sound occurs;
  - d. The duration of the sound;
  - e. The volume of the sound;
  - f. The nature of the sound;
  - g. Whether the sound is recurrent, intermittent, or constant; and
  - h. The nature of the event or activity from which the sound emanates.
  
6. In the absence of other evidence, or by way of corroboration of other evidence, a justice may infer from the evidence of a Peace Officer or Bylaw Enforcement Officer relating to the conduct of a person or persons that a sound is unreasonably loud or excessive.
  
7. Domestic Noises
  - a. No person being the owner or occupant of any premises shall operate, or permit to be operated, or suffer to be operated, or allow to be operated, play or allow to be played, any radio, music player, video player, television set, musical instrument, or other apparatus, appliance, device or machine used for the production or amplification of sound, either in or on private premises in a residential district in such a manner that the same can be easily heard by an individual or member of the public who is not on the same premises from which such noise or sound emanates.
  - b. Without restricting the generality of Section 4, no person shall operate or allow to be operated the following after the hour of 10 o'clock pm and before the hour of 7 o'clock am in the morning of any weekday, and after the hour of 11 o'clock pm and the hour of 9 o'clock am in the morning on a weekend or holiday:
    - I. a lawn mower of any kind;
    - II. a snow clearing machine powered by an engine of any type;
    - III. a rototilling machine of any kind; or
    - IV. any other machine or device of a similar or like nature that is powered by a internal combustion engine or an electric motor
  - c. No person, who owns, keeps, houses, harbours, or allows to stay in his premises a dog, shall allow such dog to bark, howl, or whine excessively.
  
8. Construction Noises
  - 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 hour of 10 o'clock pm in any evening, and before 7 o'clock am in the morning on a weekday or 9 o'clock am in the morning on a weekend or statutory holiday.

- 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 drag line, an air or steam compressor, a jack hammer or pneumatic drill, a lawn mower, 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 beyond the boundaries of the site on which the activity is being carried on, after the hour of 10 o'clock pm in any evening, and before 7 o'clock am in the morning on a weekday or 9 o'clock am in the morning on a weekend or statutory holiday.
- c. No person shall allow the diesel motor on a tractor which pulls a trailer or on a semi-trailer truck to remain running for longer than 20 minutes while the tractor-trailer, or tractor lone, is stationary in a residential district.

## 9. Exceptions

The provisions of this bylaw shall not apply to:

- a. The reasonable sounding of any bell by a church or other religious organization;
- b. The moderate playing of musical instruments appropriate to any religious street service;
- c. A parade, a carnival, fair or exhibition, an outdoor political rally, public protest, demonstration, religious service, memorial service or other similar gathering;
- d. The sounding of general or particular alarm or warning to announce a fire or other emergency or disaster;
- e. The sounding of police sirens on any vehicle used by the police or fire department or on any ambulance;
- f. The sounding of a motor vehicle horn when used within reason;
- g. The construction, repair and maintenance of streets, alleys, electrical facilities and any other works by or on behalf of the municipality.

## 10. Inspection

A Peace Officer or Bylaw Enforcement Officer may enter on any property at any reasonable time for the purpose of ascertaining whether the requirements of this Bylaw are being observed. No person shall obstruct a Peace Officer or Bylaw Enforcement Officer under this section.

## 11. Enforcement

- a. The enforcement of this Bylaw is delegated to the Royal Canadian Mounted Police, the Bylaw Enforcement Officer appointed by the Resort Village, Saskatchewan Marshall, or a Conservation Officer.
- b. Where a Bylaw Enforcement Officer or a Peace Officer believes that a person has violated a provision of this bylaw, and the violation alleged is a first or second or third violation of a provision of this bylaw, the Bylaw Enforcement Officer or Peace Officer may serve or cause to be served a Notice of Violation in a form approved by Council and setting out the section of the bylaw alleged to have been violated and the applicable penalty. Upon production of the Notice of Violation within thirty (30) days after the date of service, together with payment of the penalty prescribed in the Notice, the person to whom the Notice was issued shall not be liable for prosecution for the violation in respect of which the Notice was given provided, that such person shall be deemed to have been convicted for the purpose of determining whether a later conviction is considered to be a second, third or subsequent violation.

12. Penalties

- a. Any person who is guilty of a violation of any provision of this bylaw shall be liable on summary conviction to a fines of:
  - I. \$150 for the first offense;
  - II. \$250 for a second offense occurring within 24 hours of the first offense;
  - III. \$2,000 for a third offense occurring within six (6) months of previous violations.
- b. Any corporation or Short Term Rental permit holder who is guilty of a violation of any provision of this bylaw shall be liable on summary conviction to a fines of:
  - I. \$1,000 for the first offense;
  - II. \$1,000 for each day during which the offence continues.
- c. Within thirty (30) days of issuance of a Bylaw Violation Notice pursuant to this section, together with the payment of the fee as provided in Clause 12a and 12b to the Chief Administrative Officer of the Municipality, the person to whom the violation was issued shall not be liable for prosecution for the contravention in respect of the Notice of Violation that the ticket was issued.
- d. Notwithstanding the provisions of this section, a person to whom a Bylaw Notice of Violation has been issued pursuant to this section may exercise his or her right to defend any charge of committing a contravention of any of the provisions of this Bylaw.
- e. The fine may be paid:
  - I. In person by cheque or cash during regular office hours to the Resort Village of Pasqua Lake located at 160 Broadway Street W Fort Qu’Appelle SK S0G 1S0
  - II. By mail addressed to the Resort Village of Pasqua Lake, Box 1759, Fort Qu’Appelle SK S0G 1S0
- f. Council of the Resort Village may, by resolution, approve a written request for a temporary relaxation of Sections of this Bylaw, for a specific event and for a specific time frame.

13. Coming Into Force

This bylaw shall come into force and take effect on the day of the final passing thereof.

*original signed by*

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Mayor Larry Bedel

*original signed by*

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CAO Caroline MacMurchy

Read a first time this 21<sup>st</sup> day of April, 2026.  
Read a second time this 19<sup>th</sup> day of May, 2026.  
Read a third time and passed this 19<sup>th</sup> day of May, 2026.

*original signed by*

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Administrator