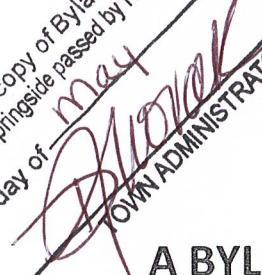


Certified a true copy of Bylaw No. 2024-05  
of the Town of Springside passed by resolution of Council this  
15th day of May, 2024  
  
TOWN ADMINISTRATOR

## TOWN OF SPRINGSIDE

### BYLAW NO. 2024-05

#### A BYLAW TO CONTROL AND REGULATE NOISE

1. The Council of the Town of Springside in the Province of Saskatchewan enacts as follows:
2. This bylaw shall be known as the “Noise Bylaw.”
3. DEFINITIONS:
  - a. “Administrator” means the Administrator of the Town of Springside.
  - b. “Council” means the Council of the Town of Springside.
  - c. “Designated Officer” means a person designated by the council or a person to whom power or authority is delegated by the administrator or, in the absence of a designation by the council, the administrator.
  - d. “Engine Brake” means a device used in trucks and semi-trailer units to slow or brake the said vehicles by means of closing the exhaust valves on the engines of the said vehicles, or any similar device.
  - e. “Holiday” shall have the same meaning as holiday in *The Interpretation Act, 1995, S.S. 1995*, as amended or substituted, and includes any day proclaimed as a civic holiday by the Council of the Town of Springside.
  - f. “Noise” includes, without limiting the generality of the word, any clamor, loud outcry, screaming, shouting, yelling, or swearing, or any other sound or sounds which are loud, harsh, undesirable, or disagreeable.
  - g. “Occupant” means a person who is the owner, occupant or lessee of the premises or any person found on the premises at or around the time when the noise or sound emanated from the premises.
  - h. “Person” includes any company, corporation, firm, association, partnership, society, individual or party.
  - i. “Premises” means the area contained within the boundaries of any lot and includes any building situated within such boundaries.
  - j. “Private Property” means property to which the public have access, whether on payment or otherwise, only by permission of the owner, occupier, or lessee of the property.
  - k. “Property” means real property, together with all improvements which have been affixed or brought on to the land.
  - l. “Residential Building” means a building which is constructed as a dwelling for human beings.

- m. "Residential District" means a district established as a residential district by any Zoning Bylaw in effect with the Town of Springside.
- n. "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 or bicycle.
- o. "Town" means the Town of Springside.
- p. "Vehicle" shall have the same meaning as vehicle has in *The Highway Traffic Act, S.S. 1986* as amended or substituted.
- q. "Weekday" means any day other than a holiday.
- r. "Zoning Bylaw" means Bylaw No. 2019-05 as enacted by Council and amendments thereto and includes any bylaw passed in substitution for or in addition to Bylaw No. 2019-05.

#### 4. GENERAL REGULATIONS

4.1 No person shall make, cause, or permit any noise or sound on private or public property that unreasonably disturbs, or is likely to disturb the quiet, peace, rest, enjoyment, comfort of convenience of persons in the town.

4.2 No person owning or controlling premises shall permit the use and occupation of those premises in a way that makes or causes any noise or sound that unreasonably disturbs or is likely to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of persons in the town.

4.3 In determining whether a noise or sound unreasonably disturbs or is likely to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of persons in the town, consideration may be given but is not limited to:

- a) the land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived.
- b) the time of day and of the week the sound occurs.
- c) the type, volume, and duration of the sound.
- d) the proximity of the sound to sleeping facilities, whether residential or commercial.
- e) whether the sound is recurrent, intermittent, or constant; and
- f) the nature of the event or activity from which the sound emanates.

#### 5. DOMESTIC NOISES

5.1 Without restricting the generality of Section 4, no person shall operate or allow to be operated in any residential district a lawn mower or lawn maintenance equipment of any kind; a snow clearing machine powered by an engine of any type; a rototilling machine of any kind; a gas powered generator; a model aircraft or any other machine or device of a similar or like nature that is powered by an internal combustion engine or an electrical motor:

- a) after the hour of 10:00 pm in the evening and before the hour of 7:00 am in the morning of any weekday.
- b) after the hour of 10:00 pm in the evening and before the hour of 8:00 am in the morning of any holiday.

5.2 No person who owns, keeps, houses, harbors, or allows a dog to stay on their premises, shall allow such dog to bark, howl or whine excessively.

5.3 No person shall own, keep, or harbor any animal or bird, which by its cries or sounds unduly disturb the peace, quiet, rest or tranquility of the neighborhood or the public at large.

5.4 No person being the owner or occupant of any premises shall operate or permit to be operated, or allow to be operated, play or allow to be played, any radio, phonograph, record player, tape recorder, television set, musical instrument, or any other apparatus, appliance, device or machine used for the production of 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.

## 6. VEHICLE REPAIR NOISES

6.1 Without restricting the generality of Section 4, no person being the owner or occupant of any premises shall allow vehicle repair work that involves the recurrent, intermittent, or constant revving of an engine; or autobody repair work that involves hammering, drilling, or the use of any machine in a residential district:

- a) after the hour of 10:00 pm in the evening and before the hour of 7:00 am in the morning of any weekday.
- b) after the hour of 10:00 pm in the evening and before the hour of 8:00 am in the morning of any holiday.

## 7. CONSTRUCTION NOISES

7.1 Without restricting the generality of Section 4, 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; or 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 jackhammer or pneumatic drill, a tractor or bulldozer or any other tools, devices or machines so as to create a noise which may be heard in any residential building:

- a) after the hour of 10:00 pm in the evening and before the hour of 7:00 am in the morning of any weekday.
- b) after the hour of 10:00 pm in the evening and before the hour of 8:00 am in the morning of any holiday.

7.2 Where it is impossible or impractical to comply with this section, the Council or Administrator may give written approval to continue the work that is found to be necessary at designated hours. Responsibility for obtaining written approval lies with the person carrying on the work.

## 8. ADVERTISING NOISES

8.1 Except in an emergency, no person shall advertise any event or merchandise by the use of any signaling device or by ringing bells, blowing 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 with the intention of result that the sound therefrom shall be a loud noise, unnecessary noise or unreasonable noise to persons using or frequenting any street or other public place.

## 9. DIESEL MOTORS

9.1 Except in an emergency, no person shall allow a diesel motor on a tractor which pulls a trailer or on a semi-trailer truck, or any other truck, to remain running for longer than fifteen (15) minutes while the tractor trailer, or tractor alone, or truck, is stationary in a residential district or any other location within five hundred (500) feet of any residential zone.

## 10. ENGINE BRAKES

10.1 No person shall engage, operate, apply, or otherwise use an engine brake on any vehicle while being driven within the Town except in an emergency where it is necessary in the circumstances to do so.

## 11. EXCEPTIONS

11.1 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 at 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 or park service.
- e) the sounding of a general or a particular alarm or warning to announce a fire or other emergency or disaster.
- f) the sounding of police whistles or the sirens or other signaling devices on any vehicle used by the police or fire department or on any ambulance or public service vehicle.
- g) any use of sound amplification equipment used by the police, fire department or any ambulance 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 large space in connection with any public election meeting, public celebration, or other lawful public gatherings of a similar nature.
- i) transit vehicles engaged in normal transit operations.
- j) the use of any tractors, trucks or other equipment for snow removal, snow clearing, refuse collection or sanding of streets, the repair of streets or the repair and maintenance of any municipal works or utilities.
- k) the use of any equipment for the repair or maintenance of any public utilities including the public utilities operated SaskPower, SaskEnergy and SaskTel;
- l) any person who has obtained a written permit from the Town of Springside.

12. PENALTIES

12.1 A Designated Officer who has reason to believe that a person has contravened any provision of this Bylaw may serve on that person a Notice of Violation.

12.2 The applicable penalty for contravention of the Bylaw shall be \$250.00.

12.3 Where the Town receives payment of the amount prescribed under section 12.2, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.

12.4 Every person who contravenes any provision of the bylaw is guilty of an offence and liable on summary conviction:

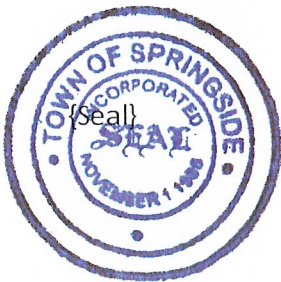
- a) in the case of an individual, to a fine of not more than \$10,000.00.
- b) in the case of a corporation, to a fine of not more than \$25,000.00; and
- c) in the case of a continued offense, to a maximum daily fine of not more than \$2,500.00 per day.

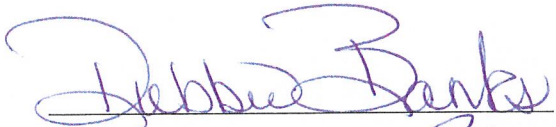
13. REPEAL

13.1 Bylaw No. 4-88 is hereby repealed.

14. EFFECTIVE DATE

14.1 This bylaw shall come into effect on the day of its final passing.



  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Administrator