

THE CORPORATION OF THE VILLAGE OF BURNS LAKE

BYLAW NO. 771

Being a Bylaw to provide for the control of noise.

The Council of the Corporation of the Village of Burns Lake, in a open meeting assembled, enacts as follows:

1. It shall be unlawful for any person or persons within the municipal boundaries of the Village of Burns Lake to make or cause any noises or sounds in or on a highway or elsewhere within the municipal boundaries which disturb or tend to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood, or of persons in the vicinity.
2. Without in any way limiting the prohibition contained in Section One (1) hereof, the following are specifically prohibited within the municipal boundaries of the Village.
 - (a) The playing of any radio, phonograph, television set, or musical instrument in such a manner or with such volume as to disturb the quiet, peace, rest, enjoyment or comfort of the neighbourhood, or of persons in the vicinity.
 - (b) The keeping of any animal, bird or fowl which by causing frequent or loud continued noise shall disturb the quiet, peace, rest, enjoyment or comfort of the neighbourhood, or of persons in the vicinity.
 - (c) The use of any automobile, motorcycle, bus, truck, tractor, or other vehicle so out of repair or so loaded or so operated as to create loud or unnecessary noise or noises.
 - (d) The use of a snowmobile or recreational vehicle upon private or public property so operated as to disturb the quiet, peace, rest, enjoyment or comfort of the neighbourhood, or of persons in the vicinity.
 - (e) The discharging into open air of the exhaust of any stationary internal combustion engine, motor vehicle engine, or automobile engine except through a muffler or other device which effectively prevents unnecessary noise therefrom.
 - (f) The sounding of a horn or other signalling device upon an automobile, motorcycle, bus or other vehicle not in motion.
 - (g) The sounding of a horn or other signalling device upon an automobile, motorcycle, bus or other vehicle in motion except as a danger or warning signal.
 - (h) The creation of any excessive noise on any street, highway or land adjacent to any school, institution of learning, church, or courts, while the same are in session or adjacent to any hospital, medical clinic or dentist clinic at any time.
 - (i) The loading and unloading of any truck, truck and trailer combination, or motor vehicle in or upon any public or private place or premises in such a manner as to as to disturb the quiet, peace, rest, enjoyment or comfort of the neighbourhood, or of persons in the vicinity.

- (j) Yelling, shouting, whistling, singing on the highway or streets at any time or place so as to disturb the quiet, peace, rest, enjoyment or comfort or convenience of any persons in any hospital, dwelling, hotel, motel or other type of residence, excluding any celebration or parade approved by the Council of the Village of Burns Lake.
- (k) The excessive use of any sound amplification or noise making device between ten o'clock in the afternoon and eight o'clock in the forenoon either in or upon the exterior grounds or private premises or in any public place without first having obtained the permission of the Council provided that nothing contained in this bylaw shall be deemed to apply to any motor vehicle under the control of the Fire Department, while responding to a fire alarm, or any police officer or constable in the discharge of his duty, or to any licensed ambulance or to the use of any siren, by the Fire or Police Department, or in connection with the operation of the ambulance, or any private or commercial vehicle that is involved in an emergency situation.
- (l) The erection (including excavating), demolishing, constructing, reconstructing, altering, or repairing of any building, or the excavating, of any street, highway, or lane, in any residential zone between the hours of six o'clock in the afternoon and seven o'clock in the forenoon except in the case of urgent necessity and in the interest of public health and safety and then only after a permit from the Chief Administrative Officer of the Village of Burns Lake has first been obtained according to the provisions of Section Four (4).

3. The provisions of this bylaw shall not apply to or be enforced against:

- (a) Any vehicle of the Village of Burns Lake while engaged upon necessary public business.
- (b) The use of bells or chimes for the announcing of church services of all kinds.
- (c) The playing of dance music in any regularly licensed dance hall or cabaret between the hours of eight o'clock in the afternoon and two o'clock in the forenoon of the following day.
- (d) Any work carried out during restricted hours with permission of the Chief Administrative Officer in writing, specifying the time during such restricted hours when such work may be performed.
- (e) Any vehicle, snowplow, bobcat, truck or sander used in the normal course of plowing snow or sanding of any street, highway, lane or parking lot in **any zone**.

4. Persons or businesses seeking temporary exemption from one or more provisions under this bylaw may:

- (a) Apply to the Chief Administrative Office of the Village of Burns Lake for a permit (as per Schedule "A" attached) to conduct a specific activity or activities.
- (b) An application made under Section 4 (a) must be delivered to the municipality in writing and include:
 - 1) The nature of the request and the reason for it:

- 2) A schedule outlining when the activity or activities for which an exemption is being sought will take place; and
 - 3) The estimated length of time required to complete the aforementioned activity or activities.
- (c) Upon receipt of an application under Section 4 (a), the Chief Administrative Officer or his designate shall review it and, if deemed in the public interest, grant the applicant a temporary exemption from one or more provisions of this bylaw.
 - (d) A temporary exemption permit granted under this section may limit the time during which a specific activity or activities may be conducted.
- 5. The Corporation of the Village of Burns Lake Anti-Noise Bylaw #471, 1980 and amendments are hereby repealed.
 - 6. Any person who violates any provision of this Bylaw is guilty of an offence and is punishable in accordance with the Offense Act.
 - 7. This Bylaw shall be cited for all purposes as the **“Corporation of the Village of Burns Lake Anti-Noise Bylaw # 771”**

Read a First Time this 22nd day of February , 2000


Read a Second Time this 22nd day of February , 2000

Read a Third Time this 22nd day of February , 2000

Reconsidered and Adopted this 14th day of FEBRUARY , 2000



 Mayor



 Clerk

Certified to be a true copy of the “Village of Burns Lake Anti-Noise Bylaw #771, 2000”.



 Clerk

Village of Burns Lake
Anti-Noise Bylaw #771 – 2000
Application for Exemption & Permit

Date:- _____

Applicants:

Name: _____

Address: _____

Phone: _____

Nature of and reason for exemption:

Schedule outlining when the activity or activities for which an exemption is being sought:
