BYLAW No. 3 - 1996

A BYLAW OF THE VILLAGE OF SIMPSON IN THE PROVINCE OF SASKATCHEWAN TO CONTROL AND REGULATE NOISE.

The Council of the Village of Simpson, in the Province of Saskatchewan, enacts as follows:

1. This Bylaw may so cited"The Noise Bylaw"

2. This Bylaw including this Section

(a) 'Municipality' means the Village of Simpson
(b) 'holiday' means any holiday as defined in The Interpretation Act, or any holiday proclaimed as such by the Municipality,
(c) 'motor vehicle' means a vehicle propelled or driven by any means other than by muscular power.
(d) 'occupant" means the owner, occupant or licensee of the premises or any person found on the premises 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, or common area of such 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, bel, klax-on, siren or other device producing an audible sound for the purpose of drawing people's attention to an approaching vehicle, including a bicycle,
(h) 'weekday' means any day other than a holiday.

GENERAL PROHIBITION

3. (1) Except to the extent it is allowed by this Bylaw no person shall make or continue to make, or cause to be made, or allow to me made any unnecessary noise or any unusual noise.

(2) Except to the extent it is allowed by this Bylaw,no person shall make, or continue to make, or cause to be made' or cause to be continued, any noise whatsoever which either annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace, or safety of other persona within the limits of the municipality,

(3) What is a loud noise, an unnecessary noise, an unusual noise, or a comfort, repose, health, peace or safety of other persons is a question of fact for a court which hears a prosecution of an offence against the Bylaw.

(4) Without restricting the generality of Section 3,no person shall operate or allow to be operated a lawn mower of any kind, or a snow clearing device powered by an engine of any type or a model aircraft driven by an internal combustion engine or any motor driven equipment which emits sound in any residential district between the hours of 1200 midnight and 6:00 a.m.

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(5) No person who owns, keeps, houses, harbours or allows to stay in his premises a dog shall allow such to bark or howl excessively.

OS) 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, or suffer 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 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.

CONSTRUCTION NOISES

(7) Except in an emergency, no person shall carry on the construction, erection, demolition, alteration or repair of any type of building, implement, vehicie, piece of equipment, or structure which involves hammering, sawing, drilling or the use of any machine, tools or any other equipment capable of creating a sound carried on, after the hour of 1200 midnight and before 6:00 a.m.

(8) Except in an emergency, no person shall operate or allow to be operated a cement mixer, cement mixer truck, a compressor, a riviting machine, a trenching machine, a drag line, 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 12:00 midnight and 6:00 a.m.

ADVERTISING NOISES

(9) No personal shall advertise any event or merchandise 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, or by any other audible means, on any street or other public place.

DIESEL MOTORS

(10) No person shall allow the diesel motor of a tractor intended to be used for the pulling of a trailer to remain running for longer than 20 minutes while stationary in a residential district.

EXCEPTIONS

(11) 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,

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(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 other emergency of disaster;

(f) The sounding of a factory whistle and similar devices at normal appropriate times;

(g) The sounding of police whistles or the sirens on any vehicle used by the police or fire department or on any ambulance or public service vehicle;

(h) Any 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 commodoius space in connection with any public election meeting, public celebration, or other reasonable gathering;

(i) Transit vehicles engaged in normal transit operations; and

(j) The sounding of motor vehicle horns when used within reason.

PENALTIES

(12) Any person who contravenes any provisions of this Bylaw is guilty of an offence and is liable on summary conviction to the penalties imposed in the General Penalty Bylaw of the municipality.

Kenneth Freeman MAYOR

David Bergquist CLERK

CERTIFIED a true copy of
Bylaw No.3-1996 adopted by
Resolution of Council of the
Village of Simpson on the 9th
day of September, 1996

Kenneth Freeman MAYOR

David Bergquist CLERK