

CITY OF GRAND FORKS

NOISE CONTROL BYLAW NO. 1681

A Bylaw to provide for the regulation and
Prohibition of certain noises and sounds

WHEREAS Section 724 of the *Local Government Act* provides Council with the authority, by bylaw, to regulate or prohibit the making or causing of certain noises or sounds within the Municipality; and

WHEREAS the Council of the Municipality deems it necessary and desirable to regulate or prohibit noises or sounds which disturb the quiet, peace, rest, enjoyment, comfort or convenience of neighbourhood persons in the vicinity, or the public;

NOW THEREFORE the Municipal Council of the City of Grand Forks in open meeting assembled, enacts as follows:

Citation

1. This Bylaw may be cited for all purposes as the Grand Forks Noise Control Bylaw No. 1681, 2001.”

Definition

2. In this Bylaw:
 - (a) “Bylaw Enforcement Officer” means every person designated by Council as a Bylaw Enforcement Officer for the City, and every Peace Officer;
 - (b) “City” means the Corporation of the City of Grand Forks;
 - (c) “Council” means the Municipal Council of the City;
 - (d) “Municipality” means the area within the municipal boundaries of the City
 - (e) “Owner” means an owner or occupier of a parcel of land, or both

Prohibited Noises and Sounds

3. No person shall make or cause, or permit to be made or caused, in or on a highway or elsewhere in the Municipality, any noise or sound which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of two or more persons from separate residences in the vicinity.

4. No owner, tenant or occupier of real property shall allow that property to be used so that a noise or sound which originates from that property disturbs the quiet, peace, rest, enjoyment, comfort or convenience of 2 or more persons from separate residences in the vicinity.
5. No person shall keep any animal which by its calls, cries, barks, or other noises disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of 2 or more persons from separate residences in the vicinity.
6. Without limiting Sections 3 – 5 of this bylaw, the Council believes that the following noises or sounds are objectionable:
 - (a) any calls, cries, barks, or other noises made by an animal which are audible outside the property where the animal is kept, between 10:00 p.m. and 7:00 a.m.; and
 - (b) any amplified music or speech which is audible outside the property where it originates or is reproduced, between 10:00 p.m. and 7:00 a.m.;
 - (c) any noise caused or emanating from construction activity, including alterations, demolitions, and excavations between the hours of 8:00 p.m. and 7:00 a.m.;
 - (d) any noise longer than 15 minutes caused or emanating from the operation of a parked or stopped diesel vehicle or reefer between 10:00 p.m. and 7:00 a.m.

and no person shall cause or permit such noises or sounds to be made.

Exemption

7. This Bylaw does not apply to:
 - (a) police, fire, or other emergency vehicles proceeding upon an emergency;
 - (b) the excavation, construction, or infrastructure work, or repairing of bridges, streets, highways, or lands by the City or agents acting on its behalf;
 - (c) the operation of maintenance equipment by the City or agents acting on its behalf;
 - (d) snow removal or highway cleaning operations;
 - (e) the erection, demolition, construction, reconstruction, alteration or repair of any building or structure between 7:00 a.m. and 10:00 p.m.
 - (f) the operation of a public address system required under a building or fire code;
 - (g) a lawnmower, power gardening equipment or chainsaw operated between 7:00 a.m. and 10:00 p.m.;

- (h) a horn from a motor vehicle, boat or train where it is necessary to warn of danger or a hazard;
- (i) an event approved by resolution of Council provided it is within the terms of that approval – ie: hours of operation

Inspections

- 8. A Bylaw Enforcement Officer may enter on any property at any reasonable time for the purpose of ascertaining whether the regulations and requirements of this Bylaw are being observed.
- 9. No person shall obstruct a Bylaw Enforcement Officer from entering property under section 8.

Offences and Penalties

- 10. Any person who contravenes this Bylaw is liable upon summary conviction to a fine not exceeding \$2,000.00. Every day that infraction of this Bylaw continues shall constitute a separate offence.

Severability

- 11. If any portion of this Bylaw (including without limitation all or part of Section 7) is held to be invalid by a Court of competent jurisdiction, such invalidity shall not affect the remaining portions of the Bylaw.

Repeal

- 12. The City of Grand Forks Noise Control Bylaw, No. 1313 is repealed and replaced by this Bylaw.

READ a first time this 1st day of October, 2001

READ a second time this 1st day of October, 2001

READ a third time this 5th day of November, 2001

RECONSIDERED, finally passed and adopted this 19th day of November, 2001

MAYOR

CLERK

CERTIFICATE

I hereby certify the foregoing to be a true copy of the Grand Forks Noise Control Bylaw No. 1681, 2001 as passed by the Municipal Council of the City of Grand Forks on the 19th day of November, 2001.

Clerk of the Municipal Council of the
City of Grand Forks

