

TOWN OF FORT NELSON

THE NOISE CONTROL BYLAW NO. 613, 2002

August 2002

A bylaw of the Town of Fort Nelson (hereinafter called "the Town") to regulate noise within the boundaries of the Town pursuant to the Local Government Act.

The Council of the Town, in open meeting assembled, hereby enacts as follows:

1. CITATION

- (1) This bylaw may be cited as "The Noise Control Bylaw No. 613, 2002".

2. REPEALS

- (1) "The Noise Control Bylaw No. 545, 1998" is hereby repealed in its entirety.

3. APPLICATION

- (1) This bylaw shall apply to the geographic area of the Town of Fort Nelson.

4. DEFINITIONS

In this bylaw:

- (1) "Council" means the elected Council of the Town of Fort Nelson;
- (2) "Highway" includes every highway within the meaning of the "Highway Act", and every road, street, lane or right-of-way designed or intended for or used by the general public for the passage of vehicles, and every private place or passageway to which the public, for the purposes of the parking or servicing of vehicles, has access or is invited to; and includes the roadway, shoulder, boulevard, ditch and sidewalk area and whatever lands lie between the property lines of the highway;
- (3) "Town" means the Town of Fort Nelson.

5. GENERAL NOISE REGULATIONS

- (1) No person shall make or cause to be made, either on a highway or elsewhere in the Town, any noise or sound which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any other person.

Animal Noise

- (2) No person shall keep any animal in the Town which by its cries or barks disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any other person.

Use of Property

- (3) No owner or occupier of real property in the Town shall allow such real property to be used so that noise or sound emanates therefrom which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any other person.

Emergency Vehicles

- (4) The provisions of this bylaw shall NOT apply to police, fire, ambulance or other emergency vehicles proceeding upon an emergency.

Construction Works

- (5) The provisions of this bylaw shall NOT apply to persons carrying on construction works between 7:00 a.m. and 9:00 p.m. on any day.

6. SEVERABILITY

- (1) If any portion of this bylaw is held to be invalid by a Court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of the bylaw.

7. PENALTY PROVISIONS

- (1) Any person who contravenes any of the provisions of this bylaw shall be liable to a fine of not more than Two Thousand Dollars (\$2,000.00), and in default of payment, to imprisonment for a term of not more than thirty (30) days.

8. EFFECTIVE DATE

- (1) This bylaw shall take effect upon its adoption.

9. DESIGNATED BYLAW ENFORCEMENT OFFICERS

- (1) Designated bylaw enforcement officers for Bylaw No. 613, 2002 are: Bylaw Enforcement Officer and Royal Canadian Mounted Police Officer.

READ a first time this 11th day of February, 2002.

READ a second time this 11th day of February, 2002.

READ a third time this 11th day of February, 2002.

ADOPTED as amended this 21st day of August, 2002

CERTIFIED a true and correct copy of "The Noise Control Bylaw No. 613, 2002" as adopted by the Council of the Town....Debbie Walker, Town Clerk

THE CORPORATE SEAL of the Town of Fort Nelson was hereto affixed in the presence of....Harry Clarke, Mayor and Debbie Walker, Town Clerk

THE MUNICIPAL TICKET INFORMATION
BYLAW NO. 610, 2002
(In Reference to Noise Control Bylaw No. 613, 2002)

Designated Bylaw Enforcement Officers for Bylaw No. 613, 2002
Bylaw Enforcement Officer
Royal Canadian Mounted Police Officer

Offence Bylaw No. 610, 2002 Section/Fine

Offence	Bylaw Section	Fine
Noise which Disturbs	5(1)	\$100
Animal Noise which Disturbs	5(2)	\$100
Noisy Use of Property with Disturbs	5(3)	\$100