

# THE CORPORATION OF THE TOWNSHIP OF NORTH GRENVILLE

## BY-LAW NO. 36-01 AS AMENDED BY BY-LAW 22-03

### *A By-Law to Regulate Noises calculated to Disturb the Inhabitants of The Township of North Grenville*

**WHEREAS** the *Municipal Act* R.S.O. 1990, Chapter M.45, Section 210, Subsection 138, as amended, empowers councils of local municipalities to pass by-laws for prohibiting or regulating the ringing of bells, the blowing of horns, shouting and unusual noises, or noises likely to disturb the inhabitants within the municipality;

**AND WHEREAS** the Council of the Corporation of the Township of North Grenville has deemed it necessary to identify and regulate certain types of noise which may disturb the inhabitants of the Township of North Grenville;

**NOW THEREFORE** the Council of the Corporation of the Township of North Grenville enacts as follows:

#### SCOPE OF BY-LAW

1. None of the provisions of this by-law shall apply to:
  - a) 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 commodious space in connection with any public celebration, public election meeting, or other reasonable gathering, provided written permission of the Township of North Grenville has first been obtained.
  - b) any military or other band or any parade, operating under written permission first obtained from the Township.
  - c) any operation or vehicle of the police or fire department, or any ambulance, public service, or emergency vehicle.
  - d) any sound arising from the operation of any railway which operates under the Railway Act of Canada or from any plant or work in connection with any such railway.
  - e) the operations of any Religious Services as heretofore carried on. The ringing of bells or carillons in connection with any church or meeting house.
  - f) any sound arising from the normal operation of any farm or similar agricultural use or any animal(s) in connection with such use.
  - g) the operation of a pit or quarry licenced under the *Aggregate Act*.
  - h) any sound arising from the normal operation of motor vehicles.

#### APPLICATION

2. No person shall ring any bell, blow or sound any horn or cause the same to be rung, blown or sounded, shout or create, cause or permit any noise which is likely to disturb the inhabitants of the Township of North Grenville.

3. Without limiting the generality of the foregoing, the following noises are specifically identified to be noises calculated to disturb the inhabitants of the Township of North Grenville, therefore:
- a) no person shall ring any bells, blow any horns or sound any sirens on any motor vehicle likely to disturb the inhabitants, except to the extent that such ringing, blowing or sounding is required by law or by the requirement of safety.
  - b) no person shall cause or permit the sound or noise from or created by any radio, phonograph, any musical or sound-producing instrument of whatsoever kind when such radio, phonograph or instrument is played or operated in such a manner or with such volume as is likely to disturb the inhabitants in the vicinity.
  - c) no person shall permit the grating, grinding or rattling noise or sound caused by a condition of disrepair or maladjustment of any motor, motor vehicle, motorcycle, or other vehicle whatsoever or part or accessory thereof which is likely to disturb the inhabitants.
  - d) no person shall blow or cause to be blown, any steam or air whistle attached to or used in connection with any stationary boiler or other machine or mechanism likely to disturb the inhabitants, except for the purpose of giving notice to workmen of the time to commence or cease work or as a warning of danger.
  - e) no person shall cause or permit the discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motorcycle, or motorized snow vehicle likely to disturb the inhabitants, except through a muffler or other device which effectively prevents louder explosive noises.
  - f) no person shall cause or permit any noise to be created between the hour of 10:00 p.m. of any day and 7:00 a.m. of the next following day from any excavation or construction work whatsoever, including the erection, demolition, alteration or repair of any building or structure likely to disturb the inhabitants, except in the case of repairs or demolition to a building of such an urgency that the lack of immediate attention to the same would result in severe damage to the building or be likely to endanger the health or property of any person.
  - g) no person shall cause or permit the noise or sound created by the use or operation of any drum, horn, bell, radio or mechanical loud speaker, or other instrument or device or sound-producing, or sound transmitting instrument or apparatus for the purpose of advertising or for attracting attention to any performance, show, sale, or display of goods, wares, or merchandise or which projects noise or sound into any street or other public place, which is likely to disturb the inhabitants.
  - h) no person shall cause or permit the noise or sound created by the use or operation of any radio or mechanical loud speaker or amplifier or other instrument or device or sound producing, or sound re-producing, or sound transmitting instrument or apparatus in or upon any vehicle which is likely to disturb the inhabitants, except for such time and under such conditions as the Township may prescribe.

**PENALTIES**

4. Any person who contravenes any provision of this by-law shall be guilty of an offence and shall be liable, upon conviction, to such fine as is provided for in the provisions of the *Provincial Offences Act*, as amended and any other applicable law, exclusive of costs, for each offence.
5. Upon registering a conviction for a contravention of any provision of this by-law, the Superior Court of Justice, may in addition to any other remedy and to any penalty imposed by this by-law, make an order prohibiting the continuation or repetition of the offence by the person convicted, pursuant to Section 327 of the *Municipal Act*, R.S.O., 1990, as amended.

**GENERAL PROVISIONS**

6. Schedule "A" - Set Fines is attached hereto and forms part of this by-law.
7. It is hereby declared that each and every of the foregoing provisions of this by-law is severable and that, if any provision of this by-law should for any reason be declared invalid by any Court, it is the intention and desire of this Council that each and every one of the then remaining provisions hereof shall remain in full force and effect.
8. This by-law shall come into effect on the date of passing.

READ A FIRST AND SECOND TIME  
THIS 17<sup>TH</sup> DAY OF DECEMBER, 2001.

READ A THIRD TIME AND PASSED  
THIS 14<sup>TH</sup> DAY OF JANUARY, 2002.

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BRUCE HARRISON  
Mayor

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HEATHER RENDER  
Acting Clerk

**THE CORPORATION OF THE TOWNSHIP OF NORTH GRENVILLE**

**Schedule “A” to By-Law No. 36-01 , as amended**

<b>Item</b>	<b>Description of Offence</b>	<b>Provision Creating or Defining Offence</b>	<b>Set Fine (including costs)</b>
1	Create a Noise Likely to Disturb the Inhabitants	Sec. 2	\$85.00
2	Ring bell, blow horn or sound siren on any motor vehicle likely to disturb the inhabitants	Sec. 3 a)	\$85.00
3	Use a radio, phonograph, musical or sound producing equipment in a manner likely to disturb the inhabitants in the Vicinity.	Sec. 3 b)	\$85.00
4	Permit noise due to vehicle disrepair, likely to disturb the inhabitants.	Sec. 3 c)	\$85.00
5	Blow or cause to be blown, a steam or air whistle attached to or used in connection with any stationary boiler or other machine likely to disturb the inhabitants.	Sec. 3 d)	\$85.00
6	Operate a combustion engine without effective exhaust, likely to disturb the inhabitants	Sec. 3 e)	\$55.00
7	Engage in construction between 10:00 p.m. and 7:00 a.m., likely to disturb the inhabitants.	Sec. 3 f)	\$225.00
8	Project sound or noise for the purpose of advertising or attracting attention to a performance, show, sale or display of goods in a manner likely to disturb the inhabitants.	Sec. 3 g)	\$125.00
9	Use a radio, loudspeaker, musical or sound producing equipment in or upon a vehicle in a manner likely to disturb the inhabitants.	Sec. 3 h)	\$85.00
The Penalty Provision for the Offences indicated above is Section 61 of the <i>Provincial Offences Act</i> , R.S.O. 1990, c. P.33			