

RURAL MUNICIPALITY OF WILTON NO. 472

BYLAW NO. 07 - 2007

LONE ROCK NOISE BYLAW

The Council for the Rural Municipality of Wilton of No. 472 in the Province of Saskatchewan enacts as follows:

1. CITING

- 1.1 This Bylaw may be cited as the "Rural Municipality of Wilton No. 472 – Lone Rock Noise Bylaw".

2. PURPOSE AND SCOPE

- 2.1 The purpose of this Bylaw is to regulate noise within the Hamlet of Lone Rock, situated within the Rural Municipality of Wilton No. 472.

3. DEFINITIONS

- 3.1 Definitions of words in this Bylaw are the definitions contained in *The Municipalities Act*.

- 3.2 "Administrator" means the administrator of the municipality;

- 3.3 "Council" means the Council of the Rural Municipality of Wilton No. 472.

- 3.4 "Hamlet" means the Hamlet of Lone Rock.

- 3.5 "Municipality" means the Rural Municipality of Wilton No. 472.

- 3.6 "Objectionable Noise" means any loud outcry, call, bark, clamor, shouting, movement or any sound:

- (a) that disturbs, or tends to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighborhood, or of persons in the vicinity; or

- (b) is objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;

and includes continuous barking, howling or yelping sounds lasting more than five minutes or the sound of barking, howling or yelping sporadically or erratically for a cumulative duration of 5 minutes or longer in any 15 minute period.

- 3.7 "Peace Officer" means a member of the local Royal Canadian Mounted Police or Wilton Police Service and shall include a person or persons appointed from time to time by the Board to enforce and administer this Bylaw.

4. GENERAL REGULATIONS

- 4.1 No person shall make or cause, or permit to be made or caused, any **objectionable noise** in or on a highway, public or private place or elsewhere within the **Hamlet**.

- 4.2 No person being the owner, tenant or occupier of real property within the **Hamlet** shall allow or permit such real property to be used so that **objectionable noise** occurs thereon or emanates there from.

- 4.3 No person in the **Hamlet** shall play or operate any outdoor public address system, radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound either in or on a public or private place in such a manner so as to cause or create **objectionable noise**.

- 4.4 No person in the Hamlet shall own, keep or harbor any animal or bird, which by its continuous calls, cries, barks, or other sounds create **objectionable noise**.

- 4.5 No hawker, huckster, peddler, newsvendor or other person in the **Hamlet** shall by his intermittent or reiterated cries or other sounds cause or create **objectionable noise**.

- 4.6 No person shall operate a snow mobile, motorcycle, or all terrain vehicles either in or on a public or private place within the **Hamlet** in such a manner so as to cause or create **objectionable noise**.

5. HARVESTING & CONSTRUCTION HOURS

- 5.1 No person shall on any day before 7:00 a.m. or after 10:00 p.m., construct, erect, reconstruct, alter, repair or demolish any building, structure, or thing or excavate or fill in land in any manner so as to cause or create **objectionable noise**.

- 5.2 Where it is impossible or impractical to comply with section 5.1, the **Administrator** may give written approval to carry on the work that is found to be necessary at

designated hours. Responsibility for obtaining written approval lies with the person carrying on the work.

- 5.3 No person without prior written approval from the **Administrator** may cause noise caused by agricultural harvesting within the **Hamlet** on any day before 7:00 a.m. or after 10:00 p.m.
- 5.4 A landowner must provide a written request to carry on agricultural harvesting noise between 10:01 p.m. and 6:59 a.m. between a specified period of time of the Fall season. The **Administrator** may approve the request and if approved, will provide written documentation of such approval to the landowner before the beginning of the specified period.

6. EXEMPTIONS

- 6.1 This Bylaw does not apply to:
 - (a) police, fire, or other emergency vehicles proceeding upon an emergency;
 - (b) equipment used to excavate, construct, or repair streets, highways, or infrastructure; and
 - (c) equipment used for snow removal.
- 6.2 Notwithstanding any provisions of this Bylaw, the **Council** may, by resolution, grant an exemption from any provisions of this Bylaw where the **Council** determines it necessary and in the best public interest.

7. SEVERABILITY

- 7.1 If any section or lesser portion of this Bylaw is for any reason held to be invalid by a court, the invalid portion is severable and the validity of the remaining portions of this Bylaw will not be affected.

8. ENFORCEMENT

- 8.1 A **Peace Officer** or any person authorized by the **Municipality** is hereby authorized to enter, at all reasonable times or as circumstances require, any real property within the **Hamlet** to carry out an inspection so as to be able to ascertain whether the provisions in this Bylaw are being obeyed.
- 8.2 No person shall obstruct, impede, refuse or neglect to admit to any property, a **Peace Officer** or any person authorized by the **Council** in the execution of his duties within this Bylaw.

9. PENALTIES

- 9.1 Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw or who does any act which violates any of the provisions of this Bylaw, is guilty of an offence against this Bylaw and liable to the penalties hereby imposed. Each day that a violation continues to exist shall constitute a separate offence.
- 9.2 Every person who commits an offence against this Bylaw is liable to a fine and penalty of not more than \$2,000.00 and not less than \$100.00 for each offence, and in default of payment thereof, the fine imposed shall be recoverable by taxes.

10. REPEAL

- 10.1 Bylaw 08-2002 is hereby repealed.

11. FORCE & EFFECT

- 11.1 This Bylaw shall come into force and effect on the day of its third reading and final adoption.

READ A FIRST TIME this 29th day of May, 2007.
READ A SECOND TIME this 29th day of May, 2007.
READ A THIRD TIME AND ADOPTED this 29th day of May, 2007.

REEVE

ADMINISTRATOR

(SEAL)