

8-2000

A BYLAW TO REGULATE NOISE WITHIN THE LIMITS OF SUNSET ESTATES.

WHEREAS, under the provisions of Section 215, subsection 1(f) of the Rural Municipality Act, the Rural Municipality of Blucher, #343 is empowered to enact a bylaw to prohibit, eliminate or abate the making or causing of noises in any area of the Municipality.

NOW THEREFORE, The Council of the Rural Municipality of Blucher, #343, in the Province of Saskatchewan hereby enacts as follows:

1. This bylaw may be cited as the **“Sunset Estates Noise Control Bylaw”**.

2. DEFINITIONS

1 (a) Words defined in The Highways Transportation Act, Chapter h-3.1 of the Revised Statutes of Saskatchewan 1986 and the Rural Municipality Act, shall have the same meaning when used in this bylaw unless defined in the bylaw or unless the context otherwise requires.

1 (b) In this bylaw unless the context otherwise requires:

- i. “Inspector” means any person or persons appointed from time to time by the Municipality of Blucher #343 to enforce and administer the bylaw;
- ii. “limits of Sunset Estates” shall mean all that property legally described as LSD 11, 14 Section 32, Township 36, Range 3, West of the Third Meridian;
- iii. “Noise” includes, without limiting the generality of the word, any clamour, loud outcry, screaming, shouting, yelling or swearing or any other sound or sounds being either naturally or electronically produced which are loud, harsh, undesirable or disagreeable;
- iv. “Peace Officer” shall have the same meaning as the Summary Offences Procedures Act being Chapter S-63, revised Statutes of Saskatchewan 1978, plus the person or persons who are appointed to enforce and administer this bylaw;
- v. “Person” includes any company, corporation, firm, association, partnership, society, individual or party;
- vi. “Property” means real property, together with all improvements, which have been affixed or brought on to land within the limits of Sunset Estates.

3. GENERAL REGULATIONS

1. Except to the extent it is allowed by the Bylaw, no person shall make, or continue to make; or allow to be made or continue to allow to be made; any noise whatsoever which annoys, disturbs, injures, endangers, or detracts from the peace, comfort, repose, quiet, health, rest, tranquility or safety of any other person within the limits of Sunset Estates.

4. DOMESTIC NOISES

1. No person shall operate or allow to be operated a lawn mower of any kind, or a snow clearing devise powered by an engine of any type, or any other vehicle or toy driven by an internal combustion engine, within the limits of Sunset Estates, between the hours of:
 - A. 10:00 o'clock in the evening and 7:00 o'clock of the following morning on weekdays;
 - B. 10:00 o'clock in the evening and 9:00 o'clock of the following morning, which is on a Sunday, or holiday.
2. No person who owns, keeps, houses, harbours or allows to stay on his premises a dog, shall allow such dog to bark or howl loudly or excessively which by its sounds unduly disturbs the peace, comfort, repose, quiet, health, rest, tranquility or safety of any other person within the limits of Sunset Estates.
3. No person shall own, keep house, harbour or allow to stay on his premises any animal or bird, which by its cries or sounds unduly disturbs the peace, comfort, repose, quiet, health, rest, tranquility or safety of any other person within the limits of Sunset Estates.
4. No person, being the owner or occupier of any premises, shall operate, play, permit, suffer, or allow to be operated or played, any radio, phonograph, record player, tape recorder, television set, musical instrument, or any other apparatus, appliance, devise or machine used for the production or amplification of sound, either in or on private premises in the limits of Sunset Estates in such a manner that the sounds unduly disturbs the peace, comfort, repose, quiet, health, rest, tranquility or safety of any other person within the limits of Sunset Estates.

5. CONSTRUCTION NOISES

1. No person shall construct, erect, reconstruct, alter, repair or demolish any building, structure or thing, or fill in land, in any manner which sounds unduly disturbs the peace, comfort, repose, quiet, health, rest, tranquility or safety of any other person within the limits of Sunset Estates during the hours of 10:00 o'clock in the evening and 8:00 o'clock in the morning.
2. Where it is impossible or impractical to comply with section 5.1, management of the Sunset Estates Mobile Home Park may give written approval to carry on the work that is found to be necessary outside the designated hours.
3. Responsibility for obtaining written approval stated in section 5.2 lies with the person carrying on the work.

6. EXEMPTIONS

1. The provision of this Bylaw shall not apply to:
 - i. the ringing of bells in churches, religious establishments and schools;
 - ii. 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;

- iii. the playing of the 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 authorized parade;
- iv. the moderate playing of musical instruments appropriated to any religious street service;
- v. the sounding of a general or a particular alarm or warning to announce a fire or other emergency or disaster;
- vi. any sound amplification equipment used by the police, fire department or any ambulance service or public service;
- vii. 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 election meeting or public celebration.

7. PENALTIES

- 1. Any person who contravenes any 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; or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw; is guilty of an offence and upon summary conviction shall be liable to the penalties hereby imposed. Each day that a violation continues to exist shall constitute a separate offence.
- 2. Every person who commits an offence against this bylaw is liable to a fine and penalty of not more than Five Hundred Dollars (\$500.00) and not less than One Hundred Dollars (\$100.00) for each offence, and in default of payment thereof, to imprisonment for a period not exceeding thirty (30) days.

Reeve

SEAL

Administrator

Certified a true copy of the bylaw
adopted by resolution of the Council
on the _____ day of
_____, 2000.

Administrator