



A BYLAW RESPECTING UNNECESSARY NOISE:

The Council of the Village of Torquay in the Province of Saskatchewan enacts as follows:

- 1. This Bylaw is sited “ The Noise Bylaw “ .**
- 2. In this Bylaw including this section :**
 - (a) “Municipality” means the Village of Torquay.**
 - (b) “ Holiday” means any statutory holiday defined in the Interpretation Act , and amendments thereto , or holiday proclaimed as such by the municipality ;**
 - (c) “ Motor Vehicle” means “ motor vehicle” as defined in the Vehicle Act .**
 - (d) “ Residential Building” means a building which is constructed as a dwelling for human beings.**
 - (e) “ Signalling Device” means a horn , gong , bell , klaxon , siren or other device producing an audible sound for the purpose of drawing people’s attention to an approaching vehicle , including a bicycle ;**
 - (f) “Weekday” means any day other than a Sunday or holiday .**

GENERAL PROHIBITION

- 3. Except to the extent it is allowed by this Bylaw no person shall make , or continue to make , or cause to be made , or allow to be made , or allow to be continued to be made , any noise , or any unnecessary noise , or unusual noise .**
- 2. Except to the extent it is allowed by this Bylaw , no person shall make , or continue to make ,or cause to be made , or allow to be made , or continue to allow to be made , any noise what so ever which either annoys , disturbs , injures , endangers or detracts from the comfort , repose , health , peace , safety of other persons within the limits of the municipality .**
- 3. What is a loud noise , an unnecessary noise , an unusual noise , or a noise which annoys , disturbs , injures or endangers the comfort , repose , health peace or safety of other persons is a question of fact for the courts which hears a prosecution of an offense against this Bylaw.**

DOMESTIC NOISE:

- 4. No persons who owns , keeps , houses , harbours or allows to stay in his premises a dog shall allow such a dog to bark excessively or howl excessively**
- 5. (1) No person being the owner or occupant of any premises shall operate , or permit to be operated , or allow to be operated or allow to be played , any radio , phonograph ,record player, stero , or tape recorder , television , musical instrument ,or any other apparatus, appliance device or machine**



(2) For the purpose of this Bylaw , “ premises” shall mean the area contained within boundaries of any lot and include any buildings situated within such boundaries . Provided , however , that where any building contains more than one dwelling unit , or common area of such a building and the land surrounding the building within the boundaries of the lot shall be deemed to be separate premises.

(3) For the purpose of this Bylaw “occupant” means the owner , occupant or licensee of the premises or any person found on the premises at or around the time when the noise or sound issues form the\ premises.

CONSTRUCTION:

6. Except in an emergency , no person shall carry on the construction, erection demolition , alteration or repair of any type of building or structure which involved hammering , sawing , drilling , or the use of any machine , tools or any other equipment capable of creating sound beyond the boundaries of the site on which the activity is being carried on , after the hours of 11:00 P.M. in the evening and before 6:00 A.M. in the morning of any day.

7. Except in an emergency , no person shall operate or allow to be operated any tool or machine of a noise nature , so as to create a noise which may be heard in any residence between the hours of 11:00 P.M. and 6:00 A.M.

ADVERTISING NOISES:

8. No person shall advertise any event or merchandise by ringing bells , blowing whistles , calling loudly , playing music , playing any type of musical instrument ,playing or using any type of noise making devices for the amplification of sound , or by any other audible means , on any street or other public place or in any building or premises with the intention or result that the sound there from shall be or is audible to persons using frequenting any street or other public place.

EXCEPTIONS:

9. The provisions of this Bylaw shall apply to :

- (a) the ringing of bells in churches , religious establishments and schools .**
- (b) the moderate use of musical instruments to call attention to an opportunity to contribute to a collection made for a charitable undertaking .**
- © the playing of a band ,the sodding of a train whistle , the sound of motor vehicles , horns or the use of sound amplification equipment used in connection with a parade.**
- (d) the use in a reasonable matter of any apparatus or mechanisum for the amplification of the human voice or of music in a public park or any other commodious place in connection with any public celebration or other**




PENALTIES:

10. Any persons who contravenes any provision of this Bylaw is guilty of an offense is liable on summary conviction to a minimum fine of Fifty(\$50.00) Dollars and a maximum fine not in excess of Five Hundred(\$ 500.00) Dollars.



**Certified a True Copy of Bylaw 9706,
Read Three Times and Adopted as read this
11 day of December, 19 97**


Mayor


Administrator