

Bylaw No. 4/95

A BYLAW FOR THE PURPOSE OF
PROHIBITING, ELIMINATING AND
ABATING NOISE

The Council of the Rural Municipality of Loon Lake No. 561 in the Province of Saskatchewan, enacts as follows:

1. The provisions of this bylaw shall apply within the limits of all hamlets within the boundaries of the Rural Municipality of Loon Lake No. 561.
2. In this bylaw the expression:
 - (a) "Council" means the council of the Rural Municipality of Loon Lake No. 561.
 - (b) "Emergency Vehicle" means a fire department vehicle, a police vehicle, or a vehicle used as an ambulance.
 - (c) "Hamlet" means "Hamlet" as defined by the Rural Municipality Act of Saskatchewan.
 - (d) "Motor Vehicle" means "motor vehicle" as defined in "The Vehicles Act" of Saskatchewan.
 - (e) "Municipality" means the corporation of the Rural Municipality of Loon Lake No. 561.
 - (f) "Occupant" shall mean the owners, occupant or licensee of the premises or any person found on the premises at or around the time when the noise or sound issues from the premises.
 - (g) "Person" includes any company, corporation, owner, partnership, firm, association, society, party or tenant.
 - (h) "Premises" shall mean the area contained within the boundaries of any lot and includes any building situated within such boundaries, provided, however, that where any building contains more than one dwelling unit, each dwelling unit, or common area of such building and the land surrounding the building within the boundaries of the lot shall be deemed to be separate premises.

GENERAL PROHIBITION

3. (i) No person shall make, continue or cause to allow to be made or continued, any loud, unnecessary or unusual noise or any noise whatsoever which either annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace or safety of other persons within any hamlet of the municipality, except to the extent it is allowed by this bylaw.
 - (ii) What is a loud noise, an unnecessary noise, unusual noise, or a noise which annoys, disturbs, injures, endangers the comfort, repose, health, peace or safety of others is a question of fact for a court which hears a prosecution of an offence against this bylaw.

DOMESTIC NOISES

4. No person being the owner or occupant of any premises shall operate or permit to be operated, or suffer to be operated, or allow to be operated, play or allow to be played, any radio, phonograph, record player, tape recorder, television set, musical instrument, or any other apparatus, appliance, device or machine used for the production or amplification of sound, either in or on private premises in a residential district in such a manner that the same can be easily heard by an individual or member of the public who is not on the same premises from which such noise or sound emanate.

5. No person who owns, keeps, houses, harbours or allows to stay in his premises a dog, shall allow such dog to bark excessively or howl excessively.

EXCEPTIONS

6. The provisions of this Bylaw shall not apply to:

- (a) the sounding of a general or a particular alarm or warning to announce a fire or other emergency or disaster;
 - (b) the sounding of a police whistle or the sirens on any vehicle used by the police or fire department or on any ambulance or public service vehicle;
 - (c) any use of sound amplification equipment used by the police, fire department or an ambulance service or public service;
 - (d) the use of any tractors, trucks, or other equipment for snow removal, snow clearing or sanding of streets, the repair of streets or the repair and maintenance of any municipal works or utilities;
 - (e) the use of any equipment for the repair or maintenance of any public utilities including the public utilities operated by the Saskatchewan Power Corporation and Saskatchewan Telecommunication;
 - (f) Provisions of this bylaw shall not apply to special occasions exempted by resolution of council.
7. This bylaw will be in effect every day between the hours of 12:00 A.M. and 6:00 A.M.
8. This bylaw may be enforced by:
1. The Royal Canadian Mounted Police
2. A special constable or Constable of the R.M. of Loon Lake #561.
3. Any person designated by the council of the R.M. of Loon Lake #561.

PENALTIES

9. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a minimum fine of \$300.00 and a maximum fine not in excess of \$500.00 or, in default of payment of the fine and costs, to imprisonment for a period not exceeding 30 days.
10. This bylaw shall come into force and take effect on final approval by the Minister of Municipal Affairs.



Certified a true copy of bylaw No. 1995 adopted by resolution of Council on the 16th day of Aug A.D. 1995

Alan Y. Simpson
REEVE

[Signature]
ADMINISTRATOR

Alan Y. Simpson
REEVE

[Signature]
ADMINISTRATOR

Laurie Fabow
Administrator