

Corporation of the Village of Cobden

By-Law Number 1987-37

Respecting Noises

The Municipal Council of the Corporation of the Village of Cobden, enacts as follows:

A. No person shall cause or permit any unusual noise which disturbs the inhabitants of the Village of Cobden between the hours of 12 midnight of any day and 6:00 A.M. of the next following day.

B. For the purpose of Section A, the following noises or sounds among others, shall be deemed to be unusual noises which disturb the inhabitants.

1. The sounding of any bell, horn, siren, or other signal device on any motor vehicle, motorcycle, bicycle, street car, or other vehicle of whatsoever kind, except when required by law.

2. The sound or noise from or created by any radio or phonograph or any musical or sound-producing instrument of whatsoever kind when such radio or phonograph or instrument is played or operated in such manner or with such volume as to annoy or disturb the peace, quiet, comfort or repose of any individual in any dwelling house, apartment house, hotel or other type of residence.

3. Persistent barking, calling or whining or other similar persistent noise-making by any domestic pet or any other animal kept or used for any purpose other than agriculture.

4. The grating, grinding or rattling noise or sound caused by a condition of disrepair or maladjustment of any motor vehicle, motorcycle, or other vehicle whatsoever or part accessory thereof.

5. The squealing of tires and brakes on a motor vehicle.

6. The blowing of any steam or air whistle attached to or used in connection with any stationary boiler or other machine or mechanism, except for the purpose of giving notice to workmen of the time to commence or cease work or as a warning of danger.

7. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motorcycle, except through a muffler or other device which effectively prevents loud or explosive noises.

8. Any noise arising from any excavation or construction work whatsoever, including the erection, demolition, alteration or repair or any building authorized by the Corporation, except in case of urgent necessity and then under a permit from the Building Inspector.

9. The noise created by driving any vehicle bearing material, articles or things which are loaded upon such vehicle in such manner as to create such noise.

10. The noise or sound created by the use or operation of any drum, horn, bell, radio or mechanical loudspeaker, 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 or sale or display of goods, wares or merchandise or which projects noise or sound into any street or other public place.

11. The noise or sound created by lighting or exploding firecrackers or similar explosive noisemakers.

12. The operation of any lawnmowing equipment or use of any tool for domestic purposes other than snowremoval.

3. None of the provisions of this By-Law shall apply to:

1. Noise arising from work deemed necessary by the Municipality.

2. 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, public celebration or other reasonable gathering, provided written permission of the Council of the Corporation is first obtained.

3. Any military or other band or of any parade, operating under written permission first obtained from the Council of the Corporation.

4. Any newspaper boy, peddler, hawker or petty tradesman playing his calling legitimately and moderately.

5. Any vehicle of the police or fire department or any ambulance of any public service or emergency vehicle while answering a call.

6. Any sound from any private radio in a motor vehicle installed for the sole benefit or entertainment of the operator and occupants of such vehicle, when same is not audible at a distance of twenty-five feet from such vehicle.

7. 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, subject to the requirement that the noise arising from loading or unloading railway cars by machine or machinery shall be held down to such a noise level as shall not unduly disturb the residents living within two blocks of the site.

8. Any case of public convenience or necessity.

9. The operation of the Salvation Army as heretofore carried on.

4. Any person convicted of a breach of any of the provisions of this By-Law shall forfeit and pay, at the discretion of the convicting magistrate, a penalty not less than (exclusive of costs) the sum of Fifty Dollars (\$50.00) nor more than \$1000.00 for each offence; and every such penalty shall be recoverable under The Summary convictions Act, all of the provisions of which shall apply, except that the imprisonment may be for any term not exceeding six months.

5. That all previous By-Laws respecting the regulation of noise in the Village of Cobden are hereby repealed.

Read a first, second and passed upon the third reading this 10th day of November, 1987.



REEVE



CLERK-TREASURER