

THE CORPORATION OF THE VILLAGE OF SUNDRIDGE

BY-LAW NO. 2007-016

Being a By-law to prohibit or regulate noise likely to disturb the inhabitants of the Village of Sundridge

WHEREAS Section 129. of the Municipal Act, 2001 S. O. 2001, c. 25, as amended, provides that a local municipality may prohibit or regulate noise unless a permit has been obtained from the municipality for such noise and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans;

AND WHEREAS the Council of the Village of Sundridge deems it necessary to pass a by-law to prohibit or regulate noise within the Village of Sundridge;

NOW THEREFORE the Council of the Corporation of the Village of Sundridge enacts the following:

1. Short title

This By-law shall be known as the Village of Sundridge Noise By-law.

2. Definitions

“Council” means the Council of the Corporation of the Village of Sundridge;

“Noise” means any unwanted sound;

“Point of Reception” means any point on the premises of a person where sound originating from other than those premises is received.

3. Prohibitions

3.1 No person shall:

i) ring any bell, blow or sound any horn or cause the same to be rung, blown, or sounded;

ii) shout or create, cause or permit any noise or unusual noise;

likely to disturb any inhabitant of the Village of Sundridge, at anytime. Except when required by law or when specifically exempted from this by-law.

3.2 For the purposes of this by-law and without limiting the generality of the forgoing the following may be deemed to be noises likely to disturb the inhabitants:

a) the operation of any electronic device or group of electronic devices incorporating one or more loudspeakers or other electromechanical transducers and intended for the production, reproduction or amplifications of sound;

b) yelling, shouting, hooting, whistling or singing

4. Exemptions

4.1 Public Safety

Notwithstanding any other provisions of this by-law it shall be lawful to emit, cause, or permit the emission of sound in connection with emergency measures undertaken unless such sound is clearly of a longer duration or nature more disturbing than is reasonably necessary for the accomplishment of emergency purposes such as:

- i) for the immediate health, safety or welfare of the inhabitants, or
- ii) for the preservation or restoration of property.

4.2 Permits granted by the Corporation of the Village of Sundridge

- i) When deciding whether to grant an exemption Council shall give the applicant and any other person opposed to the application an opportunity to be heard and may consider such matters as it deems appropriate;
- ii) a breach by the applicant of any of the terms or conditions of any exemption granted by the Council shall render the exemption null and void.

5. Enforcement

This by-law shall be enforced by any Police Officer or the By-law Enforcement Officer appointed by the Council of the Village of Sundridge.

6. Punishment

Any person who is found in contravention of any section of this by-law and upon being found guilty of that contravention is liable to a fine of not more than the maximum permitted under the Provincial Offences Act, exclusive of costs and every such fine is recoverable under the provisions of the Provincial Offences Act.

7. Repeal

By-law # 98-008 is hereby repealed.

8. This by-law shall take effect on being passed.

**INTRODUCED AND READ A FIRST, SECOND AND THIRD TIME
THIS 27th DAY OF NOVEMBER, 2007.**

Mayor Elgin Schneider

Clerk-Treasurer Lillian S. Fowler