

CORPORATION OF THE VILLAGE OF CLINTON

BY-LAW NO. 201, 1983

A BY-LAW TO REGULATE AND CONTROL NOISE OR SOUND IN THE VILLAGE OF CLINTON

The Council of the Corporation of the Village of Clinton in open meeting assembled enacts as follows:

1. This By-Law may be cited for all purposes as the "Anti-Noise By-Law No. 201, 1983".

2. By-Law No. 179 is hereby repealed.

3. DEFINITIONS

(a) Words defined in the "Motor Vehicle Act" being Chapter 288 of the Revised Statutes of British Columbia, 1979, and the "Municipal Act" Revised Statutes of British Columbia 290, 1979, shall have the same meaning when used in this By-Law unless defined in this By-Law or unless the context otherwise requires.

(b) In this By-Law, unless the context otherwise requires:
"Municipality" means the Corporation of the Village of Clinton;

"Noise" includes any loud outcry, clamour, shouting or any sound that is loud or harsh or undesirable;

"Peace Officer" shall have the same meaning as in the Interpretation Act being Chapter 206 of the Revised Statutes of British Columbia, 1979, plus the person or persons who are appointed to enforce and administer the By-Law;

"Person" includes any company, corporation, owner, partnership, firm, association, society or party;

"Property" means real property and includes land, other than a highway, together with all improvements which have been so affixed to the land as to make them in fact and in

4. GENERAL REGULATIONS:

- (a) No person shall make or cause, or permit to be made or caused, any noise in or on a public or private place which disturbs or tends to disturb the quiet peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity of that place;
- (b) No person being the owner, occupier, or tenant of real property shall allow or permit such real property to be used so that noise or sound which occurs thereon or emanates therefrom, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons on the same property or in the neighbourhood or vicinity of that property;
- (c) No person shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound either in or on private premises or in any public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity of those premises or place;
- (d) No person shall own, keep or harbour any animal or bird which by its cries unduly disturbs the peace, quiet, rest or tranquility of the surrounding neighbourhood or of persons in the vicinity;
- (e) No hawker, huckster, pedlar, news vendor, or other person shall by his intermittent or reiterated cries disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public.

- (f) No person shall make or cause, or permit to be made or caused, any noise in or on a highway which disturbs or tends to disturb the quiet peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity of that highway;

5. CONSTRUCTION HOURS:

- (a) No person in the Municipality shall on any day before 07:00 hours or after 22:00 hours, construct, erect, reconstruct, alter, repair or demolish any building, structure, or thing or excavate or fill in land in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity.
- (b) No person in the Municipality shall for profit or gain on a Sunday construct, erect, reconstruct, alter, repair or demolish any building or thing, or excavate or fill land in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity.
- (c) Where it is impossible or impractical to comply with this section, the Building Inspector may give written approval to carry on the work that is found to be necessary at designated hours.
- (d) Responsibility for obtaining written approval lies with the person carrying on the work.

6. OTHER

- (a) No person shall operate any outdoor public address system in the Municipality without first having obtained a permit therefor.
- (b) No person shall operate a snow vehicle, motorboat or motorcycle which makes or causes noise which

disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity.

7. EXEMPTIONS:

No persons shall be guilty of an infraction of this bylaw while:

- (a) operating or in charge of Fire Department, Police, or ambulance vehicles while in the execution of their duties.
- (b) operating any motor-vehicle, machinery, or other apparatus, person, or thing, while in use or carrying out matters of an emergency nature or matters in the public interest, and includes snow clearing on public highways, watermain and sewermain break repairs, civil defence exercises, etc.
- (c) lawfully carrying on a trade or industry at a commercial, industrial or light industrial zoned area provided that the sound or noise therefrom does not exceed the sound or noise common to such trade or industry.
- (d) utilizing bells, chimes, or similar instruments for the calling of persons to worship.
- (e) performing works pursuant to the written approval of the Building Inspector given under paragraph 5(c) of this bylaw.
- (f) operating any vehicle, conveyance, machinery, equipment or device in use for agricultural purposes, or keeping, owing or harbouring any animal or bird by a bonafide farmer as defined in the 'Assessment Act being Chapter 21, R.S.B.C., 1979'.

*Ashcroft Bylaw
Further changes
Industrial control zone*

8. PENALTY SECTION

Any person who violates or permits any violation of this By-Law shall be guilty of an offence and upon summary conviction, liable to pay a fine not exceeding the sum of Two Thousand Dollars (\$2,000.00), together with the cost of prosecution.

9. This By-Law shall come into force and effect upon the date of ~~adoption~~ ^{adoption} thereof.

[Handwritten signature]

READ A FIRST TIME THIS 23 DAY OF NOVEMBER, 1983.
READ A SECOND TIME THIS 23 DAY OF NOVEMBER, 1983.
READ A THIRD TIME THIS 23 DAY OF NOVEMBER, 1983.

RECONSIDERED, FINALLY PASSED AND ADOPTED THIS 14 DAY OF DECEMBER, 1983.

[Handwritten signature]
J.W. Ettinger, Mayor

[Handwritten signature]
D.R. Long, Clerk Treasurer

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF VILLAGE OF CLINTON BY-LAW NO. 201, 1983, AS ADOPTED THIS 14 DAY OF DECEMBER, 1983.

[Handwritten signature]
D.R. Long, Clerk Treasurer

A true copy of By-Law No. 201 registered in the office of the Inspector of Municipalities this 20th day of January 1984.

[Handwritten signature]
Deputy Inspector of Municipalities