

TOWN OF SPIRITWOOD

BYLAW NO. 290/92

A BYLAW OF THE TOWN OF SPIRITWOOD, SASKATCHEWAN  
TO CONTROL AND REGULATE NOISE

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The Council of the Town of Spiritwood, in the Province of Saskatchewan, enacts as follows:

1. This Bylaw may be cited as "The Noise Bylaw"
2. In this Bylaw, including this Section:
  - (a) "municipality" means the Town of Spiritwood;
  - (b) "holiday" means any holiday as defined in The Interpretation Act, or any holiday proclaimed as such by the municipality;
  - (c) "motor vehicle" means a vehicle propelled or driven by any means other than by muscular power;
  - (d) "occupant" means the owner, occupant or licensee of the premises or any person found on the premises at or around the time where the noise or sound issues from the premises.
  - (e) "premises" means the area contained within the 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.
  - (f) "residential building" means a building which is constructed as a dwelling for human beings;
  - (g) "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 bicycle;
  - (h) "weekday" means any day other than a holiday.

GENERAL PROHIBITION

3. (1) 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 loud noise, or any unnecessary noise, or any 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 cause to be continued, or allow to be continued, any noise whatsoever which either annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace or 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 a court which hears a prosecution of an offence against this Bylaw.

- (4) Without restricting the generality of Section 3, no person shall operate or allow to be operated a lawn mower of any kind, or snow clearing device powered by an engine of any type or a model aircraft driven by an internal combustion engine in any residential district between the hours of:
- (a) 11:00 o'clock in the evening and 7:00 o'clock of the next forenoon on weekdays;
  - (b) 11:00 o'clock in the evening and 7:00 o'clock in the forenoon of the following day which is a holiday.

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

6. 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 allowed to played, any radio, phonograph, record-player, tape recorder, television set, musical instrument, or any other apparatus, appliances, 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 emanates.

CONSTRUCTION NOISES

7. Except in an emergency, no person shall carry on the construction, erection, demolition, alteration or repair of any type of building or structure which involves hammering, sawing, drilling or the use of any machine, tools of any other equipment capable of creating a sound beyond the boundaries of the site on which the activity is being carried on, after the hour of 11:00 o'clock in the evening and before 7:00 o'clock in the morning of any day.

8. Except in an emergency, no person shall operate or allow to be operated a cement mixer truck, a gravel crusher, a riveting machine, a trenching machine, a drag line, an air or steam compressor, a jack hammer or pneumatic drill, a tractor or bulldozer or any other tool, device or machine of a noisy nature, so as to create a noise which may be heard in any residence between the hours of 11:00 o'clock in the evening and 7:00 o'clock in the morning.

ADVERTISING NOISES

9. 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 for the amplification of sound, or by any other audible means, on any street or other public places.

DIESEL MOTORS

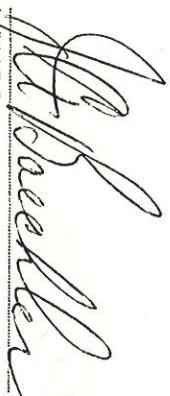
10. No person shall allow the diesel motor of a tractor intended to be used for the pulling of a trailer to remain running for longer than twenty minutes while stationary in a residential district.

EXCEPTIONS

11. The provisions of this Bylaw shall not 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 during the Christmas season or at any other time;
  - (c) The playing of a band, the sounding of a steam whistle, the sounding of motor vehicles' horns or the use of sound amplification equipment used in connection with any parade;
  - (d) The sounding of a general or a particular alarm or warning to announce a fire or other emergency disaster;
  - (e) The sounding of a factory whistle and similar devices at normal appropriate times;
  - (f) The sounding of police whistles or the sirens on any ambulance or public service vehicle;
  - (g) Any use of sound amplification equipment used by police, fire departments or any ambulance service or public service.
  - (h) 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 commodius space in connection with any public election meeting, public celebration, or other reasonable gathering;
  - (i) Transit vehicle engaged in normal transit operations;
  - (j) The sounding of motor vehicle horns when used within reason.


PENALTIES

12. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to the penalty imposed in the General Penalty Bylaw of the Town of Spiritwood or \$100.00 which ever is more.

  
MAYOR

  
ADMINISTRATOR

Certified true copy of Bylaw No.290/92  
passed by the Council of the Town of  
Spiritwood this 24th day of September, 1992.

  
Administrator