

Rural Municipality of Orkney No. 244

Bylaw No. 11-2016

A Bylaw to Control and Regulate Noise

The Council of the Rural Municipality of Orkney No. 244 in the Province of Saskatchewan enacts as follows:

1. The provisions of this bylaw shall apply within the limits of:
 - a) Westshore Greens Trailer Court
 - b) Pleasant Heights Subdivision
 - c) Collacott Subdivision
 - d) Maple Grove Estates Subdivision
2. DEFINITIONS
 - a) "Council" means the Council of the R.M. of Orkney No. 244
 - b) "person" includes any company, corporation, partnership, firm, society, association or party;
 - c) "property" means any real property and includes land together with all improvements which have been so affixed to the land as to make them, in fact and in law, a part thereof;
 - 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; and
 - e) "premises" means 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.
3. GENERAL PROHIBITION
 - a) Except to the extent it is allowed by this bylaw, no person being the owner, tenant, or occupier of property, shall allow or permit such property to be used in such a manner that noise or sound which occurs on or emanates therefrom disturbs, or tends to disturb, the quiet, rest, peace, enjoyment, comfort or convenience of any person on the same piece of property or in the neighborhood or in the vicinity of said property.
 - b) 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 made, or allow to be continued, any noise whatsoever which either annoys, disturbs, injures, or endangers the comfort, rest, health, peace, or safety of other persons in the neighborhood or in the vicinity of the property.
 - c) No person being the owner or occupant of any premises shall operate or permit 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 manner that the sound or noise can be easily heard by any person who is not on the same premises.
 - d) No person, being the owner or occupant of private premises, shall allow a dog being kept, housed or harbored on such premises, to howl or bark excessively and thereby disturbs the peace of other persons.

- e) No person advertising any matter or thing, shall by his intermittent or reiterated announcements disturb the quiet, peace, enjoyment, comfort, or convenience of other persons.
- f) No person shall allow the diesel motor intended to be used for the pulling of a trailer, to remain running for longer than twenty (20) minutes while stationery in a residential district.
- g) No person shall operate a snow vehicle, motorcycle, or Commercial equipment which creates excessive noise between the hours of 11:00 p.m. to 6:30 a.m. on Mondays through Fridays and 11:00 p.m. to 8:00 a.m. on Saturdays and Sundays.

4. EXCEPTIONS

The provisions of this bylaw shall not apply to:

- a) the ringing of bells in churches, schools and religious establishments;
- b) noise normally created in connection with any parade;
- c) the moderate playing of musical instruments appropriate to any out-door service;
- d) the use of a public-address system in connection with any public meeting, celebration, or gathering;
- e) the sounding of a general alarm or warning to announce a fire or other emergency or disaster;
- f) the sounding of police whistles, or the sirens on any vehicle used by the police or fire department or any ambulance service or public service;
- g) any use of sound amplification used by the police, fire department, ambulance service, or public service;
- h) municipal equipment or vehicles engaged in normal public service operations
- i) the sounding of motor vehicle horns when used within reason; and
- j) when it is necessitated by weather conditions, a person may allow the diesel motor, intended for the purpose of pulling a trailer, to run for a maximum of 60 minutes for the purpose of warming up said motor to a safe operating temperature.

5. PENALTIES

- a) Every person who contravenes or violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, is guilty of an offence against this bylaw and liable to the penalties hereby imposed. Each day that a violation continues to exist shall constitute a separate offence.
- b) Every person who commits an offence against this bylaw is liable to a fine and penalty of not more than Two Thousand Dollars (\$2,000.00) and not less than One Hundred Dollars (\$100.00) for each offence, and in default of payment thereof to imprisonment for a period not exceeding thirty (30) days.

6. Bylaw No. 4/2006 is hereby repealed.

Reeve - Dale Rhinas

Administrator - Clinton Mauthe

Read a third time and adopted this 11
day of August, 2016.

Certified a true copy of Bylaw No.11/16 adopted by the
Council of the R.M. of Orkney No. 244 on the 11
day of August 2016.

Clinton Mauthe - Administrator

