

VILLAGE OF PELLY

BYLAW NO. 3 - 89

A BYLAW TO CONTROL AND REGULATE NOISE

The Council of the Village of Pelly, 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 Village of Pelly;
 - (b) "holiday" means any holiday as defined in The Interpretation Act, or any holiday proclaimed as such by the municipality;
 - (c) "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;
 - (d) "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;
 - (e) "residential building" means a building which is constructed as a dwelling for human beings;
 - (f) "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 made, 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. 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 allow to be played, any radio, phonograph, record-player, tape recorded, 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 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.

EXCEPTIONS

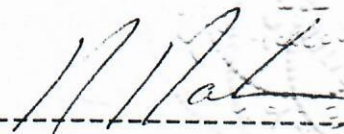
5. The provisions of this Bylaw shall not apply to:
- (a) any use of sound amplification equipment used by the police, fire department or any ambulance service or public service;
 - (b) the use in a reasonable manner of any apparatus or mechanism for the amplification of the human voice or of music in a public park or any other commodius space in connection with any public election meeting, public celebration, or other reasonable gathering.

PENALTIES

6. Any person who contovenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of **FIFTY (\$50.00)** dollars.
7. This Bylaw shall come into force on the **Fifteenth** day of **JUNE, 1989.**

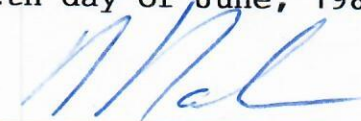


Mayor



Clerk

Certified a true copy of
Bylaw No. 4-89 adopted by
Resolution of Council this
12th day of June, 1989.



N. Nahornove
Clerk