

BY LAW #52-92

BEING A BY LAW OF THE VILLAGE OF LEGAL IN THE PROVINCE OF ALBERTA
TO CONTROL NOISE IN THE VILLAGE OF LEGAL.

WHEREAS under the provision of Section 160 (1)(g) of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 1980, the Council may pass by laws for the purpose of prohibiting, eliminating or abating noise in all or a designated part or location of the municipality;

AND WHEREAS the Council of the Village of Legal, in council assembled, enacts as follows:

1. SHORT TITLE AND DEFINITIONS

- a. This By Law may be cited as "The Noise Control By Law";
- b. In this By Law, unless the context otherwise requires "Land Use By Law" means By Law #433 of the Village of Legal as amended from time to time, and includes any By Law passed in substitution for or in addition thereto;
- c. "Holiday" means a Sunday, a public holiday as defined in Interpretation Act (Alberta) and a day or portion of a day proclaimed by the Mayor or by the Council of the Village of Legal as a Civic Holiday;
- d. "Residential District" means any area or district classified as residential by the Land Use By Law of and for the Village;
- e. "Village" means the Corporation of the Village of Legal or the area contained from time to time within the boundaries of the said Village in the Province of Alberta, as the context requires;
- f. "Noise" means any sound which annoys, disturbs, injures, or endangers the comfort, repose, health, peace or safety of others;
- g. "Parks & Recreation Areas" means Village of Legal parks and recreation areas within the boundaries of the said Village in the Province of Alberta, as the context requires;

2. GENERAL ABATEMENT PROVISIONS

- a. No person shall make, continue or cause, or allow to be made or continued any loud, unnecessary or unusual noise or 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 Village of Legal.
- b. No person shall allow property belonging to him or under his control to be used so that there originates from the property any loud, unnecessary or unusual noise which disturbs the comfort or the repose of other persons in the vicinity of such property or generally within the limits of the Village.

3. ICE CREAM SALES

- a. No person shall ring bells advertising the sale of ice cream in a residential area between the hours of ten o'clock in the evening and seven o'clock of the next morning on weekdays, and between the hours of ten o'clock in the evening and eight o'clock of the next morning on Sundays and holidays.

4. OPERATION OF APPLIANCES

- a. No person shall operate a hand or power operated lawn mower, snow removal device or motorized model aircraft in a residential area between the hours of ten o'clock in the evening and seven o'clock of the next morning on weekdays, and between the hours of ten o'clock in the evening and eight o'clock of the next morning on Sundays and Holidays.

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5. BARKING DOGS

- a. Any person who owns, keeps or harbours a dog that by reason of barking or howling disturbs persons in the vicinity, is guilty of an offence under this By Law.

6. CONSTRUCTION NOISES

- a. No person shall carry on construction of any kind that can be heard beyond the boundary of the construction site between the hours of ten o'clock in the evening and seven o'clock of the next morning.
- b. Notwithstanding Section 7 a, the Council of the Village of Legal may allow construction to be carried on subject to such restrictions and conditions as the Council may impose.

7. SOUND AMPLIFYING EQUIPMENT

- a. No person shall operate any sound amplifying equipment from any residence, business premises or in any park or other public place so as to unduly disturb residents of the Village.

8. DAY USE AND OVERNIGHT CAMPING

- a. Quiet hours in all parks and recreation areas are observed from 11:00 p.m. to 7:00 a.m. No objectionable disturbance or unreasonable noise will be allowed at any time.

9. PROSECUTIONS

- a. Any person who contravenes any provisions of this By Law is guilty of an offence and upon convictions is liable to a minimum fine of \$100.00 for each offence.
- b. A person who is guilty of an offence under this By Law is liable upon conviction to a fine of no more than \$500.00.

This By Law comes into force on the date of final passing thereof.

READ a first time this 23rd day of March, A.D. 1992.

READ a second time this 23rd day of March. A.D. 1992.

READ a third time and finally passed this 23rd day of March. 1992.

K Russo

Mayor

Agnis Montpetit

Administrator