

THE CORPORATION OF THE VILLAGE OF WARFIELD

BY-LAW NO. 401

BEING A BY-LAW FOR REGULATING THE MAKING OR CAUSING OF NOISES OR SOUNDS IN OR ON A HIGHWAY OR ELSEWHERE IN THE MUNICIPALITY OF THE VILLAGE OF WARFIELD WHICH DISTURBS OR TENDS TO DISTURB THE QUIET, PEACE, REST, ENJOYMENT, COMFORT, OR CONVENIENCE OF THE NEIGHBOURHOOD OR OF PERSONS IN THE VICINITY OR WHICH IN THE OPINION OF THE COUNCIL ARE OBJECTIONABLE OR LIABLE TO DISTURB THE QUIET, PEACE, REST, ENJOYMENT, COMFORT OR CONVENIENCE OF INDIVIDUALS OR THE PUBLIC.

WHEREAS it is deemed expedient and necessary to regulate noise and sounds in the Village of Warfield.

NOW THEREFORE the Council of The Corporation of the Village of Warfield in open meeting assembled enacts as follow: --

1. THAT it shall be unlawful for any person to make or cause or suffer or permit noise or sounds, in or upon a highway or elsewhere in the Municipality of the Village of Warfield which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity of which in the opinion of the Council are objectionable or liable to disturb the quiet, peace, rest, enjoyment or convenience of individuals or the public.
2. No person shall cause or suffer or permit the playing or operating of any musical instrument or apparatus for the production or amplification of sound either in or on any private premises or in any public place in the Village of Warfield in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public.

PROVIDED that nothing contained in this section shall be deemed to apply to any motor vehicle under the control of the Fire Department while responding to a fire alarm, or to any Police Officer or constable in the discharge of his duty or to any licensed ambulance while responding to an emergency call.

3. No person shall carry on work or suffer or permit work in connection with the construction, reconstruction, alteration or repair of any building or structure or carry on any excavation or other operation or operate any kind of machine or engine in the Village of Warfield to the disturbance of the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public between the hours of 11 o'clock in the evening and 7 o'clock in the morning.

PROVIDED that where in cases it is impossible or impracticable to comply with this section the Council may give its consent in writing to carry on any such work between the said hours.

4. No person shall own, keep or harbor or suffer or permit any animal including any dog which by its barking or other noise, or own, keep or harbor or suffer or permit any bird which by its cries or other noise unduly disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the surrounding neighbourhood of the public at large.

- 5. Every person who violates any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law, or neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law, or who does any act which constitutes a violation of any of the provisions of this by-law shall be deemed to be guilty of an infraction thereof, and shall be liable to the penalties hereby imposed.
- 6. The Village of Warfield Anti-Noise By-law, 1979 and numbered 392 is hereby repealed.
- 7. This By-law shall be known and cited for all purposes as "The Corporation of the Village of Warfield Regulation of Sounds and Noises By-law, 1980" and numbered 401.
- 8. This By-law shall come into force and take effect upon the date it is registered by the Inspector of Municipalities.

PENALTY SECTION

Any person who commits a breach of any provision of this by-law shall be liable on summary conviction to a fine or penalty not exceeding One Hundred (\$100.00) Dollars and costs recoverable and enforceable in the manner provided by the summary Convictions Act.

Read the first time this 7th day of January, 1990.
 Read the second time this 7th day of January, 1980.
 Read the third time of this 7th day of January, 1980.

Reconsidered and finally adopted with the unanimous consent of Council on the 21st day of January, 1980.

Mayor

Clerk

I hereby certify this to be a true and correct copy of By-law No. 401 of The Corporation of the Village of Warfield as passed and adopted this 21st day of January, 1980.

Clerk