

**TOWN OF BOW ISLAND  
BYLAW NO. 2007:02**

A BYLAW OF THE TOWN OF BOW ISLAND, IN THE PROVINCE OF ALBERTA, TO PROHIBIT CERTAIN ACTIVITIES CREATING NOISE.

WHEREAS the Municipal Government Act, permits the Council of the Town of Bow Island, by By-law, to prohibit, eliminate or abate noise and establish permissible noise levels for all or varying periods of the day;

AND WHEREAS THE Council of the Town of Bow Island deems it advisable to adopt such a by-law;

NOW THEREFORE THE COUNCIL OF THE TOWN OF BOW ISLAND, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:

**TITLE**

1. This By-Law may be cited as the “Noise By-Law”.

**DEFINITIONS**

2. In this By-Law,
  - (a) “Town” means the Town of Bow Island or the area within the corporate limits of the Town of Bow Island;
  - (b) Municipal “tag” means a tag or ticket wherein the person alleged to have committed a breach of a provision of this By-Law is given an opportunity to pay a voluntary penalty to the Town of Bow Island in lieu of prosecution for the alleged offence;
  - (c) “Peace Officer” means a member of the Royal Canadian Mounted Police, a Special Constable or Town of Bow Island Bylaw Enforcement Officer,
  - (d) “Person” includes public bodies, societies, partnerships, firms, and individuals;
  - (e) “Property” means land or lands and buildings together with all improvements which have been affixed to land;
  - (f) “Voluntary penalty” means a penalty specified in this By-Law for a contravention of a provision of this By-Law, which amount may be paid by a person to whom a municipal tag has been issued.

## **GENERAL**

3. No person shall make, cause or permit to be made or caused, any noise which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons.
4. No person shall use or engage in the use of retarder brakes within the Town limits; further no person shall operate motorized vehicles which make or causes noise that disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person.
5. No person being the owner, tenant, or occupier of property shall allow or permit such property to be used so that noise which occurs thereon or emanates therefrom, disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person or person in the Town.
6. No person who owns, keeps or harbours any animal or bird shall permit or allow such animal or bird to make or cause to be made, any noise which disturbs the quiet, rest, enjoyment, comfort or convenience of any person or persons in the Town.

## **EMERGENCIES & EXEMPTIONS**

7. Nothing herein shall render any person liable to a fine, penalty or punishment for performing work of emergency nature for the preservation or protection of life, health or property.
8. The provisions of this bylaw to not apply to:
  - (a) Emergency Vehicles
  - (b) Construction of Town approved projects during the following hours:

Monday to Friday  
0700 hours (7:00 am) to 2100 hours(9:00 pm)  
Saturday, Sunday & Statutory Holidays  
0900 hours (9:00 am) to 2100 hours (9:00 pm)
  - (c) The use of motorized garden tools that are of temporary or intermittent nature and occurs between the following hours:

Monday to Friday  
0700 hours (7:00 am) to 2100 hours(9:00 pm)  
Saturday, Sunday & Statutory Holidays  
0900 hours (9:00 am) to 2100 hours (9:00 pm)
  - (d) Work on Town infrastructure or a public utility by the respective operators and or contractors.

- (e) Cultural or recreational activities sanctioned by the Town.
- (f) Private or entertainment events that have the required provincial permits in place.

## **PENALTIES**

9. Tickets for offenses may be issued as follows:
  - (a) A Municipal tag or ticket in the amount of the voluntary penalty will be issued for any breach of this By-Law.
  - (b) or if a Provincial Violation ticket issued, payment as specified on violation ticket.
10. In the event a municipal tag remains unpaid after a period of seven (7) days a summons will be issued.
11. Any person who commits a breach of any of the provisions of this By-Law shall be liable to a voluntary penalty of :
  - (a) For the first offence to a voluntary penalty of One Hundred (\$100.00) Dollars and upon Summary Conviction to a fine of not less the Two Hundred Dollars (\$200.00) Dollars and not more that Two Thousand Five Hundred (\$2,500.00) Dollars and in default of payment, judgement.
  - (b) For a second offence within a six (6) month period to a voluntary penalty of Two Hundred (\$200.00) Dollars and upon Summary Conviction to a fine of not less than Three Hundred Dollars (\$300.00) and not more that Two Thousand Five Hundred (\$2,500.00) Dollars and in default of payment, judgement.
  - (c) For a third and subsequent offence within a six (6) month period a summons shall be issued and upon Summary Conviction to a fine of not less that Five Hundred (\$500.00) Dollars and not more than Two Thousand Five Hundred (\$2,500.00) Dollars and in default of payment, judgement.

Bylaw 2003:10 is hereby repealed.

Read a first time the 26<sup>th</sup> day of February, 2007

Read a second time the 26<sup>th</sup> day of February, 2007

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MAYOR

Date: \_\_\_\_\_

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INTERIM TOWN MANAGER

Date: \_\_\_\_\_

Read a third time and finally passed the 12<sup>th</sup> day of March, 2007

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MAYOR

Date: \_\_\_\_\_

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INTERIM TOWN MANAGER

Date: \_\_\_\_\_