

CORPORATION OF THE CITY OF GREENWOOD

NOISE CONTROL BYLAW NO. 950, 2020

A bylaw to prohibit or regulate noise levels.

WHEREAS the *Community Charter* authorizes the Council of the Corporation of the City of Greenwood, by bylaw, to regulate, to prohibit, and to impose requirements for the protection and enhancement of the well-being of its community in relation to nuisances, disturbances and other objectionable situations.

The Council of the Corporation of the City of Greenwood, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as “**Noise Control Bylaw No. 950, 2020**”
2. **REPEAL** The City of Greenwood Bylaw No. 469 cited as “Noise Control Bylaw” and all amendments thereto is repealed.
3. **DEFINITIONS**

“**Noise**” is any sound that is loud, harsh, or undesirable that is caused by animals, clamour, shouting, construction, motors, equipment or amplified voices or music.

“**Person**” includes any individual, company, corporation, owner, tenant, occupier, partnership, firm, association, society or party.

“**Property**” means real property and includes lands, other than a highway, together with all improvements which have been so affixed to the land as to make them in fact and in law a part thereof.

“**Bylaw Enforcement Officer**” means the person appointed by Council for the purposes of enforcing the provisions of this bylaw and includes a Peace Officer.

“**Council**” means the Council of the City of Greenwood.

“**Municipality**” means The Corporation of the City of Greenwood.

“**Highway**” includes all public streets, roads, bridge, trails, lanes and sidewalks.

“**Outdoor/Indoor Public Event**” means a parade, procession, performance, concert, festival, ceremony, public meeting, public celebration, sports event or any other public gathering attraction or similar event, whether held on private property or public property, to which the public-at-large is invited or admitted, with or without charge.

4. GENERAL PROHIBITIONS

No person shall make or cause or permit to be made any noise in or on a public or private place which is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public in the neighbourhood or vicinity.

5. SPECIFIC PROHIBITIONS

Without limiting the generality of Section 4:

- (a) No person shall shout, operate a sound device, a sound system or any instrument for the production or amplification of sound either in or on private premises or in any public place between the hours of 11:30 p.m. through 08:00 a.m. that disturbs the peace, rest or enjoyment of the neighbourhood or vicinity.
- (b) No person shall own or keep an animal which by its barks or sounds disturb the peace, rest, or enjoyment of the neighbourhood or vicinity.
- (c) No person shall on any day before 7:00 a.m. or after 10:00 p.m. construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill any land or operate any machinery used for that purpose in any manner.
- (d) The operation of any motorized vehicle which creates or emits a noise that is loud or excessive.
- (e) The idling or continuous running of the engine of a vehicle for more than fifteen (15) minutes at the same location, that disturbs the peace, rest or enjoyment of the neighbourhood or vicinity.
- (f) The use of a jake brake is not permitted in city limits.

6. PERMIT APPLICATION

Application for a Temporary Noise Exemption Permit as set out and included in *Schedule A* of this Bylaw, must be applied for and put forth to Council. Council shall, at its sole discretion, determine if a permit shall be issued to the applicant for the following:

- i) Construction/Demolition
- ii) Special Event
- iii) Private Function or Party

7. EXEMPTIONS

This Bylaw does not apply to:

- (a) Operating or being in charge of Fire Department, Police or Ambulance vehicles while in the execution of their duties;
- (b) Public Works including but not limited to garbage collection, snow removal, construction or repair of streets, sewers or underground services or parks maintenance;
- (c) The use, in a reasonable manner, of an apparatus or mechanism for the amplification of human voice or music in a public park or public facility in connection with an outdoor/indoor public event that has been sanctioned by the City; and
- (d) The use of the post office bell.

8. INSPECTIONS

- (a) The Bylaw Enforcement Officer, Peace Officer or RCMP may enter any property for the purpose of enforcing this bylaw; and
- (b) No person shall obstruct a Bylaw Enforcement Officer, Peace Officer or RCMP from entering property.

9. PENALTY

- (a) Any person who violates this Bylaw shall be liable to a fine as set out in **Schedule B** of this bylaw and included as **Schedule C**, of the Corporation of the City of Greenwood Municipal Ticketing Information Bylaw;
- (b) Any person who violates or breaches or who causes or allows to be violated or breached any of the provisions of this Bylaw shall be guilty of an offence against this Bylaw and each day that such violation is caused or allowed to continue shall constitute a separate offence;

- (c) Each day of the offence shall be considered a new offence and finable as such;
and
- (d) Unpaid fines will be sent to a Collection Agency, as set out in the Municipal Ticketing Information Bylaw.

This Bylaw shall come into full force and effect upon adoption:

READ A FIRST TIME this 27th day of January, 2020

READ A SECOND TIME this 27th day of January, 2020

READ A THIRD TIME this 27th day of January, 2020

FINAL ADOPTION this 10th day of February, 2020


MAYOR

Certified True Copy of Bylaw No. 950, 2020 as Adopted


CORPORATE OFFICER



CORPORATION OF THE CITY OF GREENWOOD

**SCHEDULE A
PERMIT APPLICATION**

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Application Date: _____

Residents Name: _____
 Street Address: _____
 Mailing Address: _____
 Phone Number: _____

Construction / Demolition

Construction Company: _____
 Contact Name: _____
 Contact Phone Number: _____
 Location of property: _____
 Dates requested: _____

Special Event

Name of Event: _____
 Type of Event: _____
 Location of Event: _____
Contact Information:
 Name: _____
 Address: _____
 Phone Number: _____

Private Function or Party

Type of Function or Party: _____
 Location of Event: _____
Contact Information:
 Name: _____
 Address: _____
 Phone Number: _____

APPROVED: at the Council meeting held on _____, _____.

CORPORATION OF THE CITY OF GREENWOOD

SCHEDULE B

Noise Control BYLAW NO. 950, 2020

COLUMN 1	COLUMN 2	COLUMN 3
Offense	Section	Fine
Noise which disturbs	4.	\$ 100.00
Amplification equipment which disturbs First Offence	5. a.	\$ 100.00
Animal noise which disturbs First Offence	5. b.	\$ 100.00
Construction noise during restricted hours which disturbs	5. c.	\$ 250.00
Loud or Excessive motorized vehicle noise	5. d.	\$ 100.00
Continuous running of a vehicle for more than fifteen (15) minutes within the boundaries of the City of Greenwood. First Offence	5. e.	\$ 100.00
Use of a Jake brake within City Limits	5. f.	\$ 500.00

After the second offense, the fine is doubled and continues to double up to the maximum fine of \$1,000 per offense.