

**TOWN OF VIEW ROYAL**

**BYLAW NO. 523**

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**A BYLAW TO REGULATE AND PROHIBIT  
THE MAKING OR CAUSING OF NOISE, NUISANCE OR SOUNDS  
WITHIN THE TOWN OF VIEW ROYAL**

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The Municipal Council of the Town of View Royal, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "Noise Control Bylaw, 2003, No. 523".

2. **DEFINITIONS**

"Bylaw Enforcement Officer" means any persons appointed as such by the Council;

"Council" means the Municipal Council of the Town of View Royal;

"Town" means the Town of View Royal;

"Utility" includes gas, water, sewer, electrical, telephone, cable broadcasting service.

3. **GENERAL REGULATIONS**

- (i) No person shall make or cause to be made any noise or sound in or on a highway or elsewhere in the Town which disturb, or tend to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood, or of persons in the vicinity, or which the Council believes are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.
- (ii) No person shall play or operate any radio, tape recorder, audio playback machine, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound in or on private premises, or in or on any public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons on the same piece of property or in the neighbourhood or vicinity.
- (iii) No person shall own, possess, keep, or harbour any dog which by its repeated barking disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity.
- (iv) No person shall own, possess, keep or harbour any animal or bird which by its cries disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity.
- (v) No hawker, huckster, peddler, newsvendor or other person shall, by his intermittent or reiterated cries, disturb or tend to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity.
- (vi) No person shall operate a motor vehicle, motorcycle, or motor boat, which makes or causes noise which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity.

- (vii) No person shall, for profit or gain, undertake the erection, demolition, construction, reconstruction or alteration or repair of any building or structure, or the excavation or filling in of any land within the Town on a Sunday or statutory holiday.

#### 4. **EXCEPTIONS**

##### 1. **General**

Nothing in this Bylaw shall preclude:

- (i) the operation of emergency equipment or any emergency vehicle; or
- (ii) any act of maintenance or repair being carried out by employees or contractors of the Town, the Ministry of Transportation and Highways, or any public or private utility; or
- (iii) any repairs to property of an emergency nature; or
- (iv) snow removal or washing/cleaning operations, provided that in the case of private parking lots such actions are commenced as soon as is practicable after the close of business for the day; or
- (v) the operation of a public transportation system; or
- (vi) the operation or use of any public address system required under a building or fire code; or
- (vii) any person from functioning within the limits of a permit issued under the Highway and Traffic Bylaw, 1989, No. 26, as amended, of the Town; or
- (viii) the erection, demolition, construction, reconstruction, alteration or repair of buildings or structures, or the excavation or filling in of any land, between the hours of 7:00 a.m. and 7:00 p.m., except as otherwise specified in Section 3.(vii) of this Bylaw.
- (ix) Where it is impossible or impractical to comply with paragraphs 3(vii) or 4.(1)(viii) of this Bylaw, the Mayor may give written approval to carry on the work that is found necessary at designated hours. Responsibility for obtaining written approval lies with the person carrying on the work.

#### 5. **RIGHT OF ENTRY**

The Bylaw Enforcement Officer is hereby authorized to enter, at all reasonable times, on any property subject to this Bylaw, to ascertain whether the regulations or directions in this Bylaw are being observed.

#### 6. **PENALTY SECTION**

- (i) Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, is guilty of an offence against this Bylaw and liable to the penalties hereby imposed.

Each hour that a violation continues to exist shall constitute a separate offence.

- (ii) A person who commits an offence against this Bylaw is liable to the maximum penalties prescribed in the *Offence Act*, and to a fine of not less than \$200.00 for each offence together with the costs of conviction.

7. **REPEAL**

The Town of View Royal Bylaw No. 117, cited as "Noise Control Bylaw, 1992, No. 117, and all amendments thereto, are hereby repealed.

8. **SEVERABILITY**

If any section, subsection, or paragraph of this Bylaw is found invalid by a decision of a Court of competent jurisdiction, the invalid section, subsection, or paragraph shall be severed without effect on the remainder of the Bylaw.

READ A FIRST TIME THIS	16TH	DAY OF	SEPTEMBER	, 2003
READ A SECOND TIME THIS	16TH	DAY OF	SEPTEMBER	, 2003
READ A THIRD TIME THIS	16TH	DAY OF	SEPTEMBER	, 2003

RECONSIDERED, FINALLY PASSED AND ADOPTED BY COUNCIL, SIGNED BY THE MAYOR AND THE CLERK AND SEALED WITH THE SEAL OF THE TOWN OF VIEW ROYAL THIS 7th DAY OF OCTOBER, 2003.

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MAYOR

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CLERK