

RURAL MUNICIPALITY OF DUCK LAKE NO. 463
BYLAW NO 3-2016
A BYLAW TO PROHIBIT CERTAIN ACTIVITIES CREATING NOISE

Pursuant to *The Municipalities Act*, the Rural Municipality of Duck Lake No. 463 has the general power to pass any bylaws that it considers expedient in relation to the safety, health and welfare of people and the protection of people and property; nuisances, including property, activities or things that affect the amenity of a neighbourhood.

The Council of the Rural Municipality of Duck Lake No. 463 in the Province of Saskatchewan enacts as follows:

1. This Bylaw shall be known as “**The Noise Bylaw**”.
2. (a) Except to the extent that it is allowed in this Bylaw, no person shall make or continue to make or cause to be made or allow to be made or allow to be continued, any loud noise or any unnecessary noise or any unusual noise;

(b) Except to the extent that it is allowed by this Bylaw, no person shall make, continue to make, or cause to be made, or allow to be continued, any noise whatsoever which either annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace or safety of other persons within the boundaries of the Municipality;

(c) What is loud noise, an unnecessary noise, an unusual noise or a noise which annoys, disturbs, injures or endangers the comfort, repose, peace or safety of other persons, is a question of fact for a Court which hears a prosecution of an offence against this Bylaw.
3. Domestic Noises:

No person who owns, keeps, houses, harbors or allows a dog to stay in his premises shall allow such dog to bark excessively or to howl excessively in a Country Residential or Seasonal Residential Zone;
4. (a) No person being the owner or occupant of any premises shall operate, or permit to be operated, or suffer to be operated, or allow to be operated, play or allow to be played, any radio, television set, musical instrument, any electronic media device, or any other apparatus, appliance, device or machine used for the production or amplification of sound, either in or on private premises in a residential district in such a manner that the same can be easily heard by an individual or member of the public who is not on the same premises from which such noise or sound emanates;

(b) For the purpose of this Bylaw, “premises” shall mean the area contained within the boundaries of any lot and includes any building situated within such boundaries. Provided, however, that where any building contains more than one dwelling unit, each dwelling unit, or common area of such building and the land surrounding the building within the boundaries of the lot shall be deemed to be separate premises.

(c) For the purposes of this Bylaw, “occupant” shall mean the owner occupant or licensee of the premises or any person found on the premises at or around the time when the noise or sound issues from the premises.
5. Truck Motors:

No person shall allow the motor on a tractor which pulls a trailer or on a semi-trailer truck or any other truck to remain running for longer than 30 minutes while the tractor trailer or tractor alone or truck is stationary in a Country Residential or Seasonal Residential Zone.

6. Council may, by resolution. Exempt from the provisions of this Bylaw noise made by any person, firm or corporation in the lawful operation of any farming, industrial or commercial or any other business and undertaking.
7. Penalties:

Any person who contravenes any provision of this Bylaw, is guilty of an offence and is liable on summary conviction:

- (a) In the case of an individual to a fine of not less than \$50.00 and not more than \$500.00.
- (b) In the case of a continuing offence, to a maximum daily fine of not less than \$100.00 and not more than \$1,000.00.

Bylaw 3/2003 repealed

This bylaw shall come into force on the day of its final passing.

Read a third time and adopted this 10th day of February, 2016

Rural Municipality of Duck Lake No. 463

(seal)

Reeve

Administrator

Certified a True Copy of Bylaw

3 – 2016 adopted by Resolution of

Council on February 10, 2016.