

TOWN OF LANGHAM

NOISE BYLAW No. 3 - 91

A Bylaw of the Town of Langham to prohibit certain activities creating noise and to abate the incidence of noise and to restrict the hours when certain sounds may be made.

The Council of the Town of Langham, in the Province of Saskatchewan enacts as follows;

1. This Bylaw may be cited as “The Noise Bylaw”.

2. In this Bylaw the following definitions shall apply;
 - a. “Town” means the Town of Langham, in the Province of Saskatchewan.
 - b. “Holiday”, means any statutory holiday as defined in the Interpretation Act and amendments thereto, or any holiday proclaimed as such by the Council of the Town of Langham.
 - c. “Motor Vehicle”, means “motor vehicle” as defined in The Motor Vehicles act of Saskatchewan.
 - d. “Residential buildings” means a building which is constructed as a dwelling for human beings.
 - e. “Residential district” means a district defined as such in the Zoning Bylaw enacted by the Council of the Town of Langham and amendments thereto.
 - f. “Weekday” means any day other than a Sunday or holiday.
 - g. “Zoning Bylaw” means Bylaw No. 3-83 as enacted by the Council of the Town of Langham and amendments thereto.

3. a) Except to the extent it is allowed by this Bylaw, no person shall make or continue to make or cause to be made, or allow to be made, or allowed to be continued to be made, any loud noise, or any unnecessary noise, or any unusual noise.

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b) Except to the extent it is allowed by this Bylaw, no person shall make, or continue to make, or caused to be made, or cause to be continued, or allow 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 limits of the Town.

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

4. Without restricting the generality of Section 3, no person shall operate or allow to be operated a lawn mower of any kind, or a snow clearing device powered by an engine of any type or a model aircraft driven by an internal combustion engine in any residential district between the hours of:
 - a. 10 o'clock in the evening and 7 o'clock of the next forenoon on weekdays;
 - b. 10 o'clock in the evening and 9 o'clock in the forenoon of the following day which is a Sunday or holiday.
5. No person who owns, keeps, houses harbors or allows to stay in his premises a dog shall allow such dog to bark excessively or howl excessively.
6.
 - 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, phonograph, record-player, tape recorder, television set, musical instrument, 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 the noise or sound emanates.
 - b) For the purposes 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.

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7. No person shall allow the diesel motor on a tractor which pulls a trailer or on a semi-trailer truck to remain running for longer than 20 minutes while the tractor-trailer or tractor alone is stationary in a residential district.

8. The provisions of this Bylaw shall not apply to:
 - a. The ringing of bells in churches, religious establishments and schools;
 - b. The moderate use of musical instruments to call attention to an opportunity to contribute to a collection made for a charitable undertaking during the Christmas season or at any other time;
 - c. The playing of a band, the sounding of a steam whistle, the sounding of motor vehicle horns or the use of sound amplification equipment used in connection with any parade;
 - d. The moderate playing of musical instruments appropriate to any religious street service;
 - e. The sounding of a general or a particular alarm or warning to announce a fire or other emergency or disaster;
 - f. The sounding of factory whistles and similar devices at normal appropriate times;
 - g. The sounding of police whistles or the sirens on any vehicle used by the police or fire department or on any ambulance or public service vehicle;
 - h. Any use of sound amplification equipment used by the police, fire department or any ambulance service or public service;
 - i. The use in a reasonable manner of any apparatus or mechanism for the amplification of the human voice or of music in a public park or any other commodious space in connection with any public election meeting, public celebration or other reasonable gathering;
 - j. Snow removal, road maintenance or other construction equipment engaged by the Town in snow removal or the construction, repair or maintenance of any streets, crossing, sewers, culverts and approaches, grades, sidewalks or any other works authorized by The Urban Municipality Act, 1984, and amendments thereto.

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- 9.** Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a minimum fine of Fifty (\$50.00) dollars and a maximum fine not in excess of Five Hundred (\$500.00) dollars.

INTRODUCED AND READ THE FIRST TIME THIS 16th DAY OF SEPTEMBER, 1991.

READ THE SECOND TIME THIS 16th DAY OF SEPTEMBER, 1991.

READ THE THIRD TIME AND ADOPTED THIS 16th DAY OF SEPTEMBER, 1991.

Mayor

Administrator

SEAL