

BYLAW 439/14
OF THE
VILLAGE OF GLENDON

A BYLAW OF THE VILLAGE OF GLENDON, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF PROHIBITING, ELIMINATING, AND ABATING NOISE.

WHEREAS, the Council of the Village of Glendon deem it expedient to prohibit, eliminate, and abate noise.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Statutes of Alberta, 1994, as amended, and by virtue of all other powers it enables the Municipal Council of the Village of Glendon hereby assembled, enacts as follows:

Section 1 DEFINITIONS

- 1.1 Village: means the Village of Glendon
- 1.2 Council: means the Municipal Council of the Village of Glendon
- 1.3 Peace Officer: means a member of the Municipal District of Bonnyville Public Safety Department, a member of the Royal Canadian Mounted Police, or a Bylaw Enforcement Officer
- 1.4 Person: includes any company, corporation, owner, partnership, firm, association, society or party
- 1.5 Property: means real property and includes land, other than a highway, together with all improvements which have been so affixed to the land as to make them in fact and in a law a part thereof
- 1.6 Motor Vehicle: means a device upon or by which a person or thing may be transported or drawn upon land and which device is propelled by any power other than muscular power
- 1.7 Noise: means any loud sound which either annoys or disturbs persons or which injures, endangers, or detracts from the comfort, repose, health, peace or safety of persons
- 1.8 Residential Noise: means a noise produced in a residence or residential grounds

Section 2 INTERPRETATION

- 2.1 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 others is a question of fact for a court which hears a prosecution of an offence against this bylaw.

Section 3 GENERAL REGULATIONS

- 3.1 No person shall make or cause, or permit to be made or caused, any noise in or on a public or private place which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity.
- 3.2 No person shall play or operate any radio, stereo equipment, or other instrumental or any apparatus for the production of amplification of sound either in or on private premises or in any public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of persons in the vicinity.
- 3.3 No person shall operate a motor vehicle in such a manner that it creates a loud noise.

Section 4 CONSTRUCTION HOURS

- 4.1 No person in the Village shall on any day before 0700 hours or after 2200 hours, construct, erect, reconstruct, alter, repair, or demolish any building, structure, or thing or excavate or fill in land in any manne4r which disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of persons in the vicinity.
- 4.2 Where it is impossible or impractical to comply with this section, the Municipal Planning Commission or their designate may give written approval to carry on the work that is found to be necessary at designated hours.
- 4.5 A person, as per Section 4 4.1, may be granted permission by the Village of Glendon CAO or Council to operate an Off-Highway Vehicle within prohibited routes for specific purposes and specified periods of time.

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Section 5 SUMMONS

- 5.1 To issue a summons under this bylaw, a complaint must be received by a Peace Officer.
- 5.2 Any person who is issued a summons for contravention of this bylaw shall immediately discontinue creating a noise to avoid prosecution for a second offence.
- 5.3 If the noise continues, or is allowed to continue, a second summons may be issued.

Section 6 EXEMPTIONS

- 6.1 Notwithstanding anything contained in this bylaw, this bylaw does not apply to work carried out by the Village or by a contractor carrying out the instructions of the Village.
- 6.2 Notwithstanding anything contained in this bylaw, a person may perform works of an emergency nature for the preservation or protection of life, health, or property but the onus shall be on the person performing the work to show cause that the work was of an emergency nature.

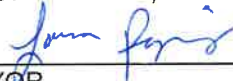
Section 7 PENALTIES

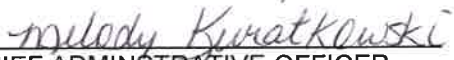
- 7.1 Every person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, who neglects to do or refrain from doing anything required to be done by any of the provisions of this bylaw is guilty of an offence against this bylaw and liable to the penalties hereby imposed.
- 7.2 Any person who contravenes the provisions of this bylaw is guilty of an offence and liable upon summary conviction to a minimum fine of two hundred dollars (\$200.00).
- 7.3 A violation may be issued by a peace officer to a person who is believed to have violated a provision of this bylaw and the said violation may provide for payment within thirty (30) days from the date of issue to the Village in the amount of one hundred dollars (\$100.00). If payment is made within the time frame, then such payment will be accepted in lieu of prosecution for the offence.

Section 8 REPEAL OF BYLAWS

Bylaw Number 370/97 is hereby repealed.

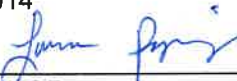
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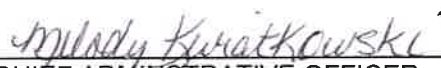


MAYOR


CHIEF ADMINISTRATIVE OFFICER


GIVEN SECOND READING THIS 15 DAY OF MAY A.D., 2014

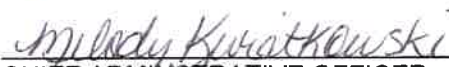


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