

VILLAGE OF CONQUEST

BYLAW NO. 4(21)

A BYLAW TO CONTROL AND REGULATE NOISE

The Council of the Village of Conquest, in the Province of Saskatchewan, enacts as follows:

1. This Bylaw may be cited as "The Noise Bylaw".
2. That all of the provisions and enactments set forth in this Bylaw shall relate to and be in full force and effect within the limits of the Village of Conquest.
3. In this Bylaw unless the context otherwise requires, the expressions
 - (a) "Council" shall mean the Council of the Village of Conquest.
 - (b) "Noise" shall mean any loud outcry, clamour, shouting or movement, or any other sound that is loud or harsh or undesirable; an unnecessary noise, an unusual noise, or a noise which annoys, disturbs, injures, endangers, or detracts from the comfort, repose, health, peace or safety of others.
 - (c) "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.
 - (d) "Peace Officer" shall have the same meaning as in the "Summary Offences Procedure Act". 1990 c.S-S63.1
 - (e) "Person" shall mean all human beings and shall include corporations, companies, partnerships, firms, associations or other aggregations of individuals.
 - (f) "Premises" shall mean the area contained within the boundaries of any lot, and include any building situated within such boundaries, provided, however, that where any buildings contain 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.
 - (g) "Public Place" shall mean any place to which the public have access as of right or by invitation, express or implied.
 - (h) "Village" shall mean the Village of Conquest.

GENERAL PROHIBITION

4. Hours of prohibition are:
 - Sunday to Thursday - 10:00 pm to 7:00am
 - Friday and Saturday - 10:00 pm to 8:00am
5. Outdoor public or private events may apply for permission from the Village to have hours extended.
6. Except to the extent it is allowed by this Bylaw no person or occupant 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 on a premise or public place.
7. Except to the extent it is allowed by this Bylaw, no person or occupant shall make, or continue to make, or cause to be made, or cause 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 Village on a premise or public place.
8. No person who owns, keeps, houses, harbors or allows to stay in his premises a dog shall allow such a dog to bark or howl excessively.

9. 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 such noise or sound emanates.

EXCEPTIONS

10. 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 Christmas season or 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 general or 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 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) Any carnival, fair or exhibition provided that the consent of the Council of the Village or its designate to operate or hold such carnival, fair or exhibition has first been obtained;
 - (j) The use in a reasonable manner or 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;
 - (k) Transit vehicles engaged in normal transit operations.

ENFORCEMENT

11. In the absence of other evidence, or by way of corroboration of other evidence the Summary Conviction Court may infer from the evidence of a peace officer relating to the conduct of any person or persons, whether ascertained or not, that the comfort or repose of other persons within the limits of the Village was disturbed.

PENALTY

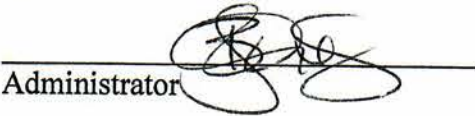
12. Any person who contravenes any provision of this bylaw is guilty of an offence and is liable on summary conviction to a penalty of not less than ONE HUNDRED (\$100.00) Dollars and not more than FIVE HUNDRED (\$500.00) Dollars and costs.
13. This Bylaw shall come into force and take effect on the day of the final passing thereof.
14. That Bylaw No. 3/14, passed on September 9, 2014, being a Bylaw to Regulate Noise, is hereby repealed.

INTRODUCED AND READ A FIRST TIME THIS 11TH DAY OF MAY, 2021
READ A SECOND TIME THIS 11TH DAY OF MAY, 2021
READ A THIRD TIME AND ADOPTED THIS 11TH DAY OF MAY, 2021






Mayor



Administrator

Certified a true copy of Bylaw No. 4 (21)
passed by resolution of council of the
Village of Conquest on the 11 day of May, 2021



Administrator