

BYLAW NO. 2019-08

**A BYLAW OF THE SUMMER VILLAGE OF PARKLAND BEACH
IN THE PROVINCE OF ALBERTA
TO PROHIBIT EXCESSIVE NOISE
WITHIN THE CORPORATE LIMITS OF THE SUMMER VILLAGE**

WHEREAS the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, and amendments thereto, provides that a municipality may pass bylaws regarding the safety, health and welfare of the community and the elimination of nuisances;

NOW THEREFORE, the Council of the Summer Village of Parkland Beach in regular meeting, duly assembled, hereby enacts as follows:

1. **SHORT TITLE**: This Bylaw shall be cited as the "Noise Bylaw".

2. **DEFINITIONS**

- a. **"Noise"** means any sound having regard for all circumstances, including the time of day and the nature of the activity generating the sound, that may unreasonably annoy, disturb, injure, or detract from the comfort, repose, peace, health or safety of persons within the community;
- b. **"Occupant"** means a person:
 - i. residing on or to be in apparent possession or control of premises or property or;
 - ii. residing on or in possession of a property pursuant to a written or verbal rental or lease agreement, license or permit;
- c. **"Summer Village"** means the Municipal Corporation of the Summer Village of Parkland Beach.

3. **GENERAL PROHIBITION**

- a. No person shall cause or permit any noise that annoys or disturbs the peace of any other person.
- b. No person shall permit property that they own or control, or of which they are the legal occupant, to be used so that noise from the property annoys or disturbs the peace of any other person.
- c. In determining what constitutes noise likely to annoy or disturb the peace of other persons, consideration may be given, but is not limited to:
 - i. type, volume and duration of the sound;
 - ii. time of day and day of the week;
 - iii. nature and use of the surrounding area.
- d. No owner or manager or other person in charge of premises where liquor is served to the public shall permit any noise to emanate from such premises such that it annoys or disturbs any person outside the boundary of the premises.

4. DOMESTIC OR CONSTRUCTION NOISE

- a. Without limiting the generality of Section 3:
 - i. the operation of domestic equipment of any kind including, but not limited to, lawnmowers, snow blowers, rototillers, and chainsaws; and
 - ii. the use of construction equipment or carrying out of construction activity that generates noise;

shall be permitted between the hours of 8:00 am and 10:00 pm.

5. EXCEPTIONS

- a. The provisions of Section 3 and Section 4.a do not apply to work carried out by the Summer Village, or by a contractor carrying out the instructions of the Summer Village.
- b. The provisions of Section 3 and Section 4.a do not apply to contractors or employees carrying out snow removal within the boundaries of the Summer Village.

6. PENALTIES

- a. Any person who contravenes any provision of this bylaw is guilty of an offence and shall be liable to payment of a penalty of:
 - i. \$ 150.00 for first offence
 - ii. \$ 250.00 for second and subsequent offences within the same calendar year.


7. SEVERABILITY AND TRANSITION

- a. The invalidity of any provision of this bylaw shall not affect the validity of the remainder.
- b. This bylaw takes effect as of the date of third and final reading and upon such final passage Bylaw No.6-1995 shall be repealed.


READ A FIRST TIME this 19th day of August, 2019

READ A SECOND TIME this 16th day of September, 2019

READ A THIRD TIME and passed this 16th day of September, 2019



 Mayor



 Chief Administrative Officer