

THE CORPORATION OF THE TOWN OF DEEP RIVER

BY-LAW NO. 37-93

A By-law prohibiting excessive noise.

WHEREAS authority for this by-law is contained in Section 210 (138) of the Municipal Act, R.S.O. 1990, Chapter M.45;

THEREFORE the Council of the Corporation of the Town of Deep River **ENACTS AS FOLLOWS:**

1. **Definition**

In this by-law, "excessive noise" means any unusual noise, or any noise likely to disturb the inhabitants, and without limiting the generality of the foregoing, includes the following:

- 1.1 The sound or noise from or created by any radio, phonograph, or television, or any musical or sound-producing instrument when such device is played or operated in such a manner or with such volume as to disturb the inhabitants of any dwelling.
- 1.2 Any noise made by a domestic animal which disturbs the inhabitants of any dwelling.
- 1.3 Lighting or exploding firecrackers or similar explosive noisemakers, except as part of a display for community purposes, sanctioned by resolution of Council.
- 1.4 Any noise arising between the hours of 11:00 p.m. of any day till 7:00 a.m. of the next day from excavation or construction work, lawn mowers or other power tools.

2. **Excessive Noise Prohibited**

No person shall cause or permit any excessive noise.

3. **Exception**

- 3.1 Section 2 does not apply where the noise arises from necessary work being performed by the municipality or its agents or contractors.
- 3.2 Council may, by prior resolution, exempt any event or activity from the provisions of this By-law, subject to any conditions which Council deems are appropriate.

4. **Offence**

Every person who contravenes any of the provisions of this by-law is guilty of an offence and is liable to the penalty provided for under the *Provincial Offences Act*.

5. **Previous By-law Repealed**

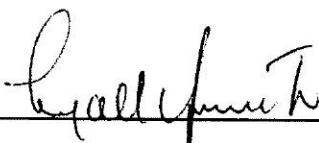
By-law 1-93 is hereby repealed.

6. **Enactment**

This By-law comes into force upon adoption by Council of the Corporation of the Town of Deep River.

READ A FIRST AND SECOND TIME THIS 3rd DAY OF NOVEMBER, A.D. 1993.

READ A THIRD TIME and FINALLY PASSED THIS 5th DAY OF JANUARY, A.D. 1994.

Mayor 

 Clerk-Treasurer

Town of Deep River		By-law 37-93	A By-law prohibiting excessive noise.	
ITEM	COLUMN 1	COLUMN 2	COLUMN 3	
	Description of Offence	Provision Creating or Defining Offence	Set Fine	
1	Cause or permit excessive noise by (here insert nature of noise	Section 2	\$75.00	

Note: The penalty provision for the offence listed above is section 4 of By-law 37-93, a certified copy of which has been filed.

94-01-01