



NOISE CONTROL BYLAW

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A By-law of the Hamlet of Fort Liard in the Northwest Territories to prohibit and regulate the creation of noise that could disturb the public pursuant to the provisions of the *Hamlets Act*, R.S.N.W.T. 1988, c. H-1, section 119.

AS the Council of the Hamlet of Fort Liard, having due regard for the peace and quiet of the public, deems it desirable to reduce and control unusual, unnecessary or excessive noise or vibration which may disturb or annoy the residences of the Hamlet of Fort Liard,

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF FORT LIARD, in a meeting duly assembled, enacts as follows:

SHORT TITLE

1. This By-law may be cited as the Noise Control By-law.

INTERPRETATION

2. In this By-law,
 - (a) “Emergency Vehicle” means:
 - (i) a motor vehicle that is used for emergency purposes, carries rescue or first aid equipment and has markings on the outside of the vehicle indicating that it is used for emergency purposes, or
 - (ii) a motor vehicle that is operated by a member of a fire department in the performance of his duties and has markings on the outside of the vehicle indicating that it is used by a fire department.
 - (b) “Enforcement Vehicle” means a motor vehicle operated by a person authorized to enforce a Territorial or a Federal Act or the by-laws of the Hamlet;

- (c) “Hamlet” means the Hamlet of Fort Liard in the Northwest Territories;
- (d) “Motor Vehicle” means a vehicle propelled or driven by power other than muscular power and includes, but is not limited to, a motorcycle, all-terrain vehicle, a marine vehicle, snowmobile, car or truck;
- (e) “Noise” means any unnecessary and excessive sound including any loud/outcry, clamor, shouting or movement, or any sound that is loud or harsh or undesirable;
- (f) “Person” includes any person, company, corporation, owner, partnership, firm, association, society or party;
- (g) “Quiet Time” means the time from 23:00 hours to 0700 hours (11:00 p.m. To 7:00 a.m.);
- (h) “SAO” means the Senior Administrative Officer of the Hamlet.

GENERAL PROVISIONS

- 3. 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 during quiet time.
- 4. No person shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or 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 any person or persons during quiet time.
- 5. No person shall operate a motor vehicle which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the person or persons in the vicinity during quiet time.
- 6. Section 5 of this by-law does not apply to:
 - (a) a person operating an emergency or enforcement vehicle engaged in the lawful execution of his duty;
 - (b) a person operating equipment on behalf of the Hamlet while engaged in conducting snow removal and street cleaning.

- (c) a person operating a utility repair vehicle while engaged in repairing utility equipment; or
- (d) a person authorized in writing by the SAO.

PENALTIES

- 7. (a) An officer may issue a ticket in the form prescribed by the Summary Convictions Procedures Act and Regulations, to any person who violates any provision of this by-law and such person may, in lieu of prosecution pay to the Hamlet the voluntary penalty set out in Schedule “A”; attached and forming part of this by-law, instead of appearing in answer in answer to the summons contained in the ticket.
- (b) Every person who contravenes this by-law is guilty of an offense and liable to summary conviction to a fine or, in default of payment of this fine, to imprisonment for a period not exceeding six months.

REPEAL

- 8. By-law 21-91 is hereby repealed.

READ a First Time this 23 day of February 1995 .

READ a Second Time this 23 day of February 1995. .

READ a Third Time and Finally Passed this 2 day of March 1995.

SCHEDULE "A"

PENALTIES

	FIRST	SECOND	THIRD
PERSON(S) CAUSING A DISTURBANCE SECTION 3	\$ 100.00	\$ 250.00	\$ 500.00
PLAY OR OPERATE RADIO, STEREO OR OTHER EQUIPMENT SECTION 4	\$ 100.00	\$ 250.00	\$ 500.00
OPERATE A MOTOR VEHICLE CAUSING A DISTURBANCE	\$ 100.00	\$ 250.00	\$ 500.00