

TOWN OF DEER LAKE
ANTI-NOISE REGULATIONS

PUBLISHED BY AUTHORITY

The following regulations have been made by the Town of Deer Lake pursuant to the provisions of Section 254 of the Municipalities Act R.S.N. 1990 Chapter M-23 and were adopted by resolution of Council on the 13th day of April, A.D., 1998.


C. J. Goodyear, Mayor

REGULATIONS

1. Title

These regulations shall be known as the Town of Deer Lake Anti-Noise Regulations.

2. Interpretation

1. The characteristics and guidelines which should be considered in determining whether there has been a violation of these regulations shall include, but not be limited to the following:

- (a) The level of the noise;
- (b) Whether the nature of the noise is usual or unusual;
- (c) Whether the origin of the noise is natural or unnatural;
- (d) The proximity of the noise to sleeping facilities;
- (e) The nature and zoning of the area from which the noise emanates, and the area where it is received;
- (f) The times of the day or night the noise occurs;
- (g) The duration of the noise;
- (h) Whether the noise is recurrent, intermittent or constant; and
- (i) Whether the noise would be unacceptable to a reasonable person of ordinary sensitivity.

2. "Motor Vehicle" means a motor vehicle whether registered under the Highway Traffic Act or not.

3. Prohibitions

- (1) No person shall sound a motor vehicle horn or other signaling device required by law any more than is reasonably necessary for the warning and safety of traffic and pedestrians.
- (2) No person shall keep or maintain, or permit to be kept or maintained upon any premises owned, occupied or controlled by any person, any animal, or animals which by frequent or long-continued noise disturbs the peace and quiet of any person.

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- (a) The noise from any such animal or animals that disturbs two or more persons residing in separate residences adjacent to any property on which such animals are kept or maintained, or three or more persons residing in separate residences in close proximity to the property on which such animals are kept or maintained is prima facie evidence of a violation of sub-section (2):
3. No person shall, between the hours of 12 midnight and 7am, use or operate a lawn mower, chain saw, snowmobile, all terrain vehicle, machinery, vehicle or any other equipment, implement or device, radio, tape recorder or player, or musical instrument of any nature whatsoever which disturbs the peace and quiet of a neighborhood.
- (1) Sub-Section(3) shall not apply to participants of parades, festivals and other public functions which have been authorized by the Town Manager on streets, parks, playgrounds and beaches within the Town or which are not directly adjacent to residential areas.
- (2) Permits referred to in Sub-section (1) shall be in a form prescribed by the Council.
4. Exemptions
Nothing in these regulations shall be deemed to prohibit:
- (1) The sounding of any siren, horn, or signaling device on any ambulance, police, fire, public service or emergency vehicle while responding to a call;
- (2) The ringing of church bells or chimes within normal hours;
- (3) The sounding of industrial horns or whistles;
- (4) The operation of heavy equipment, public works equipment in the maintenance or repair of streets, water and sewage systems or in snow clearing.
5. Offense
Any person who contravenes any provision of these regulations is guilty of an offense and is liable upon Summary Conviction to a fine not exceeding \$1,000.00 or in default of payment to imprisonment not exceeding ninety (90) days, or to both such fine and imprisonment.
6. The Town of Deer Lake Anti-Noise Regulations promulgated on the 14th day of August AD 1989 are repealed.