

Town of Grand Falls-Windsor

Noise & Nuisance Regulations

Pursuant to the authority conferred by Section 414(2)ee of the Municipalities Act, 1999, Chapter M-24 of the Town of Grand Falls-Windsor has made the following regulations hereinafter known as the Town of Grand Falls-Windsor Noise & Nuisance Regulations.

Noise & Nuisance Regulations

1. **Interpretations:** In these regulations:
 - (a) "Act" means the Municipalities Act.
 - (b) "Air Gun" means those guns commonly referred to as B.B. or Pellet guns and all guns operated by pump or spring mechanisms and compressed gas cylinders regardless of muzzle velocity.
 - (c) "Council" means the Town Council of Grand Falls-Windsor.
 - (d) "Inspector" means a Municipal Enforcement Officer as appointed by Council.
 - (e) "Nuisance" means anything or any condition of things which is or may become injurious or dangerous or presents an obstruction to pedestrians or vehicular traffic or anything or any condition of things that, in the opinion of Council, has an unpleasant effect on the senses or adversely affects the amenities of the surrounding property.
 - (f) "Public Address System" means any system of loudspeakers, amplifiers, microphones or reproducers or any combination of such equipment used in the reproduction or amplication of music, speech or other sounds when used for communication or to otherwise address or entertain groups of people whether the same is mounted upon a vehicle or upon a building or other structure or upon the ground.
 - (g) "Town" means the Town of Grand Falls-Windsor as defined by Order-in-Council dated the 1st day of January, 1991 or any amendments thereto made or continued under the Act.
2. No person shall create a noise within the Town, through the use of fire-arms, fireworks, or other similar noise-making devices, except as may be approved by Council and subject to the approval of law enforcement or other regulatory agencies.

3. No person shall create a noise within the town, through the use of shouting or noise-making devices, for the purpose of selling wares, soliciting business or attracting attention, except as may be approved by Council.
4. It shall be an offence for a person to fire or discharge an airgun within the boundaries of the Town of Grand Falls-Windsor.
 - (a) A police officer/municipal enforcement officer/peace officer may seize any airgun where there are reasonable and probable grounds to believe that an offence has been committed pursuant to Regulation.
 - (b) Where a charge is not laid pursuant to Regulation 3 or Regulation 4 within a period of thirty (30) days from the date of the offence, any airgun seized pursuant to Regulation 5 shall be returned.
5. No person shall create a noise within the town, through the use of motor vehicle horns, except as may be reasonably necessary in the opinion of Council, for the safety and warning of traffic and pedestrians.
6. No person shall use, within the Town, a lawnmower, chainsaw, snowmobile or other machinery or equipment which may disturb the peace and quiet of a neighbourhood, between the hours of 10:00 p.m. of any day to 6:00 a.m. of the following day, except as may otherwise be approved by Council.
7. No person shall create a noise within the town, through the use of a motor vehicle that has no muffler or a defective muffler, except as may be necessary, in the opinion of Council, to move such motor vehicle to a location for associated repairs, subject to the approval of law enforcement officials under the Highway Traffic Act.
8. No person shall create a noise within the Town, through the squealing of tires of a motor vehicle, which, in the opinion of Council, is caused by unnecessary braking, turning of setting in motor of such motor vehicle.
9.
 - (1) No person shall, in the town, operate or cause or permit to be operated any public address system, gramophone, radio or other device or apparatus for reproducing or amplifying sound, the sounds of which are capable of being heard on any street in the Town, without having first received a license therefore from the Inspector or from the Council as hereinafter provided.
 - (2) Such license may be granted by the Inspector for the operation of such apparatus or device between the hours of ten o'clock in the forenoon and ten o'clock in the afternoon, and may be refused if the Inspector shall be of the opinion that the operation of such apparatus or device disturbs or tend to disturb the peace and tranquility of the Town or any portion thereof;
 - (3) Such license may be granted upon such other terms and conditions as

may be determined by the Inspector, including the volume of sound to be reproduced by such apparatus or device, and shall be for such period as stated in such license;

- (4) Any license so granted may be cancelled by the Inspector at any time if he shall be of the opinion that the operation of such apparatus or device for which such license was issued violates any of the terms and conditions attached to such license or disturbs or tends to disturb the peace and tranquility of the Town or any portion thereof.
10.
 - (a) Between the hours of ten o'clock in the evening on any day and six o'clock in the forenoon of the following day, no person, firm or company or owner or any land or building or premises shall, in the Town operate, conduct or carry on or use or cause or permit to be operated, conducted or carried on any industry, business, trade or vocation whatever which makes or allows to be made in connection with such operation, conduct or carrying on of such industry, business, trade or vocation, any noise or music which disturbs or tends to disturb the peace and tranquility of the Town or any portion thereof, or which disturbs or tends to disturb the peace and tranquility of any person residing in the vicinity of such street, building or place, or which can reasonably be deemed to be an annoyance to any person residing or carrying on business or being in the vicinity of such street, building or place.
 - (b) No person, firm or corporation shall permit or maintain a nuisance by creating loud noises or raucous sounds or by creating or participating in any raucous behaviour that, in the opinion of Council, may have an unpleasant or disagreeable effect upon the senses.
11.
 - (1) Notwithstanding the provisions of Section 10, the Inspector may grant a license to operate, conduct or carry on any industry, business, trade or vocation which makes or allows to be made in connection with such operation, conduct or carrying on of such industry, business, trade, vocation any noise which disturbs or tends to disturb the peace and tranquility of the Town or any portion thereof between the hours of eleven o'clock in the afternoon and seven o'clock in the forenoon day if, in the opinion of the Inspector, such operation, conduct or carrying on of such industry, business, trade or vocation is necessary in the interests of public health and safety.
 - (2) Such license may be granted upon such terms and conditions as may be determined by the Inspector and shall be for a period not to exceed three (3) days.
12. Nothing in these regulations shall be deemed to prohibit:
 - (a) The sounding of any bell, horn, siren or other warning device of any vehicle, where the law requires, or when responding to an emergency.
 - (b) The ringing of church bells or chimes.

- (c) The sounding of industrial whistles.
 - (d) The sounding of motor vehicle horns in a wedding procession or in parades permitted by Council.
 - (e) The removal of snow by heavy equipment, immediately following a snow storm.
13. The provisions of these regulations shall not apply to:-
- (1) Any member of the Royal Canadian Mounted Police, Municipal Enforcement Officer or Grand Falls-Windsor Fire Department.
 - (2) A person or an employee of the Central Health Corporation or the Town, while any such member or employee is employed in the execution of his duties as a member of such Force or Department or as an employee of the Central Newfoundland Regional Health Center or the Town.
14. Pursuant to Section 419(1)J of the Act, any person who contravenes or fails to comply with any provision of these regulations, is guilty of an offence and is liable on summary conviction as per Section 420 of the Act.
- (a) For a first offence to a fine not less than \$100.00 and not more than \$500 of to a term of imprisonment of not more than one month or to both the fine and imprisonment.
 - (b) For a subsequent offence to a fine of not less than \$500 and not more than \$1,000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.

Michael Pinsent
Town Manager/Clerk

Approved by Council at Meeting #289
On June 21st, 2005.