



BYLAW No. 1100

A Bylaw to prohibit, eliminate, and abate, loud, unusual and unnecessary noise, or noises which annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others.

The Council of the Town of Moosomin in the Province of Saskatchewan, enacts as follows:

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1. Short Title and Definitions

- a) This Bylaw may be cited as the "Noise Abatement Bylaw."
- b) "Municipality" means the Town of Moosomin.
- c) "Council" means the Council of the Town of Moosomin.
- d) "Person" includes any company, corporation, owner partnership, firm, association, society, party or tenant, or individual.

2. General Prohibitions

- a) No person shall make, continue or cause to allow to be made or continued any loud noise, unnecessary or unusual noise or any noise whatsoever which either annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace, or safety of other persons within the limits of the Municipality, except to the extent it is allowed by this Bylaw.
- b) What is a loud noise, an unnecessary noise, unusual noise, or a noise which annoys, disturbs, injures, endangers, or detracts from the comfort, repose, health, peace or safety of others is a question of fact for a court which hears a prosecution of an offence against this Bylaw.

3. Specific Prohibitions

- a) Domestic Noises
No person shall operate a power tool, hedge trimmer, roto-tiller, power or hand lawn mower, or snow clearing device powered by an engine of any description in a residential zone between the hours of 10 o'clock in the evening and 7 o'clock in the next morning.
- b) Construction Noises
 - i) Unless permission of Council is first obtained, no person shall carry on construction of any type of structure which involves hammering, sawing or the use of any mechanical tools or equipment capable of creating a sound which may be heard beyond the boundaries of the site on which the activity is being carried on after the hours of 10 o'clock in the evening and before the hour of 7 o'clock in the morning of the next day.
 - ii) The provisions of Section (2) (a) above do not apply to the work carried on by the Municipality which is of an exigent nature.

4. Exemptions

- a) Notwithstanding any provisions of this Bylaw, this Bylaw does not apply to any person who emits or causes to emit noise in connection with any life-saving duty or responsibility or any person acting in an emergency situation.

5. Penalties

a) Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a minimum fine of fifty (\$50) dollars and a maximum fine of not in excess of five hundred (\$500) dollars or, in default of payment of the fine and costs, to imprisonment for a period not exceeding 30 days.