

TOWN OF CLARESHOLM
BY-LAW NO. 1134

Being a By-law of the Town of Claresholm in the Province of Alberta to prohibit certain activities creating noise and to abate instance of noise and to restrict when certain sounds may be made.

WHEREAS Section 157.1 (g) of the Municipal Government Act provides that the Council of a Town may pass by-laws for the purpose of prohibiting, eliminating, or abating noise and establishing permissible noise levels for all or varying periods of the day in all or designated parts or location in a municipality.

NOW, THEREFORE, the Council of the Town of Claresholm enacts as follows:

1. This By-law may be cited as the Noise By-law.
2. Definitions: - in this by-law the expression
 - (a) "Town" means the Town of Claresholm
 - (b) "Industrial Noise" means a noise normally made in the course of normal operations by a machine when used by industry or in construction exclusive of motor vehicles required to be licensed under The Highway Traffic Act.
 - (c) "Wrongful noise" means any noise made within the Town limits except to extent that the making of noise is authorized by the other provisions of this by-law, that is liable to disturb or annoy residents of the Town, including without limiting the generality of the foregoing the ringing bells (except church and school bells, blowing of horns, beating of drum) whether because of the nature or the loudness of the noise.
3. The making of a wrongful noise within the limits of the Town is prohibited between the hours of 10:00 p.m. and 7:00 a.m.
4. An industrial machine may be operated between the hours of 7:00 o'clock in the morning and 10:00 o'clock in the afternoon of the same day provided all reasonable effort is made to minimize the noise produced by means of reasonable operation thereof and the use of such sound minimization equipment as is normally used with such a machine.
5. No loud speaker or other device for the amplification of sound shall be used on the highways or at any public place in the Town of Claresholm that is not fully enclosed between the hours of 10:00 o'clock in the evening and 7:00 o'clock on the following morning without a permit first being obtained from the authority of Town Council prescribing the time, place and period for the use thereof.
6. No owner or occupier of real property in the Town shall permit a wrongful noise to be made on his property.
7. Penalties:

A person who contravenes any provision of this by-law either by doing something which he is prohibited from doing or failing to do something which he is required to do is guilty of an offence and is liable on summary conviction to a penalty not less than \$100.00 and not more than \$500.00 in costs or in default of payment of a fine and cost to imprisonment for a period not less than 30 days or until such fine and cost including the costs of the committal shall have been soon paid.

READ a first time in Council this
READ a second time in Council this
READ a third time in Council and passed

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day of

JANUARY
FEBRUARY
FEBRUARY

SECRETARY-TREASURER - LARRY ELEXHAUG

MAYOR - E.R. PATTERSON