



THE CORPORATION OF THE TOWNSHIP OF MULMUR

BY-LAW NO. 28 - 2020

A BY-LAW TO PROHIBIT AND REGULATE NOISE WITHIN THE TOWNSHIP OF MULMUR

WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that by-laws may be passed by the councils of local municipalities regulating noise and public nuisances, among other matters;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MULMUR HEREBY ENACTS AS FOLLOWS:

1. Except as permitted in Section 3, no person within the Township of Mulmur shall make, create, cause or permit to be made any sound which is likely to cause a nuisance or to disturb other persons;
2. Without limiting the generality of the foregoing, no person shall within the Township of Mulmur shout, ring any bell, blow or sound any horn or cause or permit the ringing of bells or the blowing of horns except the sounding or ringing of church bells and chimes; and the sound of any bell, horn, siren or other signal device from a vehicle when required or permitted by law;
3. Without limiting the generality of the foregoing, the noise or sound created by the use or operation of maintenance equipment, chainsaws, power tools or any other noise generating domestic tool or device is prohibited between the hours of 10:00 p.m. of any day and 7:00 a.m. of the following day.
4. The following sounds are exempt from this by-law, and shall not constitute a contravention of this by-law:
 - a. sound arising from normal farm practices as defined by the *Farming and Food Production Protection Act, 1998*, S.O. 1998 c.1,
 - b. sounds arising from construction undertaken in accordance with a valid building permit,

- c. Emergency vehicles of the Police or Fire Department of the Municipality, or any ambulance, public service, municipal operation, road service vehicle, private or public utility vehicle while responding to an emergency or carrying out their duties for the purpose of public health and safety;
 - d. sound arising from non-motorized sporting and equestrian events;
 - e. sound arising from fireworks on Victoria Day and Canada Day before 11pm; or
 - f. any sound for which the Township has granted an exemption from this by-law pursuant to section 5,
 - g. sound arising from equipment that is used for snow-making.
5. The Township of Mulmur may provide exemptions to this by-law for the purposes of section 4(f), having regard to such matters as Council may deem appropriate, including but not limited to the frequency of exemption requests, the character of the particular part of the Township for which the request is being made, the proposed sound, the zoning of the lands and the proposed methods of control over the kind and level of sound. At the discretion of Council, the Township of Mulmur may hold a public meeting prior to considering the request for an exemption.

Any exemption granted shall provide a one time only exemption and shall specify the date/s, times, type and level of noise permitted.

Applications for exemptions under this section must be received by the Township at least 60 days prior to the proposed sound being made. If Council deems it appropriate to hold a public meeting, notice of the public meeting shall be circulated to all landowners within 1000m of the perimeter of the lands where the sound in question is proposed to be made.

Where an exemption is granted, any breach of the terms of conditions renders the exemption null and void.

- 6. For persistent and recurring noise that lasts longer than ten days, a Noise Report Witness Questionnaire and Noise Report Record Form shall be submitted (Schedule A).
- 7. Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, as amended.

8. This by-law shall be read with all changes in gender and number, as may be appropriate.
9. Any part of this by-law found to be illegal shall be severed from the balance of the by-law.
10. By-law 10-02 is hereby rescinded.

BY-LAW READ A FIRST AND SECOND TIME THIS 5th DAY OF AUGUST 2020.

BY-LAW READ A THIRD TIME AND ENACTED THIS 5th DAY OF AUGUST 2020.

.....
JANET HORNER, MAYOR

.....
TRACEY ATKINSON, CAO/CLERK