

VILLAGE OF BELCARRA

BY-LAW NO. 40

Being a By-law to regulate noise within the Village of Belcarra

WHEREAS under the provisions of section 932(c) of the Municipal Act, being Chapter 290 of the Revised Statutes of British Columbia, 1979, as amended, the Council of a municipality is empowered to enact a by-law to regulate or prohibit the making or causing of noises or sounds in or on a highway or elsewhere in the municipality which disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood, or of persons in the vicinity, or which in the opinion of Council are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public and may make different regulations or prohibitions for different areas of the municipality;

NOW THEREFORE, the Municipal Council of the Village of Belcarra, in open meeting assembled, enacts as follows:

1. This by-law may be cited as the "Village of Belcarra Noise Control By-law, 1981, No. 40".

2. DEFINITIONS

- a) "Village" means the Village of Belcarra or the area within the boundaries thereof as the context may require;
- b) "Council" means the Municipal Council of the Village of Belcarra;
- c) "Inspector" means the person or persons appointed from time to time by the Village Council to enforce and administer this by-law and shall include any Peace Officer;
- d) "Noise" includes any loud outcry, clamour, shouting or movement, or any sound that is loud or harsh or undesirable;
- e) "Peace Officer" shall have the same meaning as in the Interpretation Act being Chapter 206 of the Revised Statutes of British Columbia, 1979, plus the person or persons who are appointed to enforce and administer this by-law;
- f) "Person" includes any company, corporation, owner, partnership, firm, association, society or party;
- g) "Property" means real property and includes land, other than a highway, together with all improvements which have been so affixed to the land as to make them in fact and in law a part thereof.

3. GENERAL REGULATIONS

- a) No person shall make or cause to be made, either on a highway or elsewhere in the Village, any loud or objectionable noise which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity by any means whatsoever.
- b) No person shall keep any animal or bird which by its cries, barks, chirps or other noises, disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.

- c) No person shall carry on or cause to be carried on works in connection with the construction, reconstruction, alteration or repair of any building, structure, or highway, or in connection with any excavation or other operation, or operate any kind of machine or engine in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity, on a Sunday or between the hours of 9:00 o'clock in the evening and 7:00 o'clock in the morning of any other day in the week.
4. The provisions of this by-law shall not apply to a police constable, fire or ambulance employee acting as such.
5. Every person who offends against or violates any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law, shall be guilty of an infraction of this by-law and shall be liable, upon summary conviction, to a fine not exceeding \$500.00 and to imprisonment for six months.

READ a first time by the Municipal Council this 21st day of September, 1981.

READ a second time by the Municipal Council this 21st day of September, 1981.

READ a third time by the Municipal Council this 5th day of October, 1981.

RECONSIDERED AND FINALLY ADOPTED this 19th day of October, 1981.

V. C. Barrett
Mayor

G. W. Holland
Clerk

By-law No. 40 was registered in the office of the Inspector of Municipalities on the 27th day of October, 1981.