

**Consolidated to
September 8, 2009**

CITY OF CASTLEGAR

BYLAW 622

A bylaw to provide for the regulation and prohibition of certain noises and sounds.

WHEREAS Section 932(c) of the Municipal Act, R.S.B.C. 1979, c. 290 provides Council with the authority, by bylaw, to regulate or prohibit the making or causing of certain noises or sounds within the City;

AND WHEREAS the Council of the City of Castlegar deems it necessary and desirable to regulate or prohibit noises or sounds which disturb the quiet, peace, rest, enjoyment, comfort or convenience of neighbourhoods, persons in the vicinity or the public;

NOW THEREFORE the Council of the City of Castlegar, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as "Noise Control Bylaw 622".
2. In this Bylaw:
 - (a) "Bylaw Enforcement Officer" means a person designated as such by Council; and
 - (b) "City" means the City of Castlegar.
 - (c) "Weekday" means a day that is not a holiday.
3. No person shall make or cause, or permit to be made or caused, in or on a highway or elsewhere in the City; any noise or sound which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of a person in the vicinity.
4. No owner or occupier of real property shall allow such real property to be used so that a noise or sound which originates from that property disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of a person in the vicinity.
5. No person shall own, keep or harbor any animal or bird which, by its calls, cries, barks or other noise whatsoever disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of a person in the vicinity.

6. The provisions of this Bylaw do not apply to:
- (a) police, fire or other emergency vehicles proceeding upon an emergency;
 - (b) emergency excavation, construction or repair of bridges, streets, highways, lands or public utilities;
 - (c) snow removal or highway cleaning operations;
 - (d) the operation of City or Ministry of Transportation & Highways maintenance, construction or repair equipment;
 - (e) operation of a public transportation system;
 - (f) operation of a public address system required under a building or fire code;
 - (g) repairs to property of an emergency nature;
 - (h) the use of bells or chimes for the announcing of church services;
 - (i) a lawnmower or power gardening equipment operated between 7:00 a.m. and 9:00 p.m. on any day;
 - (j) activities related to excavation, or the construction, renovation, repair, demolition, cleaning or maintenance of any building or structure between the hours of 7:00 a.m. and 7:00 p.m. on any weekday; and
 - (k) an event, activity or use approved for exemption by resolution of Council.
(Bylaw 1111)
7. Officers, employees, and agents of the City of Castlegar may enter on any property at all reasonable times for the purpose of ascertaining whether the requirements and regulations of the Bylaw are being observed. *(Bylaw 686)*
8. Any person who contravenes any provision of this Bylaw is liable upon summary conviction to a fine not exceeding two thousand dollars (\$2,000.00) and the costs of the prosecution of each offence, and every day during which there is an infraction of this Bylaw shall constitute a separate offence.

9. City of Castlegar Noise Bylaw 315 is hereby repealed.

READ A FIRST TIME on the 18th day of August, 1992.

READ A SECOND TIME on the 18th day of August, 1992.

READ A THIRD TIME AND PASSED on the 15th day of September , 1992.

RECONSIDERED, AND ADOPTED on the 6th. day of October , 1992.

Audrey Moore
Mayor

Gary Williams
Acting Clerk

List of Amending Bylaws: Bylaw 686 Bylaw 1111

Note to Users

This office consolidation is not an authoritative text of the law and is produced solely as a convenience to the user. The authoritative text of the law is in the original bylaw and the amending bylaw(s).

