

BYLAW # 2010-03
OF THE TOWN OF VALLEYVIEW
IN THE PROVINCE OF ALBERTA

A By-law of the Town of Valleyview to control Noise within the Corporate limits of the Town of Valleyview

WHEREAS under the provisions of the Municipal Government Act Chapter M-26, Revised Statutes of Alberta 2000, the Council of the Town of Valleyview may pass a by-law for the purpose of prohibiting, eliminating or abating noise, and;

WHEREAS the Town of Valleyview deems it proper and expedient to restrict and abate such activities which give rise to undue and unnecessary noise, and;

WHEREAS it is the intent of this By-law to control noise that is likely to annoy or disturb any other person;

NOW THEREFORE, the Municipal Council of the Town of Valleyview in the Province of Alberta duly assembled enacts as follows:

TITLE

1. This Bylaw shall be cited as the Town of Valleyview Noise Control By-law"

SECTION 1. PROVISIONS

2. No person shall within the Town make, or cause to be made, or permit any noise that is likely to annoy or disturb another person.
3. All persons within the Town shall prevent Property that they own, control or occupy to be used such that the noise from that Property is likely to annoy or disturb any other person, unless permission to do so has first been obtained from Council.
4. In determining what constitutes noise likely to annoy or disturb other persons, consideration may be given to, but is not restricted to:
 - a) type, volume and duration of sound;
 - b) time of day;
 - c) nature and use of surrounding area.
5. No person shall use, operate or allow to be operated any tools, machinery or equipment so as to create a noise in a residential area before 7:00 in the morning and after 11:00

in the evening Monday through Saturday and before 8:00 in the morning and after 11:00 in the evening on Sundays, unless permission to do so has first been obtained from Council.

6. Sections 2 through 5 do not apply to:
 - a) work carried on by the Town, or by a contractor carrying out the instructions of the Town; and
 - b) contractors carrying on snow removal from commercial , industrial or institutional sites.

SECTION 2. PENALTIES

7. Any person who breaches any provision of the By-law is guilty of any offence punishable on Summary Conviction and is to pay a penalty as set out on Schedule A.

SECTION 3. GENERAL

8. This By-law shall come into force and take effect on the date of the final reading.
9. By-law 85-12 is repealed as of the effective date of this By-law.

Read a first time this 26th day of April, 2010.

Read a second time this 26th day of April, 2010.

Read a third time and finally passed this 26th day of April, 2010.

Mayor

Director of Administration

SCHEDULE "A"

Offence	Section	Fine
Noise (first offence)	2, 3 and 5	\$150.00
2 nd offence within 1 year	2, 3 and 5	\$250.00
3 rd offence within 1 year	2, 3 and 5	\$500.00