

VILLAGE OF AMISK  
PROVINCE OF ALBERTA  
BY\_LAW # 303

A bylaw of the Village of Amisk in the Province of Alberta for the purpose of prohibiting, eliminating or abating noise in all or a designated area of the Village of Amisk.

UNDER AND BY VIRTUE OF THE AUTHORITY conferred upon it by the Municipal Government Act, Statutes of Alberta, 1994, Chapter M26.1 with amendments in force as of April 30, 1998: Part 2, division 1, Section 7 (a), (b) and (1) the Council of the Village of Amisk, duly assembled, does enact as follows:

1. DEFINITIONS FOR THIS BYLAW:

- a. "day" means the period of time between 7A.M. & 10 P.M. of the same day
- b. "night" means the period of time between 10 P.M. of one day & 7 A.M. of the following day
- c. "Village" means the Village of Amisk
- d. "CAO" means the Chief Administrative Officer (Administrator) employed by the Village of Amisk
- e. "Peace Officer" means a member of the Royal Canadian Mounted Police or a bylaw enforcement officer contracted to the Village of Amisk
- f. "public place" includes any place to which the public have access, by right or invitation, express or implied, and without restricting the foregoing to constitute a public place, it is not necessary that all segments of the public have a right of access thereto
- g. "residential area" means and includes all areas of the Village of Amisk designated exclusively for residential purposes or any grouping of residential dwellings within the Village of AMisk
- h. "person" includes a corporation and the heirs, executors, administrators, or other legal representatives of a person
- i. "noise" means a loud sound which either annoys or disturbs persons or which injures, endangers or detracts from the comfort, repose, health, peace or safety of persons

2. This bylaw does not apply to a farming operation or any part thereof.
3. This bylaw does not apply to any business operating outside residential areas or public places.
4. This bylaw does not apply to ambulance, ploice, fire fighting, rescue or other emergency services.
5. This bylaw does not apply to service groups, sports associations, religious organizations, or volunteer organizations for the purpose of holding an event during the day.
6. This bylaw does not apply to work being carried out by the Village of Amisk or by any contractor carrying out the instructions of the Village of Amisk.
7. This bylaw does not apply to the performance of work on land designated an Industrial District pursuant to the Village of AMisk Land Use Bylaw 1998.
8. No person shall operate or permit any other person to operate, within the designated area, an off highway vehicle which produces a noise.
9. No person shall operate or permit any other person to operate, within the designated area, any motor vehicle which produces a noise.
10. No person shall operate or permit any other person to operate, within the designaited area, during the night,

a lawn mower or chain saw.

11. No person shall cause or permit any other person to cause a noise within the designated area during the designated night hours.

12. The C.A.O. may issue a permit to a person for the purpose of allowing that person to cause a noise within the designated area, but such permit shall state dates and times during which such noise may occur.

13. Any person who contravenes any provision of this by-law is guilty of an offence and is liable on summary conviction to a fine in the sum of:

a. A minimum of one hundred dollars(\$100.00) exclusive of costs, for a first offence and

b. A minimum of five hundred dollars (\$500.00) exclusive of costs for a second or subsequent offence.

14. A peace officer may issue a violation tag by personally serving it upon any person who contravenes any provision of this bylaw.

15. Where a contravention of this bylaw is of a continuing nature, further violation tags for the same offence may be issued by a peace officer.

16. Where a violation tag is issued pursuant of this bylaw, the person tho whom the violation tag is issued may, in lieu of being prosecuted for the offence, pay to the C.A.O. the amount specified on the violation tag.

17. If the fine is not paid within the specified period of time, then a peace officer is hereby authorized and empowered to lay a complaint and issue summons by means of a violation ticket.

18. The Violation Ticket shall be in the form prescribed by Alberta Regulation 193/82, as amended, being the VIOLATION Ticket Regulation passed pursuant to the Summary Convictions Act, Revised Statutes of Alberta 1980, chapter S26, as amended.

19. This bylaw shall come into force and effect on the date of it's third and final reading by the Council of the Village of Amisk.

INTRODUCED AND READ THREE TIMES AND PASSED UNANAMOUSLY THIS 18th DAY OF JANUARY, 2000.

VILLAGE OF AMISK  
*Craig Fontaine* Mayor  
*Joyce DeBord* Mun. Admin.