

of the  
VILLAGE OF COWLEY

Being a By-law of the Village of Cowley, in the Province of Alberta, to PROHIBIT CERTAIN ACTIVITIES CREATING NOISE, and to abate the incidence of noise and to restrict when certain sounds may be made.

WHEREAS Section 157 (1) (g) of the Municipal Government Act provides that the Council of the Village may pass a bylaw for the purpose of prohibiting, or abating noise, and establishing permissible noise levels for all or varying periods of the day, in all or a designated part or location of the municipality,

NOW THEREFORE, the Council of the Village of Cowley enacts as follows:

1. This bylaw may be cited as "The Noise Bylaw."
2. In this Bylaw, including this section,
  - (a) "Village" means the corporation of the Village of Cowley, or the area contained within its corporate boundaries, as the context requires:
  - (a) "residential building" means a building which is constructed as a dwelling for human beings and includes a hotel or motel;
  - (b) "residential district" means a district defined as such in the zoning bylaw;
  - (c) "zoning bylaw" means bylaw # 252, as the same is amended from time to time and includes any bylaw passed in substitution for or in addition to bylaw # 252.

GENERAL PROHIBITION
3.
  - (a) Except to the extent it is allowed by this bylaw no person make any loud or unnecessary noise whatsoever, which may disturb, injure, endanger or detract from the comfort, repose, health, peace or safety of other persons within the limits of this Village.
  - (b) What is a loud noise or an unnecessary noise, which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, is a question of fact for a court which hears a prosecution or an offer against this Bylaw.
  - (c) Where an activity which is not specifically prohibited or restricted by any provision of any legislation or regulations of Canada or the Province of Alberta or by any provision of this bylaw involves creating or making a sound which
    - (i) is or may be or become, or
    - (ii) creates or produces or may create or produce a disturbance or annoyance to other people or a danger to the comfort, repose, health, peace or safety of others, a person engaging in such an activity shall do so in such a manner as to create as little of such sound as practicable under the circumstances.
4. DOMESTIC NOISES

A person who owns, keeps, houses, harbors or allows to stay on his premises a dog which by reason of barking or howling disturbs persons in the vicinity of his home is guilty of an offence under this bylaw.

CONSTRUCTION NOISES

5.

(a) Unless permission from the Development Officer of the Village for such operation is first obtained;

no person shall carry on the construction of any type of structure which involves hammering, sawing or the use of any mechanical tools or equipment capable of creating a sound which may be heard beyond the boundaries of the site on which the activity is being carried on in any district other than one designated in the zoning bylaw as an agricultural district, future residential district or an industrial district after the hour of ten o'clock in the evening and before the hour of seven o'clock in the morning of any day.

(b) The provisions of this section do not apply to any work carried on by the Village or by a contractor carrying out the instructions of the Village.

PENALTIES

6.

A person who contravenes any provision of this bylaw either by doing something which he is prohibited from doing or failing to do something which he is required to do is guilty of an offence and is liable on summary conviction to a fine not in excess of one hundred dollars (100.00) or in default of payment of the fine and costs to imprisonment for a period not exceeding one day or until such fine and costs including the costs of committal shall have been sooner paid.

READ A FIRST TIME THIS 21 DAY OF June, 1988, A.D.

Robert Bergen  
Mayor

James Dejar  
Administrator

READ A SECOND TIME THIS 21 day of June, 1988, A.D.

Robert Bergen  
Mayor

James Dejar  
Administrator

Bob Bergen moved that this bylaw be given a third reading at this meeting. Unanimous consent given to motion. This bylaw shall come into effect upon the date of final passing.

READ A THIRD TIME THIS 21 day of June, 1988, A.D.

Robert Bergen  
Mayor

James Dejar  
Administrator

