

VILLAGE OF TAHSIS

BYLAW NO. 421

A BYLAW TO REGULATE NOISE WITHIN THE VILLAGE OF TAHSIS

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WHEREAS the Council of the Village of Tahsis deems it in the public interest to prohibit or regulate noise and sound within the boundaries of the Village of Tahsis.

NOW THEREFORE the Council of the Village of Tahsis, in open meeting assembled ENACTS AS FOLLOWS:

CITATION

1 This bylaw may be cited for all purposes as the "Noise Control Bylaw No. 421, 1997".

DEFINITIONS

2 In this bylaw:

"bylaw enforcement officer" means any person designated by the Council from time to time to enforce the provisions of the bylaws of the Village of Tahsis;

"council" means the council of the Village of Tahsis;

"noise" means any noise or sound that is objectionable or disturbs, tends to disturb or is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.

PROHIBITIONS

- 3 (1) No person shall make or cause, or permit to be made or caused, any noise in or on public or private property which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighborhood or vicinity.
- (2) No person being the owner, tenant or occupier of real property shall allow or permit such real property to be used so that noise or sound which occurs on or emanates from, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons on the same piece of property or in the neighborhood or vicinity.
- (3) No person shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound either in or on private premises or in any public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighborhood or of persons in the vicinity.

- (4) No person shall own, keep or harbour any animal or bird which by its cries disturbs or tends to disturb the peace, quiet, rest or tranquillity of the surrounding neighborhood or the public at large.
- (5) No person shall use any automobile, motorcycle, bus or other vehicle so out of repair or so operated as to create loud or unnecessary sound or noise at any time or in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighborhood or of persons in the vicinity.

## CONSTRUCTION HOURS

- 4 (1) No person shall on any day before 7:00 a.m. or after 11:00 p.m. Monday through Saturday and not before 10:00 a.m. or after 6:00 p.m. on Sunday, construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill in land in any manner which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighborhood or of persons in the vicinity.
- (2) A person may apply in writing for a permit to operate outside the hours specified in section 4 (1) where it is impractical or impossible to limit their construction activity to those hours.
- (3) The director of public works is authorized to issue a permit to work outside of the hours specified in section 4 (1) where he is satisfied that it would present an undue hardship to the applicants hours of operation to those set out in section 4 (1).
- (4) A permit issued under this section shall be for a period not exceeding 5 days.
- (5) A person may apply for more than one permit with respect to the same project.

## VIOLATION AND PENALTY

- 5 (1) Every person who violates any of the provisions of this bylaw or who willingly permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw or, who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw is punishable in accordance with the *Offence Act*.
- (2) Notwithstanding the provisions of section 4 (1), for a contravention of the provisions of this bylaw, a notice of such contravention may be given by the bylaw enforcement officer or other designated person by means of a violation ticket.
- (3) If an informal resolution can not be obtained a ticket **may** be issued under the authority of the Village of Tahsis Ticket Information Utilization bylaw to the owner or occupant charged with an offence by having it hand delivered by the bylaw enforcement officer or a peace officer or having it sent by registered mail.

**REPEAL**

6 Bylaw No. 370 is hereby repealed.

**READ for the first time this 18th day of August, 1997.**

**READ for the second time this 18th day of August, 1997.**


**READ for the third time this 15th day of December, 1997.**

**RECONSIDERED, finally passed and adopted this 5th day of January, 1998.**

  
MAYOR

  
MUNICIPAL CLERK

I hereby certify that the foregoing is a true and correct copy of Bylaw No. 421, duly passed by the Council of the Village of Tahsis and sealed with the corporate seal on the 5th day of January, 1998.

  
MUNICIPAL CLERK



A true copy of By-law No. 421  
registered in the office of the Inspector  
of Municipalities this 24th day of  
February 1998.  
for Inspector of Municipalities



RECEIVED  
MAR - 9 1998

March 6, 1998

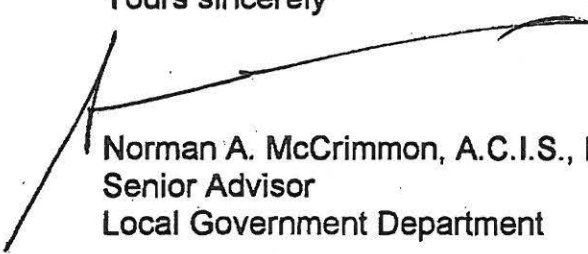
V40-38,39

Mr. Paul R. Edgington  
Chief Administrative Officer  
Village of Tahsis  
P. O. Box 519  
Tahsis, B. C.  
V0P 1X0

Dear Mr. Edgington:

Returned herewith is one copy of Bylaws Nos. 420 and 421, with evidence of registration in the Office of the Inspector of Municipalities thereon.

Yours sincerely

  
Norman A. McCrimmon, A.C.I.S., P.Adm.  
Senior Advisor  
Local Government Department

Enclosures



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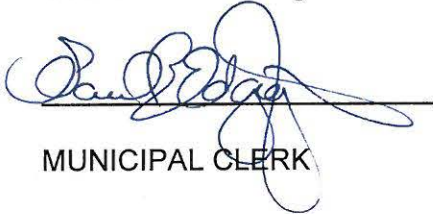
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MUNICIPAL CLERK



## Village of Tahsis

Our File No: 4000-01

January 13 1998

Alixé Knighton, Director  
Municipal Advice & Approvals Branch  
Ministry of Municipal Affairs  
4th Floor, 800 Johnson Street  
Victoria, B.C. V8V 1X4

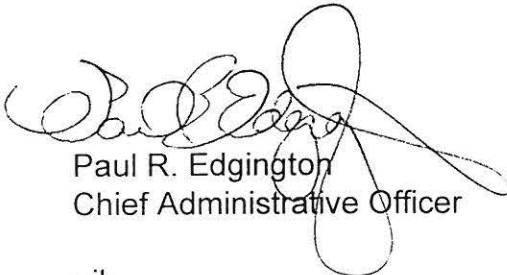
Dear Alixe:

Re: Bylaw No. 420 and No. 421

Please find enclosed two original copies of the Village of Tahsis "Animal Control and Licensing Bylaw No. 420, 1997" and two original copies of the Village of Tahsis "Noise Control Bylaw No. 421, 1997" for registration in accordance with section 259 of the Municipal Act.

As always, thank you for your efforts on our behalf.

Yours truly,



Paul R. Edgington  
Chief Administrative Officer

:rjb

Encs.