

**THE CORPORATION OF THE CITY OF ELLIOT LAKE**

***B*Y-LAW NO. 96-66**

Being a by-law to prohibit and regulate noise in the Municipality.

**WHEREAS** Section 210 (138) of The Municipal Act, R.S.O. 1990, c M.45 authorizes municipalities to pass by-laws for prohibiting or regulating unusual noises or noises likely to disturb the inhabitants.

**NOW THEREFORE** the Council of The Corporation of the City of Elliot Lake **ENACTS AS FOLLOWS:**

1. **THAT** no person shall ring any bell, blow or sound any horn or cause the same to be rung, blown or sounded; shout or create, cause or permit any unusual noise, or noises likely to disturb the inhabitants.
2. **THAT** for the purposes of this by-law and without limiting the generality of paragraph 1 that following noises shall be deemed to be unusual noises, or noises likely to disturb the inhabitants:
  - a) the sounding of any bell, horn, siren or other signal device on any motor vehicle, motorcycle, bicycle, or other vehicle of any kind, except when required by law;
  - b) the sounding of any such cell, horn, siren or signal device for an unnecessary or unreasonable length of time;
  - c) the sound or noise from or created by any radio, phonograph, television, public address system, sound equipment, loud speaker, or similar device or instrument is played or operated at such a volume as to annoy or disturb the peace, quiet, comfort or repose of any individual in any dwelling, hotel or any other type of residence;
  - d) any sound or noise made by any animal which disturbs the peace, quiet, comfort or repose of any individual in any dwelling, hotel, or any other type of residence;
  - e) any unnecessary noise arising between the hour of 6 o'clock p.m. of any day and 7:00 a.m. of the next following day from any excavation or construction work whatsoever including

- the erection, demolition, alteration or repair of any building, authorized by the Corporation, except in the case of urgent necessity, and then only under a special permit signed by the Chief Building Official of the Corporation of the City of Elliot Lake;
- f) any noise in the vicinity of any school, seminary of learning or court while the same is in session; or in the vicinity of any hospital or convalescent or rest home when such noise interferes with the undertaking of such hospital or home;
  - g) the noise created by driving any vehicle bearing material or things which are loaded upon such vehicle in a manner as to create such noise; and
  - h) continuous shouting or hollering in an unnecessary and disturbing manner in, or adjacent to any public street or place.
3. **THAT** for the purpose of paragraph 2. d), the person who possesses or harbours the animal creating the sound or noise shall be deemed to be the person responsible for the creation of sound.
4. **THAT** the provisions of this by-law shall not apply to:
- a) any activity authorized by the City in any public park or any other public place;
  - b) any vehicle of the City including police, fire or ambulance services during the performance of their duties; and
  - c) any case of public convenience or necessity.
5. **EVERY** person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction is liable to a fine of not more than five thousand dollars (\$5,000.00), exclusive of costs, for each offence.
6. **THAT** by-law No. 58-287 being a by-law to prohibit unusual noises calculated to disturb the inhabitants is hereby repealed.

**PASSED** this 15<sup>th</sup> day of October, 1996.

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**MAYOR**

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**CITY CLERK**

Schedule "A" to By-law No. 04-49 of  
The Corporation of the City of Elliot Lake.

