

TOWN OF WATSON LAKE

BY-LAW 19 -08

A BY-LAW TO ESTABLISH & ENFORCE STANDARDS RELATING TO NOISE WITHIN THE TOWN OF WATSON LAKE

WHEREAS pursuant to the provisions of Section 265 of the Municipal Act Statutes of the Yukon 2002 provides in part as follows:

A Council may pass By-Laws for municipal purposes respecting the following matters:

(m) Nuisances, unsightly property, noise and pollution and waste in or on public or private property.

AND WHEREAS it is deemed to be expedient and in the best interest to regulate noise within the Town of Watson Lake.

NOW THEREFORE, the Council of the Municipality of the Town of Watson Lake in Open Meeting duly assembled hereby ENACTS AS FOLLOWS:

- 1) This By-law may be cited as the Noise control bylaw.
- 2) DEFINITIONS in this By-Law, unless the content otherwise requires:
 - a) "Council" means the Council of the Town of Watson Lake.
 - b) "Commercial district" means an area or district as defined by the Town Zoning Bylaw.
 - c) "Noise" means any unnecessary and excessive sound including any loud outcry, clamour, shouting or movement, or any sound that is loud, harsh or undesirable.
 - d) "Quiet time" means the time from 11:00 pm to 7:00 am on any day.
 - e) "Residential district" mean an area or district defined by the Town Zoning Bylaw.
 - f) "Town" means the Town of Watson Lake.
 - g) "Town Manager" means the Chief Administrative Officer.
 - h) "Vehicle" or "Motor Vehicle" includes any vehicle designed to travel on land that is drawn, propelled, or driven by any kind of power, including muscular power and includes all-terrain vehicles.
3. GENERAL PROVISIONS AND REGULATIONS
 - 1) This by-law will be in effect only between the hours of 11:00 pm and 07:00 am on any given day.
 - 2) No person shall operate a motor vehicle, motorcycle, snowmobile, all-terrain vehicle or other conveyance which either annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace or safety of other persons in the vicinity during the Town's quiet time.

- 3) No person shall permit a vehicle located on a premises to emit noise from that premises and disturbs or annoys a person, included noise from excessive engine revving.
- 4) This By-Law does not apply:
 - a) to a person operating emergency or enforcement vehicles engaged in the lawful execution of their duty or to any person operating equipment on behalf of the Town of Watson Lake whilst engaged in conducting emergency utility repairs, or routine snow removal and street cleaning, and work that is being conducted for the primary purpose of ensuring health, safety, welfare or benefit of the Town of Watson Lake residents, or to a person authorized in writing by the Town of Watson Lake.
 - b) To the Performance of work by any person on land zoned Light Industrial (M1) or Heavy Industrial (M2) pursuant to the Town of Watson Lake Zoning Bylaw if:
 - i) The noise is generated pursuant to work done in the normal matter to that end.
 - c) To persons using domestic equipment including lawnmowers, snowblowers, garden tillers, and persons owning or controlling property on which such equipment is used if:
 - i) The noise is of intermittent nature; and,
 - ii) The equipment is properly maintained and operated in a normal manner for that type of equipment.

4. **CONSTRUCTION NOISE**

- 1) No person shall on any day before 07:00 am or after 11:00 pm construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill in land in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.
- 2) Where it is impossible or impractical to comply with this section the Town Manager may give written approval to carry on with the work that is found to be necessary at designated hours.
- 3) Responsibility for obtaining written approval lies with the person or persons carrying on the work.

5. **COMMERCIAL AND INDUSTRIAL NOISE**

- 1) No person shall load or unload any commercial vehicle in any residential area between the hours of 11:00 pm and 07:00 am on any given day.

6. **PENALTIES AND ENFORCEMENT**

- 1) Any person who contravenes any provision of this bylaw is guilty of an offense and is liable upon summary conviction to a fine as follows:
 - a) First offence - warning ticket;
 - b) Second offence - a fine of \$100.00;
 - c) Third offence - a fine of \$500.00;
 - d) For each subsequent offence - to a fine not exceeding:

- i) \$1,000 for an individual; and
- ii) \$5,000 for a corporation; or
- iii) To imprisonment for a term not exceeding six (6) months or both imprisonment and fine.

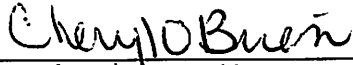
7. By-Law 14-08 is repealed.

This By-Law shall come into full force and effect upon the final passing.

Read a First time this 21st of May , 2019.

Read a Second time this 18 of June , 2019.

Read and Third time and Finally passed this 18 of June 2019.


C.O'Brien - Mayor


T.Close - Municipal Clerk