

The Corporation of the Town of Minto

By-law No. 08-52

WHEREAS the Council of the Town of Minto has passed a By-law to control noise under *The Municipal Act, S.O. 2001*, being Town of Minto By-law No. 5001-05;

AND WHEREAS provisions of that By-law are not sufficient to prohibit or regulate all noises within the municipality;

AND WHEREAS Section 128(1) of *The Municipal Act, S.O. 2001*, states a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

NOW THEREFORE the Council of the Corporation of the Town of Minto enacts as follows:

1. No person shall in the Town of Minto create, cause or permit any unusual noise or noises likely to disturb the inhabitants.
2. For the purposes of this By-law and without limiting the generality of Section 1, the following noises shall be deemed to be unusual noises, or noises likely to disturb the inhabitants, namely:
 - (a) the sound or noise from or created by any radio, phonograph, television, public address system, sound equipment, loud speaker, or similar device or devices, or any musical or sound-producing instrument of whatever kind when such device or instrument is played or operated in such volume as to annoy or disturb the peace, quiet, comfort or repose of any individual in any dwelling house, apartment house, hotel or any other type of residence.
 - (b) the grating, grinding or rattling, screaming, screeching or similar noise or sound caused by the operation of a motor of any kind which by reason of the condition of disrepair or maladjustment create the unusual noise.
 - (c) crying, shouting or loud speaking in or adjacent to any public street or place, or near private swimming pools.
3. Every person who contravenes any provision of this By-law is guilty of an offence. Pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, c.P. 33 upon conviction a person is liable to a fine of not more than \$5,000, exclusive of costs.

Read a first and second time this 18th day of June, 2008.

Seal



Mayor David Anderson



Clerk Barbara L. Wilson

Read a third and final time and finally passed this 18th day of June, 2008.

Seal



Mayor David Anderson



Clerk Barbara L. Wilson

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TITLE: A BY-LAW RESPECTING NUISANCE –TYPE NOISE
PART 1 PROVINCIAL OFFENCES ACT

ITEM	COLUMN 1 <i>Short Form Wording</i>	COLUMN 2 <i>Provision Creating or Defining Offence</i>	COLUMN 3 <i>Set Fines</i>
1.	Causing a noise likely to disturb the inhabitants	1	\$100.00
2.	Permitting a noise likely to disturb the inhabitants	1	\$100.00

NOTE:

The penalty provision for the offences indicated above is Section 3 of By-law No. 08-52, a certified copy has been filed.