

# TOWN OF GIBSONS



## ANTI-NOISE BYLAW BYLAW No. 1285, 2020

Adopted: Month #<sup>th</sup>, 20##

**TOWN OF GIBSONS  
BYLAW NO. 1285, 2020**

A Bylaw to regulate noise or sound  
within the Town of Gibsons

**WHEREAS** it is deemed desirable to regulate or prohibit the making or causing of noises or sounds under the authority of the Local Government Act;

**THEREFORE**, the Municipal Council of the Town of Gibsons, in open meeting assembled, enacts as follows:

**SECTION 1      GENERAL PROVISIONS**

**1.1      SHORT TITLE**

This Bylaw may be cited for all purposes as "Anti-Noise Bylaw No. 1285, 2020".

**1.2      REPEAL**

Bylaw No. 364, 1980 is repealed.

**SECTION 2      DEFINITIONS**

**2.1      DEFINITIONS**

In this Bylaw;

"BYLAW ENFORCEMENT OFFICER" means a person employed by the Town of Gibsons for the purpose of enforcing the Towns Bylaws.

"COUNCIL" means the Council of the Town of Gibsons.

"CONSTRUCTION" means the alteration, erection, repair, enlargement, demolition or removal of a building or other structure and includes all land clearing and excavation.

"HOLIDAY" means any day set out by the Parliament of Canada or by the Legislature as a public holiday.

"POWER EQUIPMENT" means any tool, equipment or machinery powered by an internal combustion engine or electric motor that is used for construction, for lawn, garden, building and property maintenance, vehicle repair and includes edge trimmers, weed-eaters, rototillers, lawnmowers, leaf blowers, chain saws, pressure washers, carpet cleaning equipment and hand operated power tools.

### **SECTION 3      GENERAL REGULATIONS**

- 3.1 No person shall, except as herein provided, make or cause to be made any noise or sound anywhere in the Town of Gibsons which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or persons in the vicinity.
- 3.2 No owner or occupier of property in the municipality shall allow such property to be used so that noise or sound emanates therefrom which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.
- 3.3 No person shall play or operate any radio, stereo equipment or other instrument or any apparatus for the production or amplification of sound either in private or public places in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or persons in the vicinity.
- 3.4 No person shall own, keep or harbour any animal or bird which by its cries unduly disturbs the peace, rest or tranquillity of surrounding neighbourhoods or the public at large.

### **SECTION 4      SPECIFIC REGULATIONS**

#### **4.1      CONSTRUCTION HOURS**

- a) No person shall, before 0700 hours and after 2000 hours between Monday and Friday, engage in or permit construction in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any persons in the neighbourhood or of persons in the vicinity.
- b) No person shall before 0800 and after 1800 hours on a Saturday engage in or permit construction in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person in the neighbourhood or of persons in the vicinity.
- c) No person shall for gain or profit on any Sunday or on any holiday, engage in or permit construction in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any persons in the neighbourhood or of persons in the vicinity.

Where it is impossible or impractical to comply with this section, the Municipal Building Inspector or a Bylaw Enforcement Officer may give written in the form of a comfort letter, approval to carry out the work that is found to be necessary at designated hours.

**4.2 POWER EQUIPMENT NOISE**

No person shall, before 0800 hours or after 2000 hours between Monday and Saturday or before 0900 hours or after 1800 hours on a Sunday or Holiday, operate, or permit the operation of any power equipment.

**4.3 QUIET HOURS**

No person shall before 0700 hours or after 2200 hours on any between Monday and Thursday or before 0800 hours and after 2300 hours between Friday and Sunday and not after 0100 hours on New Years Day, cause or permit a noise of any kind which interrupts the sleep, or prevents the sleep of a person in the neighbourhood or vicinity.

<b>Construction Hours</b>	
Monday to Friday	0700-2000
Saturday	0800-1800
Sunday/Stat Holiday	Not Permitted for Gain or Profit
<b>Power Equipment Hours</b>	
Monday to Saturday	0800-2000
Sunday/Stat Holiday	0900-1800
<b>Quiet Hours</b>	
Monday to Thursday	2200-0700
Friday to Sunday	2300-0800
New Years Day	Not After 0100 Hrs

**SECTION 5 EXCEPTIONS**

- 5.1 The provisions of this Bylaw shall not apply to sound caused by.
- 5.2 Operators of Emergency vehicles in the conduct of their lawful duty.
- 5.3 The performance of activities of an emergency nature for the preservation or protection of life, health or property.
- 5.4 The use of an explosive device or the operation of a rock drill or hammer in accordance with a blasting permit issued by the Town of Gibsons.
- 5.5 The loading or unloading of goods, materials, machines, equipment, waste or garbage by any means, except on a Sunday or holiday between 0730 hours and 1730 hours.
- 5.6 The operation of a street sweeper, snow removal, road and parks maintenance machines and equipment by or on behalf of the Town.

**SECTION 6 RIGHT OF ENTRY**

6.1 A Bylaw Enforcement Officer or a Building Inspector may enter onto a property or premises at a reasonable time and a reasonable manner to ascertain whether the provisions of this Bylaw are being observed.

**SECTION 7 PENALTY**

- 7.1 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a section of this bylaw commits an offence and each day a violation continues or is allowed to continue constitutes a separate offence.
- 7.2 Every person who commits an offence under this bylaw is liable on summary conviction to a fine not exceeding the maximum allowed by the Offence act.
- 7.3 Every person who commits an offence under this bylaw shall be liable for fines and penalties established in the Town of Gibsons Bylaw Notice Enforcement Bylaw No.1125, 2010 as amended from time to time.

**SECTION 8 SEVERABILITY**

If any provision of this bylaw is held to be invalid by any court of competent jurisdiction, that provision shall be severed and its severance shall not affect the validity of the remainder of this bylaw.

Read a First time this	day of	2020
Read a Second time this	day of	2020
Read a Third time this	day of	2020
Adopted this	day of	2020

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Bill Beamish  
Mayor

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Lindsey Grist  
Corporate Officer

Attachment C

**TOWN OF GIBSONS**

**BYLAW NO. 1125-09, 2020**

*A Bylaw to amend Schedule A of Bylaw Notice Enforcement Bylaw No. 1125 to include Anti-Noise Bylaw 1285, 2020.*

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**WHEREAS** the Council for the Town of Gibsons has adopted *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*;

**AND WHEREAS** the Council for the Town of Gibsons deems it desirable to amend *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*.

**NOW THEREFORE** the Council for the Town of Gibsons, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "*Anti-Noise Bylaw Notice Enforcement Amendment Bylaw No. 1125-09, 2020*".
2. The *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010* is hereby amended by:
  - (a) Delete references to Anti-Noise Bylaw 364, 1980 and replace with updated noise violations related to Anti-Noise Bylaw 1285, 2020 to Schedule A, as listed on Appendix A, attached to and forming part of this bylaw;
  - (b) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering.

Read a first time this	day of	202X
Read a second time this	day of	202X
Read a third time this	day of	202X
ADOPTED this	day of	202X

\_\_\_\_\_  
William Beamish, Mayor

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Lindsey Grist, Corporate Officer

**APPENDIX C**

*Town of Gibsons Bylaw Enforcement Bylaw No. 1125-09, 2020 – Summary of Update to Bylaw No. 1125, 2010*

<b>ANTI-NOISE BYLAW NO. 1285, 2020</b>						
<b>BYLAW NO.</b>	<b>SECTION</b>	<b>DESCRIPTION</b>	<b>A1 PENALTY</b>	<b>A2 EARLY PAYMENT PENALTY</b>	<b>A3 LATE PAYMENT PENALTY</b>	<b>A4 COMPLIANCE AGREEMENT AVAILABLE</b>
1285	3.1	Noise which disturbs	\$200	\$150	\$300	No
1285	3.2	Noise which disturbs	\$200	\$150	\$300	No
1285	3.3	Amplified music which disturbs	\$200	\$150	\$300	No
1285	3.4	Animal/bird noise which disturbs	\$200	\$150	\$300	No
1285	4.1	Construction noise which disturbs	\$200	\$150	\$300	No
1285	4.2	Power equipment noise which disturbs	\$200	\$150	\$300	No
1285	4.3	Disturb Quiet Hours	\$200	\$150	\$300	No