

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

BY-LAW NUMBER 914-2011

Being a by-law to prohibit and regulate Noise in the Corporation of the Municipality of Neebing.

WHEREAS Section 129 of the Municipal Act S.O. 2001, as amended, authorizes municipalities to prohibit and regulate noise and other nuisances; and

WHEREAS the Council of the Corporation of the Municipality of Neebing recognizes that balance must be achieved between the clash of individual interests that arise in modern municipalities, and that the existence of organized society depends upon the principle of “give and take”; and

WHEREAS it is considered necessary and expedient to enact a by-law concerning noise;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF NEEBING ENACTS AS FOLLOWS:

1 DEFINITION:

“Noise shall mean persistent barking, calling, whining or making other noise by animals”

2. General Noise Prohibition – It is an offence for a person to make, cause or to permit the persistent barking, calling, whining or making other noise by animals, which shall include but not be limited to dogs or birds in their possession within the municipal boundary of The Corporation of the Municipality of Neebing.

3. Enforcement: This by-law may be enforced by the Municipal By-law Enforcement Officer, or by way of private information sworn in accordance with the Provincial Offences Act.

4. Penalties: Every person who commits an offence under this By-law is, upon conviction, liable to a fine or penalty as provided for in Schedule “A” hereto and as amended from time to time.

5. Effective Date: This By-law shall come into force and take effect upon approval of the set fines associated with it by the Regional Chief Justice in accordance with Part 1 of the Provincial Offences Act, and Rule 6 of Regulation 200 passed pursuant to the Courts of Justice Act.

ENACTED AND PASSED IN COUNCIL this 25th day of January, 2012 as witnessed by the corporate seal of the Corporation and the hands of its proper Officers duly authorized in that behalf.

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

Mayor

Clerk

Read for a first and second time this 7th day of December, 2011.

Read for a third time and finally passed this 25th day of January, 2012.

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SCHEDULE "A"

| | Noise-Causing Activity | Prohibited Times |
|----|------------------------|---|
| 1. | Noise by animals | From 10:00 p.m. any day until 6:00 a.m. the following day, unless the following day is a Sunday or a statutory holiday, in which case the prohibition continues until 9:00 a.m. |
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| Item # | Short Form Wording | Provisions Creating Offence | Set Fines |
|--------|---|-----------------------------|------------------------------------|
| 1. | Permit noise by animals likely to disturb inhabitants | Section 2 | A fine of not more than \$1,000.00 |
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