

# Protection

## Chapter 0825 Noise - Unnecessary - Unusual

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## **Article 1 - Short Title**

### **825.1.1 Citation**

The short title of this Chapter is the "Noise By-law."

## **Article 2 - Interpretation**

### **825.2.1 City - Defined**

"City" means The Corporation of the City of Woodstock.

### **825.2.2. Residential Unit - Defined**

"residential unit" means a dwelling house, apartment, condominium unit, hotel room or other type of residential premises.

## **Article 3 - General Prohibition**

### **825.3.1 Horn - bell - sounding - noises - likely to disturb**

No person shall make, cause or permit, an unreasonable noise, or a noise that is likely to disturb another person. (See Set Fine).

## **Article 4 - Noises - Unreasonable - Likely To Disturb**

### **825.4.1 Noise - deemed**

Without limiting the generality of Article 3, the noises set out in Section 825.4.2 through Section 825.4.11, inclusive shall be deemed to be an unreasonable noise, or a noise likely to disturb another person.

### **825.4.2 Bell - horn - siren - signal device**

The sound or noise from or created by a bell, horn, siren or signal device for an unnecessary or unreasonable period of time shall be deemed to be an unreasonable noise, or a noise likely to disturb another person.

### **825.4.3 Radio - sound equipment - musical instrument – other**

The sound or noise from or created by any radio, stereo, television, amplifier, 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 a manner or with such volume that it is likely to be audible in a residential unit, other than the residential unit in which the sound originated from shall be deemed to be an unreasonable noise, or a noise likely to disturb another person.

#### **825.4.4 Commercial - audible - distance from property line**

The sound or noise from a commercial use that is likely to be audible at a distance of 15.25 metres (50 feet) from any property line of the property upon which the commercial use is being carried on shall be deemed to be an unreasonable noise, or a noise likely to disturb another person.

#### **825.4.5 Animal - residence**

The sound or noise made by an animal that is likely to be audible in a residential unit, other than the residential unit in which the sound originated from shall be deemed to be an unreasonable noise, or a noise likely to disturb another person.

#### **825.4.6 Excavation - construction - 9 p.m. to 7a.m.**

Sound or noise caused by the normal activities involved in construction, including, but not limited to, erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form for any purpose, and includes any work in connection therewith, between the hours of 9:00 p.m. and 7:00 a.m. of the following day, except in a case of urgent necessity shall be deemed to be an unreasonable noise, or a noise likely to disturb another person.

#### **825.4.7 Advertising - attracting attention - by noise – sound**

The sound from or created by any instrument, radio, amplification device, loud speaker, public address system, equipment or device that emits sound when the same is used or operated for the purpose of advertising or for attracting attention to any performance or sale, show or display of goods or services and projects such sound into any street or other public place shall be deemed to be an unreasonable noise, or a noise likely to disturb another person.

#### **825.4.8 Amplification - from vehicle - unapproved**

The sound or noise from or created by any radio, amplifier, loud speaker, public address system, or equipment, device or instrument that emits sound when the same is used or operated from any motor vehicle, trailer or vehicle that is audible at least 8 metres (26.2 feet) from the vehicle except for specific times or vehicles as may be approved by City Council shall be deemed to be an unreasonable noise, or a noise likely to disturb another person

#### **825.4.9 Firearms - discharge**

The sound or noise caused by the discharge of any gun or other firearm shall be deemed to be an unreasonable noise, or a noise likely to disturb another person

**825.4.10 Vehicle - exhaust - except through muffling device**

The sound from the discharge into the open air of the exhaust of any steam engine, internal combustion engine (including the engine of any motor vehicle), or pneumatic device without an effective exhaust or intake muffling device in good working order and in constant operation that prevents excessive noises that are loud or explosive shall be deemed to be an unreasonable noise, or a noise likely to disturb another person.

**825.4.11 Shouting Yelling Hooting Whistling etc. - any time**

Any shouting, yelling, loud hooting, loud whistling or loud singing in such a manner or with such volume that it is likely to be audible in a residential unit, other than the residential unit in which the sound originated from shall be deemed to be an unreasonable noise, or a noise likely to disturb another person.

**825.4.12 Power equipment - use - 10 p.m. to 7 a.m.**

The sound caused by the use or operation of a lawnmower, chain-saw, leaf-blower, or any other such noise-generating tool or device that it is likely to be audible in a residential unit, other than the residential unit in which the sound originated from, between 10:00 p.m. of any day and 7:00 a.m. of the next following day, except in a case of urgent necessity shall be deemed to be an unreasonable noise, or a noise likely to disturb another person.

**Article 5 - General Exemptions**

**825.5.1 Amplification - music - voice - in park - by permission**

The provisions of this Chapter shall not apply to the use in a reasonable manner of any apparatus or mechanism for the amplification of the human voice or of music in a public park provided written permission from a duly authorized representative of the City has first been obtained.

**825.5.2 Band - parade - by written permission**

The provisions of this Chapter shall not apply to any band or any parade provided written permission was obtained from the Council of the City.

**825.5.3 Emergency vehicles - answering call**

The provisions of this Chapter shall not apply to any vehicle of the police or fire department or any ambulance or any public service or emergency vehicle while answering a call.

**825.5.4 Salvation Army**

The provisions of this Chapter shall not apply to the operations of the Salvation Army.

**825.5.5 Bells - ringing - in church - chapel - meeting house**

The provisions of this Chapter shall not apply to the ringing of bells in connection with any church, chapel, meeting house, or religious service.

### **825.5.6 Fire - burglar alarms**

The provisions of this Chapter shall not apply to the ringing of fire alarms or burglar alarms that are connected to an established monitoring service. An established monitoring service means a fire or burglar alarm system that automatically notifies either the fire department, police department or a security company when the system activates.

### **825.5.7 Industrial activity - where zoned**

The provisions of this Chapter shall not apply to the normal activities of industry in any industrial zones as defined in the City Zoning By-laws.

### **825.5.8 Fireworks**

The provisions of this Chapter shall not apply to any fireworks display authorized by Council on City property.

### **825.5.9 Agricultural activity - where designated**

The provisions of this Chapter shall not apply to the normal activities of agriculture on any lands designated for agricultural use in the City Zoning By-laws.

### **825.5.10 Exemption - firearms**

The provisions of this Chapter shall not apply to peace officers in the performance of their duties.

### **825.5.11 Exemption**

The provisions of this Chapter shall not apply to the sound or noise caused by the discharge of any gun or other firearm, air gun or spring gun or any class or type thereof that complies with Municipal Code Chapter 799 - Discharge of Firearms and Bows.

## **Article 6 - Enforcement**

### **825.6.1 Fine - for contravention**

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided in the *Provincial Offences Act*.

## **Article 7 - Repeal - Enactment**

### **825.7.1 By-law - previous**

All previous by-laws are hereby repealed. By-law 6447-87 and all amendments thereto are hereby repealed.

### **825.7.2 Effective date**

This Chapter shall become effective as of third and final reading of the enabling by-law. By-law 8832-13, February 21, 2013.