

City of Brockville Ontario, Canada



A By-Law to Control Noise in the City of Brockville

By-Law No. 076-2021

Enacted by Council September 28, 2021

The Corporation of the City of Brockville
By-law Number 076-2021

A By-law to Control Noise in the City of Brockville

WHEREAS Section 128 of the Municipal Act, 2001, provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that in the opinion of Council are or could become public nuisances;

AND WHEREAS Section 129 of the Municipal Act, 2001, provides that a municipality may pass bylaws to prohibit and regulate with respect to noise;

AND WHEREAS in the opinion of Council for the Corporation of the City of Brockville, excessive sounds and inadequately controlled noise may impair public health, safety and welfare and could become a public nuisance;

NOW THEREFORE, the Council of the Corporation of the City of Brockville enacts as follows:

1. Definitions

1.1 In this by-law,

- (1) "agricultural area" means those areas of the municipality specified as follows: "agricultural area" means any area in the City of Brockville designated for agricultural use in any by-law in force from time to time passed pursuant to section 34 of the Planning Act, R.S.O. 1990, c.P.13, or any predecessor or successor of that section;
- (2) "approved sound meter" shall mean an instrument meeting American National Standard Institute's Standard SI-4-1971 or the most recent revision thereof for Type 1 or Type 2 sound meters, or an instrument and the associated recording and analyzing equipment that will provide equivalent data;
- (3) "amplified sound" means sound made by any electronic device or a group of connected electronic devices incorporating one or more loudspeakers or other electromechanical transducers, and intended for the production, reproduction or amplification of sound;

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- (4) "chief planning officer" means the chief planning officer, his or her designate or, in the event of organizational changes, another employee designated by City Council;
 - (5) "construction" includes 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 or for any purpose, and includes any work in connection therewith;
 - (6) "construction equipment" means any equipment or device designed and intended for use in construction or material handling, including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, heaters, fans, boilers, off-highways haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders or other material handling equipment;
 - (7) "conveyance" includes a vehicle and any other device employed to transport a person or persons or goods from place to place but does not include any such device or vehicle if operated only within the premises of a person;
 - (8) "Council" means the Council of the Corporation of the City of Brockville;
 - (9) "dB(A)" means the sound level in decibels obtained when using a sound level meter with the A-weighting;
 - (10) "dB(C)" means the sound level in decibels obtained when using a sound level meter with the C-weighting;
 - (11) "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles;
 - (12) "Leq" means the energy equivalent sound level or the continuous sound level that would result in the same total sound energy being produced over a given period of time;

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- (13) "motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of The Highway Traffic Act;
- (14) "motorized conveyance" means a conveyance propelled or driven otherwise than by muscular, gravitational or wind power;
- (15) "municipality" means the land within the geographic limit of the City of Brockville;
- (16) "noise" means a sound that a person finds disturbing to their peace, rest, enjoyment, comfort or convenience;
- (17) "persistent" means continuing to exist or endure over a prolonged period exceeding 15 minutes;
- (18) "person" means any individual, sole proprietorship, partnership, limited partnership, trust or body corporate, or an individual in his or her capacity as a trustee, executor, administrator or other legal representative;
- (19) "point of reception" means any location on the premises of a person where sound originating from other than those premises is received. An outdoor area that is the following locations at the points of reception:
- (a) near the façade of a building, at a height of 1.5 meters above ground, typically in backyards, front yards, terraces or patios; or
 - (b) On a balcony or elevated terrace (for example, a rooftop) provided it is not enclosed; or
 - (c) An indoor area that is inside a building with windows and doors closed.
- (20) "power device" means any equipment driven otherwise than by muscular power used in the servicing, maintenance or repair of lawns, including chainsaws, lawn mowers, leaf blowers, grass trimmers or any other similar equipment. A power device does not include equipment used to remove snow or ice;

- (21) "Quiet Zone" means those areas of the municipality specified as follows: "quiet zone" means an area of the municipality so designated by Council in Appendix A of this by-law as a place where quiet is of a particular importance, such as, but not limited to, the immediate vicinity of a hospital;
- (22) "Residential Area" means those areas of the municipality specified as follows: "residential area" means any area in the City of Brockville designated for residential use in any by-law in force from time to time passed pursuant to section 34 of the Planning Act, R.S.O. 1990, c.P.13, or any predecessor or successor of that section;
- (23) "sound level" shall mean the total sound level in decibels of all sound as measured with an approved sound meter with a reference pressure of 20 micro-pascals using the "A" weighted network (scale) at slow response. The unit of measurement shall be defined as dB(A) or dB(C);
- (24) "sound level meter" means an instrument that measures levels of sound as approved for use by the Chief Planning Officer;
- (25) "stationary source" means a source of sound which does not normally move from place to place, including the premises of a person as one stationary source, unless the dominant source of sound on those premises is construction or a conveyance;
- (26) "unreasonable noise" means any noise that would disturb the peace, rest, enjoyment, comfort or convenience of a reasonable person in the circumstances. Unreasonable noise does not include commonplace household or workplace sounds such as sound from furniture being moved, children playing or people engaging in conversation;

2. Administration and Delegation of Authority

- 2.1 The Economic and Development Services Department is responsible for the administration of this by-law.
- 2.2 All Peace Officers, Police Officers, Provincial Offences Officers and Municipal Law Enforcement Officers with the authority to enforce the by-laws of the Municipality are responsible for enforcing the provisions of this by-law.

- 2.3 The Chief Planning Officer or his/her designate is delegated the authority to grant temporary exemptions to this by-law.

3. General Prohibitions

3.1 Amplified sound

- (1) No person shall emit or cause or permit the emission of continuous amplified sound, measured with a sound level meter at a point of reception in an outdoor living area:
- (a) That has a sound level (expressed in terms of Leq for a ten-minute period) exceeding 50 dB(A) or 65 dB(C) from 2300 hours one day to 0700 hours the next day or 55 dB(A) or 70 dB(C) from 0700 hours to 2300 hours; or
 - (b) Where the ambient sound level at a point of reception exceeds the maximum sound level permitted under Subsection (1), that has a sound level (expressed in terms of Leq for a ten-minute period) equal to or exceeding the ambient sound level.
- (2) If, during an investigation, an Enforcement Officer determines it is not reasonable to measure from a point of reception in an outdoor living area, then no person shall emit or cause or permit the emission of continuous amplified sound, measured with a sound level meter at a point of reception in an indoor living area:
- (a) That has a sound level (expressed in terms of Leq for a ten-minute period), exceeding 45 dB(A) or 60 dB(C) from 2300 hours one day to 0700 hours the next day or 50 dB(A) or 65 dB(C) from 0700 hours to 2300 hours; or
 - (b) Where the ambient sound level at a point of reception exceeds the maximum sound, level permitted under Subsection B (1), that has a sound level (expressed in terms of Leq for a ten-minute period) equal to or exceeding the ambient sound level.

3.2 Animals

No person shall cause or permit persistent noise, including barking, calling or whining or other similar persistent noise, to be made by any animal kept or used for any purpose.

3.3 Construction

- (1) No person shall emit or cause or permit the emission of sound resulting from any operation of construction equipment or any construction that is clearly audible at a point of reception:
 - (a) from 1900 hours one day to 0700 hours next day, except until 0900 hours on Saturdays; and
 - (b) all day on Sundays and statutory holidays.
- (2) Despite Subsection (1) no person shall emit or cause to permit the emission of sound from the use of construction equipment in excess of 85 dBA when measured at the point of reception.

3.4 Loading and unloading

- (1) No person shall emit or cause or permit the emission of sound resulting from loading, unloading, delivering, packing, unpacking, and otherwise handling any containers, products or materials from 2300 hours one day to 0700 hours the next day, except until 0900 hours on Saturdays, Sundays and statutory holidays.
- (2) Subsection (1) does not apply to retail business establishments, restaurants including cafes and bars, hotels and motels, goods distribution facilities & industrial facilities.

3.5 Motor vehicles

- (1) No person shall emit or cause or permit the emission of sound resulting from unnecessary motor vehicle noise, such as the sounding of a horn, revving of an engine, squealing of tires, banging, clanking or any like sound that is clearly audible at a point of reception.
- (2) No person shall emit or cause or permit the emission of sound resulting from the repairing, rebuilding, modifying or testing of a vehicle if the sound is clearly audible at a point of reception from 2100 hours one day to 0700 hours next day, except until 0900 hours on Saturdays, Sundays and statutory holidays.
- (3) No person shall emit or cause or permit the emission of sound from a Motor Vehicle, if the Motor Vehicle emits any sound

exceeding 92 dB(A) from the exhaust outlet as measured at 50 cm from the exhaust outlet, while the Motor Vehicle engine is at idle; or emits any sound exceeding 96 dB(A), as measured at 50 centimeters from the exhaust outlet, while the engine is at any speed greater than idle.

- (4) The operation of an engine or motor in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes, while such vehicle is stationary unless:
 - (a) the original equipment manufacturer specifically recommends a longer idling period for normal and efficient operation of the motor vehicle in which case such recommended period shall not be exceeded; or
 - (b) operation of such engine or motor is essential to a basic function of the vehicle or equipment, including but not limited to, operation of ready-mixed concrete trucks, lift platforms and refuse compactors; or
 - (c) weather conditions justify the use of heating or refrigerating systems powered by the motor or engine for the safety and welfare of the operator, passengers or animals, or the preservation of perishable cargo, and the vehicle is stationary for purposes of delivery or loading; or,
 - (d) prevailing low temperatures make longer idling periods necessary immediately after starting the motor or engine; or,
 - (e) the idling is for the purpose of cleaning and flushing the radiator and associated circulation system for seasonal change of antifreeze, cleaning of the fuel system, carburetor or the like, when such work is performed other than for profit. Power devices
- (5) No person shall emit or cause or permit the emission of sound from a power device from 1900 hours one day to 0700 hours next day, except until 0900 hours on Saturdays, Sundays and statutory holidays.
- (6) Subsection (5) does not apply to a power device used to maintain a golf course or public park.

3.6 Religious ceremony in a place of worship

No person shall make, cause or permit the emission of sound that disturbs a religious ceremony in a place of worship.

3.7 Stationary sources and residential air conditioners

- (1) No person shall cause or permit the emission of sound from a stationary source or residential air conditioner that, when measured with a sound level meter at a point of reception, has a sound level (expressed in terms of Leq for a one-hour period) exceeding 50 dB(A) or the applicable sound level limit prescribed in provincial noise pollution control guidelines.
- (2) Subsection (1) does not apply to the emission of sound from a stationary source that is in compliance with a provincial environmental compliance approval.

3.8 Unreasonable and persistent noise

- (1) No person shall make, cause or permit noise, at any time, that is unreasonable noise and persistent noise.
- (2) Subsection (1) only applies to sound or noise that is not described in 3.1 through 3.8.
- (3) Despite Subsection (2), an exemption may be issued under Section 6.0, at the discretion of the Chief Planning Officer, if the Chief Planning Officer determines that there is unreasonable and persistent noise during otherwise permitted hours as described in 3.1 through 3.8.

3.9 Most restrictive provision applies

- (1) Where a source of sound is subject to more than one provision of this by-law, the most restrictive provision applies.

4. Prohibitions by Time, Place and Sound Levels

- 4.1 No person shall emit or cause or permit the emission of sound resulting from any act listed in Table 1 if clearly audible at a point of reception located in an area of the municipality indicated within a prohibited time shown for such an area.
- 4.2 No person shall make, cause or permit to be made within the City of Brockville a continuous sound with a sound level that, measured at a point of reception on an approved sound meter, exceeds allowable sound levels noted in Table 2.

5. Exemptions

5.1 Safety and Government Work

- (1) Despite any other provision of this chapter, it shall be lawful to emit or cause or permit the emission of sound from:
 - (a) Bells or sirens required for the purposes of public safety including sirens when operated by Police Services, Fire and Paramedic Services, or bells or whistles operated by rail or transit services;
 - (b) Measures undertaken for the immediate health, safety or welfare of persons under emergency circumstances;
 - (c) Measures undertaken as a result of an emergency requiring immediate action for the construction, preservation, restoration or demolition of any highway; or
 - (d) Government work including but not limited to:
 - (i) The collection of Municipal garbage and refuse by or on behalf of the City of Brockville.
 - (ii) The plowing and removal of snow by or on behalf of the City of Brockville.
 - (iii) The sanding and salting of roads and sidewalks by or on behalf of the City of Brockville.
 - (iv) The sweeping of streets by or on behalf of the City of Brockville.
 - (v) Any road and sewer maintenance activities by, or on behalf of, the City of Brockville
- (2) Snow removal activities that are necessary to render safe and/or operational any property on which a business, a school, a health care facility or a residential condominium is located.

5.2 Traditional, Festive or Religious Activities

Notwithstanding any other provision of this by-law, this by-law does not apply to a person who emits or causes or permits the emission of sound in connection with any of the listed traditional, festive, religious and other activities:

- (i) Festivities in connection with statutory holidays.
- (ii) Official City festivities or festivities authorized by the city.

- (iii) The use of bells or chimes normally associated with municipal or church activities.
- (iv) Operation of bells, chimes, carillons and clocks in any school when the school is open and in operation for students.

6. Grant of Exemption

6.1 Application for Temporary Exemption (up to 3 months)

(1) Application

Notwithstanding anything contained in this by-law, any person may make application to the Chief Planning Officer to be granted an exemption from any of the provisions of this by-law.

The application shall be made in writing at least thirty (30) days prior to the event or activity and shall contain, at a minimum, the following information:

- (a) the name and address of the applicant;
- (b) the name and address of the organization represented by the applicant, if applicable;
- (c) a description of the source of sound in respect of which the exemption is sought;
- (d) a drawing of the proposed property showing the location of the noise source that is the subject of the exemption and the distance to the nearest residential use that may be affected;
- (e) the particular provision or provisions of the by-law from which the exemption is sought;
- (f) the period of time, of a duration not in excess of three (3) months, for which the exemption is sought;
- (g) the location of the event or activity for which the exemption is sought;
- (h) the reason why the exemption should be granted; and
- (i) the applicable fee as set out in the City's Fee By-law.

(2) Decision

In deciding whether to grant the exemption, the Chief Planning Officer or his/her designate may require that notification be given.

The Chief Planning Officer or his/her designate may refuse to grant any exemption or may grant the exemption applied for or any exemption of lesser effect and any exemption granted shall specify the time period, not in excess of three (3) months, during which it is effective and may contain such terms and conditions as the Chief Planning Officer or his/her designate sees fit.

(3) Appeals

Where the Chief Planning Officer or his/her designate refuses to grant an exemption under this section, the Chief Planning Officer or his/her designate shall notify in writing, the applicant and any other person who had requested notification, advising them that they may appeal the decision within ten (10) days of the date of the notice.

This appeal shall be requested in writing accompanied by the applicable fee as set out in the City's user fees and charges By-law to the City Clerk of the Corporation of the City of Brockville. The appropriate standing committee shall hold a hearing pursuant to the provisions of the Statutory Powers Procedure Act within thirty (30) working days of the City Clerk's receipt for a hearing.

Such committee may:

- (a) Issue an exemption;
- (b) Refuse to issue an exemption; or
- (c) Issue an exemption with conditions

The committee's decision on the appeal is final.

(4) Appeal of Conditions of Approval

Where the Chief Planning Officer or his/her designate grants an exemption with conditions under this section, the Chief Planning Officer or his/her designate shall notify in writing, the applicant and any other person who had requested notification, advising them that they may appeal the decision within ten (10) days of the date of the notice.

This appeal shall be requested in writing accompanied by the applicable fee as set out in the City's user fees and charges By-

law to the City Clerk of the Corporation of the City of Brockville. The appropriate standing committee shall hold a hearing pursuant to the provisions of the Statutory Powers Procedure Act within thirty (30) working days of the City Clerk's receipt for a hearing.

Such committee may:

- (a) Dismiss the appeal;
- (b) Amend the conditions of approval; or
- (c) Withdraw the approval and refuse the exemption;

The committee's decision on the appeal is final.

(5) Breach

Breach by the applicant of any of the terms or conditions of any exemption granted shall render the exemption null and void.

6.2 Application for Exemption (greater than 3 months)

(1) Application

Notwithstanding anything contained in this by-law, any person may make application to Council to be granted an exemption from any of the provisions of this by-law.

The application shall be made in writing at least sixty (60) days prior to the event or activity and shall contain, at a minimum, the following information:

- (a) the name and address of the applicant;
- (b) the name and address of the organization represented by the applicant, if applicable;
- (c) a description of the source of sound in respect of which the exemption is sought;
- (d) a drawing of the proposed property showing the location of the noise source that is the subject of the exemption and the distance to the nearest residential use that may be affected;
- (e) the particular provision or provisions of the by-law from which the exemption is sought;
- (f) the period of time for which the exemption is sought;
- (g) the location of the event or activity for which the

- exemption is sought;
- (h) the reason why the exemption should be granted; and,
- (i) the applicable fee as set out in the City's Fee By-law.

(2) Decision

In deciding whether to grant the exemption, notification is to be given to persons within 120.0 metres of the address where the sound will be produced in order to provide those persons in support or opposed to the application an opportunity to be heard and may consider such other matters as Council sees fit.

Council may refuse to grant any exemption or may grant the exemption applied for or any exemption of lesser effect and any exemption granted shall specify the time period during which it is effective and may contain such terms and conditions as Council sees fit.

Councils' decision to issue an exemption, refuse to issue an exemption or to set terms and conditions for the exemption is final.

(3) Breach

Breach by the applicant of any of the terms or conditions of any exemption granted shall render the exemption null and void.

7. Power of Entry, Inspection, Prohibitions

- 7.1 A Provincial Offences Officer, or any other individual authorized to enforce this by-law on behalf of the City of Brockville, may at any reasonable time enter upon any land for the purpose of carrying out an inspection to determine whether this by-law is being complied with.
- 7.2 Where an inspection is conducted pursuant to this section, a Provincial Offences Officer or any other individual authorized to enforce this by-law on behalf of the City of Brockville, may:
- (1) require the production for inspection of documents or things relevant to the inspection;
 - (2) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;

- (3) require information from any person concerning a matter related to the inspection; and
 - (4) alone or in conjunction with a person possessing special or expert knowledge, make examination or take tests, samples or photographs necessary for the purpose of the inspection.
- 7.3 No person shall obstruct or hinder or attempt to obstruct or hinder a Provincial Offences Officer or other authorized employee or agent of the City in the exercise of a power or the performance of a duty under this by-law
- 7.4 Where a Provincial Offences Officer has reasonable grounds to believe that an offence under this By-Law has been committed by a Person, the Provincial Offences Officer may require the name, address, and proof of identity of that Person.
- 7.5 No person shall decline or neglect to give, produce or deliver any information, document or other thing that is requested by the City of Brockville pursuant to this by-law.
- 7.6 No person shall knowingly make, participate in, assent to or acquiesce in the provision of false information in a statement, affidavit application or other document prepared, submitted or filed under this by-law.

8. Orders

- 8.1 Where the Chief Planning Officer or their designate is satisfied that a contravention of this by-law has occurred, such Officer may make an order requiring that the person who caused or permitted such contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity and/or to do work to correct the contravention.
- 8.2 An order pursuant to this section shall set out the following:
- (1) reasonable particulars identifying the location of the land on which the contravention occurred;
 - (2) reasonable particulars of the contravention;
 - (3) required action of the person subject to the order;
 - (4) the date by which there must be compliance with the order and/or, if any work is ordered, the date by which such work

- must be done; and
 - (5) information regarding the office who issued the order.

8.3 An order pursuant to this section shall be deemed to have been served upon:

- (1) personal service of the order on the person subject to the order;
- (2) one day after transmission of the order through electronic means to an email or social media address provided by the person subject to the order;
- (3) one day after posting the order in a conspicuous location on the property subject to the order;
- (4) the fifth day after the order is sent by registered mail to the last known address of the person who is subject to the order.

8.4 In the case where there is evidence that the occupant of the land subject to an order is not the registered property owner, such order shall be served on both the registered property owner and the occupant of the land.

9. Remedial Action and Cost Recovery

9.1 Wherever this by-law or an order issued under this by-law directs or requires any matter or thing be done by any person within a specified time period, in default of it being done by the person directed or required to do it, the action may be taken under the direction of the Chief Planning Officer or their designate at that person's expense and the City of Brockville may recover the costs incurred through a legal action of by recovering the costs in the same manner as taxes.

9.2 For the purposes of taking remedial action under this section, the City of Brockville, its staff and/or agents may enter, at any reasonable time, upon and lands on which a default to carry out a required thing or matter occurred.

10. Penalty Provisions

10.1 Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O., c.P.33, as amended.

- 10.2 Every person who contravenes any order issued pursuant to this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act., R.S.O. 1990, c P. 33, as amended.
- 10.3 Every corporation that contravenes any provision of this By-Law and every officer or director of a corporation who knowingly concurs in such contravention is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.
- 10.4 Pursual to Subsection 429(2) of the Act, all contraventions of this by-law or orders issued under this by-law are designated as continuing offences. If a contravention of any provisions of this by-law has not been corrected, or an order issued under this by-law has not been complied with, the contravention of such provision or an order shall be deemed to be a continuing offence for each day or part of a day the contravention remains uncorrected, or an order not complied with.
- 10.5 In addition to the fines under this section, a person convicted of an offence under this by-law may be liable to a special fine in the amount of the economic advantage or gain that such a person obtained from the contravention of this by-law.
- 10.6 Where a person is convicted of an offence under this by-law, the court in which the conviction has been entered, and any court of competent jurisdiction, thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

11. Administrative Penalties

(Reserved)

12. Severability

If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

13. Site Specific Exemptions

(Reserved)

14. Repeal

By-laws Number 090-2013 as amended, is hereby repealed.

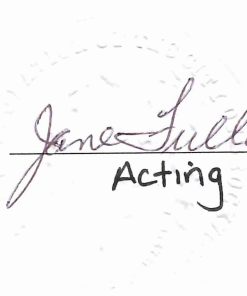
15. Short Title

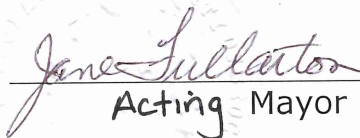
This By-law may be referred to as the "Noise By-law".

16. Effective Date

This by-law comes into effect three months after the day that it is passed.

Given Under the Seal of the
Corporation of the City of Brockville
and passed this 28th, day of September, 2021




Acting Mayor


City Clerk

Table 1
Prohibitions by Time, Place and Sound Levels

	Prohibited period of Time, Place and Sound Levels	
	<i>Quiet Zone</i>	<i>Residential Area</i>
1. The detonation of fireworks or explosive devices not used in construction.	At all times	F
2. The discharge of firearms.	At all times	At all times
3. The operation of a combustion engine which, a. is, or b. is used in, or c. is intended for use in, a toy, or a model or replica of any device, which model or replica has no function other than amusement, and which is not a conveyance.		At all times
4. The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound which may include music.	At all times	B
5. The operation of any auditory signaling device, including but not limited to the ringing of bells or gongs and the blowing of horns or sirens or whistles, or the production, reproduction or amplification of any similar sounds by electronic means, except where required or authorized by law or in accordance with good safety practices.	At all times	D & E
6. The operation of any powered rail car including but not limited to refrigeration cars, locomotives or self-propelled passenger cars, while stationary on property not owned or controlled by a railway governed by the Canada Railway Act.	At all times	B

	Prohibited period of Time, Place and Sound Levels	
	<i>Quiet Zone</i>	<i>Residential Area</i>
7. The operation of any motorized conveyance other than on a highway or other place intended for its operation.	At all times	B
8. The operation of an engine or motor in, or on, any motor vehicle or items attached auxiliary equipment for a continuous period exceeding five minutes, which such vehicle is stationary	At all times	A
9. The venting, release or pressure relief of air, steam or other gaseous material, product or compound from any autoclave, boiler, pressure vessel, pipe, valve, machine, device or system.	At all times	A
10. Persistent barking, calling or whining or other similar persistent noise making by any domestic pet.	At all times	A
11. The operation of a commercial car wash with air drying equipment.	At all times	D & E
12. Yelling, shouting, hooting, whistling, or singing.	At all times	A
13. The operation of a power assisted hang glider or parafoil.	At all times	D & E
14. The operation of any item of snow clearing equipment.	At all times	E
15. All selling or advertising by shouting or outcry or amplified sound.	At all times	D & E
16. Amplification of voices or sound for the playing of the national anthem and for intermittent game related announcements during organized sporting activities at a sports field.	G	G
17. Yelling, shouting, hooting, whistling, singing or other noise produced during any sporting activities.	G	G
18. The operation or use of any tool for domestic purposes other than snow removal.	C	B
19. The operation of a commercial car wash of a type other than mentioned in item 10.	C	A

Suggested Restricted Times:

- A 2300 hours (11:00 pm) one day to 0700 hours (7:00 am) next day (0900 (09:00 am) Sundays)
- B 2100 hours (9:00 pm) one day to 0700 hours (7:00 am) next day (0900 (09:00 am) Sundays)
- C 1700 hours (5:00 pm) one day to 0700 (7:00 am) hours next day (0900 (09:00 am) Sundays)
- D All day Sundays and Statutory Holidays
- E 1900 hours (7:00 pm) one day to 0700 hours (7:00 am) next day.
- F At any time except when authorized by the Fire Department:
 - (i) between dusk and 2300 hours (11:00 pm) on Victoria Day;
 - (ii) between dusk and 2300 hours (11:00 pm) on the day immediately preceding Victoria Day;
 - (iii) between dusk and 2300 hours (11:00 pm) on Canada Day;
 - (iv) between dusk and 2300 hours (11:00 pm) on the day immediately preceding Canada Day; or,
 - (v) between dusk on New Year's Eve and 0030 hours (12:30 am) on New Year's Day;
- G 2230 hours (10:30 pm) of one day to 0800 hours (8:00 am) of the next day

Table 2

Prohibitions by Time, Place and Sound Levels

Type of Land Use	Time Interval	Maximum Allowable Sound Level (dbA)
Residential	Night-time	50
	Daytime	55
Quiet Zone	Night-time	50
	Daytime	50
Agricultural	Night-time	65
	Daytime	70

APPENDIX A

