

BY-LAW NO. S-6

**A BY-LAW RESPECTING DISTURBANCE BY NOISE
IN THE TOWN OF NACKAWIC**

BE IT ENACTED by the Council of the Town of Nackawic as follows:

1. Title

This by-law may be cited as "The Town of Nackawic Noise By-law".

2. General

2.01 No person shall make, or permit to be made, any noise within the Town of Nackawic likely to cause a public disturbance or otherwise disturb the inhabitants of the Town of Nackawic.

2.02 Without restricting the generality of subsection 2.01, a noise likely to cause public disturbance or otherwise disturb the inhabitants of the Town of Nackawic, shall be deemed to be any noise or sounds of such volume or of such nature as to cause annoyance to residents of the Town including shouting, singing, whistling, music, motor vehicles (including motorcycles and motor bikes), snowmobiles, pneumatic hammers, construction equipment and machinery, and animal noises.

2.03 This by-law shall not apply to:

(a) pneumatic hammers, construction equipment and machinery, or vehicles of business and trade between seven o'clock in the forenoon and ten o'clock in the afternoon from Monday to Saturday, inclusive;

b) agents, contractors, servants or employees of the Town of Nackawic while engaged in the execution of their duties;

c) snow removal equipment;

d) emergency vehicles or other emergency equipment;

e) any person, association, organization, corporation, or event that has obtained an approval authorized by Council so long as that person or party is acting within the terms of such approval.

2.04 No person shall wantonly, wilfully or unlawfully disturb the good order or harmony of any religious service or public meeting, or of any public gathering or assemblage of persons for amusement or recreation, lawfully held within the Town.

2.05 No person shall, in the Town, operate or cause, or permit to be operated, any public address system, gramophone, radio or other device or apparatus for reproducing or amplifying sound, the sounds of which are capable of being heard on any street in the Town or in any adjacent dwelling-house.

3. Penalty Provision

Every person who violates any provision of this by-law is guilty of an offence and is liable on conviction to a fine of not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$200.00).

4. Repeal Provision

4.01 By-Law No. 70-87, A By-Law Respecting The Disturbance Of The Inhabitants Of The Town of Nackawic Or The Causing Of A Public Nuisance Therein By Noise, passed by Town Council on November 2, 1987, is hereby repealed.

4.02 The repeal of By-Law No. 70-87, A By-Law Respecting The Disturbance Of The Inhabitants Of The Town of Nackawic Or The Causing Of A Public Nuisance Therein By Noise, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

DULY PASSED AND ENACTED BY THE COUNCIL OF THE
TOWN OF NACKAWIC ON SEPTEMBER 15, 2003.

Robert G. Connors, Mayor

Nancy Cronkhite, Chief Administrative Officer

First Reading: September 2, 2003
Second Reading: September 15, 2003
Third Reading: September 15, 2003