

CORPORATION OF THE TOWN OF AMHERSTBURG BY-LAW 2022-018

By-Law to amend By-Law 2001-43 (A By-Law respecting the emission of sounds)

**WHEREAS** Section 129 of the Municipal Act, 2001, as amended, provides that the councils of local municipalities may pass by-laws for regulating or prohibiting with respect to noise;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS;**

1. That Section 3 of By-Law 2001-43 is hereby deleted and the following is substituted for it;

3. PROHIBITIONS BY TIME AND PLACE

No person within the municipality shall emit or cause or permit the emission of sound resulting from any act listed in Table 3.1, hereinafter set out, 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.

**TABLE 3-1**

PROHIBITED PERIOD OF TIME			
	Commercial Area	Residential Area	Agricultural Area
1. The operation of a combustion engine which, (i) is, or (ii) is used in, or (iii) 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.	Midnight to 7:00 A.M.	At all times	8:00 P.M. to 9:00 A.M.
2. 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 operated in such manner or with such volume as to disturb the peace, quiet, comfort or repose of any individual in any office, dwelling house, apartment, hotel, hospital, or any other type of residence.	At all times	At all times	At all times
3. 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	Midnight to 7:00 A.M.	At all times	At all times

where required or authorized by law or in accordance with good safety practices.			
4. 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.	Midnight to 7:00 A.M.	At all times	At all times
5. The operation of any motorized conveyance other than on a highway or other place intended for its operation.	Midnight to 7:00 A.M.	At all times	At all times
6. 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.	Midnight to 7:00 A.M.	9:00 P.M. to 8:00 A.M.	9:00P.M. to 8:00 A.M.
7. The operation of a commercial car wash with air drying equipment.	Midnight to 7:00 A.M.	11:00 P.M. to 8:00 A.M.	11:00P.M. to 8:00 A.M.
8. Yelling, shouting or hooting.	Midnight to 7:00 A.M.	At all times	At all times
9. The operation of a power assisted hang glider or parafoil	Midnight to 7:00 A.M.	At all times	At all times
10. The operation of any item of snow making equipment.	Midnight to 7:00 A.M.	At all times	At all times
11. All selling or advertising by shouting or outcry of amplified sound.	Midnight to 7:00 A.M.	At all times	At all times

12. Loading, unloading, delivering, packing, unpacking, or otherwise handling any containers, products, materials, or refuse, whatsoever, unless necessary for the maintenance of essential services or the moving of private household effects.	N/A	8:00 P.M. to 6:00 A.M.	8:00 P.M. to 6:00 A.M.
13. The operation of any equipment in connection with construction.	N/A	8:00 p.m. to 6:00 a.m.	8:00 p.m. to 6:00 a.m.
14. The operation or use of any tool for domestic purposes other than snow removal.	Midnight to 7:00 a.m.	9:00 p.m. to 8:00 a.m.	9:00 p.m. to 8:00 a.m.
15. The operation of solid waste bulk lift or refuse compacting equipment.	N/A	8:00 p.m. to 6:00 a.m.	8:00 p.m. to 6:00 a.m.
16. The operation of a commercial car wash of a type other than mentioned in Item 7.	Midnight to 7:00 a.m.	8:00 p.m. to 6:00 a.m.	8:00 p.m. to 6:00 a.m.
17. Persistent barking, calling or whining or other similar persistent noise making by any domestic pet or any other animal kept or used for any purpose other than agriculture.	At all times	At all times	At all times

2. That all over provisions of By-Law 2001-43 remain in full force and effect.

Read a first, second and third time and finally passed this 14<sup>th</sup> day of March, 2022

  
MAYOR ALDO DICARLO

  
CLERK, VALERIE CRITCHLEY