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VILLAGE OF PORT ALICE
BYLAW NO. 241

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Being a Bylaw to repeal Village of Port Alice Anti-Noise Bylaw No. 123, 1974, and to restrain the making of noises and sounds which disturb or tend to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood within the Village of Port Alice.

WHEREAS, it is deemed expedient pursuant to the provisions of Section 932 of the Municipal Act, being R.S.B.C. 1979, Chapter 290, and Amending Act, to regulate the making or causing of noises or sounds in the Village of Port Alice which disturb or tend to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity;

NOW THEREFORE, the Council of the Village of Port Alice, in open meeting assembled, enacts as follows:-

1. The Village of Port Alice Anti-Noise Bylaw No. 123, 1974 is hereby repealed.
2. It shall be unlawful for any person or persons within the geographical limits of the Village of Port Alice to make or cause any noise or sound which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity or of the public, and in keeping with the subsections outlined below the following conduct is specifically prohibited within the geographical limits of the Village of Port Alice:-
 - a) The playing of any radio, phonograph, television, receiving set, musical instrument, sound device in such a manner or with such a volume as to disturb the quiet, peace, rest, enjoyment or comfort of the neighbourhood or of persons in the vicinity of such activity.
 - b) The keeping of any animal, bird or fowl which by causing frequent or a loud continued noise shall disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.
 - c) The use of any automobile, motorcycle, bus or other vehicle so out of repair or so loaded or so operated as to create loud or unnecessary noise or noises.
 - d) The discharging into the open air of the exhaust of any stationary internal combustion engine, motor vehicle engine including a motorcycle through a muffler or other device which effectively prevents excessive noise therefrom.
 - e) The sounding of a horn or other signalling device upon an automobile, motorcycle, bus or other vehicle stationary or in motion except as a danger or warning signal.
 - f) The creation of any excessive noise on any street, highway or lane adjacent to any school, institution of learning, church or court while the same are in session or adjacent to any hospital at any time.

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- g) The loading or unloading of any seagoing vessel, truck, wagon, automobile or motor vehicle in or upon any public or private place or premises in such a manner as to disturb the quiet, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity between the hours of 8:00 p.m. and 8:00 a.m.
 - h) Yelling, shouting, whistling or singing on the streets or other public places within the geographical limits of the Village of Port Alice at any time so as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person in any hospital, dwelling, motel, hotel or other type of residence.
 - i) The use of any drum, loud speaker or other instrument of any noise making device and or any device for the production or amplification of sound, either in or upon private premises or in any public place, provided that nothing contained in this Bylaw shall be deemed to apply to any motor vehicle under the control of the Fire Department while responding to a fire alarm or to any police officer or constable in the discharge of his duty or to any licensed ambulance or to the use of any siren or other warning instrument by the Fire Department or R.C.M.P. or in connection with the operation of an ambulance.
 - j) The erecting, demolishing, constructing, reconstructing, altering or repairing of any building in any residential district within the Village of Port Alice or the excavating of any street, highway or lane in any residential district other than on weekdays including Saturdays between the hours of 8:00 a.m. and 8:00 p.m. except in the case of urgent necessity and in the interest of public health and safety and then only after a written permit from the Municipal Clerk of the Village of Port Alice has been first obtained, which permit shall be limited as to the time during which the work so permitted may be performed.
3. It shall be lawful for the Municipal Clerk of the Village of Port Alice, upon application therefor, to give permits to such persons, groups or organizations as the Municipal Clerk shall determine for the holding of public parades, concerts, displays and other events notwithstanding that but for such permit the activities so permitted would be unlawful under this Bylaw and such permits shall be limited as to time and place for such permitted conduct.
4. It shall be lawful for the Municipal Clerk of the Village of Port Alice as the Municipal Clerk shall determine, upon application therefor, to give to any person or persons, firms or corporations a permit to do and perform the acts referred to in sub-section (j) of Section 2 hereof.
5. The provisions of this Bylaw shall not apply to or be enforced against:-
- a) Any vehicle or workmen of the Village of Port Alice while engaged upon necessary public business.
 - b) The use of bells or chimes for the announcing of church services of all kinds.

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- c) Any work carried out during restricted hours with the permission of the Municipal Clerk of the Village of Port Alice, in writing specifying the time during such restricted hours when such work may be performed.
- d) To any activity covered by any permit given therefor by the Municipal Clerk of the Village of Port Alice.
6. Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw or who does any act which constitutes a violation of any of the provisions of this Bylaw shall be deemed to be guilty of an infraction thereof and shall be liable upon summary conviction to a minimum fine of Three Hundred Dollars (\$300.00) up to a maximum fine provided for in the Offence Act, R.S.B.C. 1979 and amendments thereto.
7. This Bylaw may be cited as the "Village of Port Alice Anti-Noise Bylaw No. 241, 1983."

READ A FIRST TIME THIS 27th DAY OF October, 1983.

READ A SECOND TIME THIS 27th DAY OF October, 1983.

READ A THIRD TIME THIS 27th DAY OF October, 1983.

RECONSIDERED AND FINALLY ADOPTED by the Municipal Council on the 9th day of November, 1983.

Lillian Rydberg
CLERK/TREASURER

Gordon Graham
MAYOR

Certified a true copy of Bylaw No. 241 as adopted by Council on the 9th day of November, 1983.

Lillian Rydberg
CLERK/TREASURER

A true copy of By-Law No. 241
registered in the office of the Inspector
of Municipalities this 24th of
November 1983.

A. E. Moore
Deputy Inspector of Municipalities