

**TOWN OF PICTURE BUTTE  
BYLAW NO. 705/93**

**A BYLAW OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA  
TO PROVIDE FOR THE PROHIBITING, ELIMINATING, OR ABATING OF NOISE.**

**WHEREAS**, by virtue of the power conferred on it by Section 160 of the Municipal Government Act, Revised Statutes of Alberta 1980, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, enacts as follows:

**SHORT TITLE**

- 1.1 This Bylaw shall be known as the “Noise Control Bylaw”

**INTERPRETATION**

- 2.1 “**NOISE**” means any sound which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of other persons within the limits of the Town.
- 2.2 “**PEACE OFFICER**” shall mean a member of the Royal Canadian Mounted Police, a person, firm or corporation appointed by the Town of Picture Butte as a Bylaw Enforcement Officer or Municipal Administrator or designate.
- 2.3 “**PERSON**” shall mean any individual, trustee, legal representative, proprietorship, body corporate, association, society, or partnership.
- 2.4 “**TOWN**” means the corporation of the Town of Picture Butte or the area Contained within the boundaries of the said Town in the Province of Alberta as the context requires.
- 2.5 “**VIOLATION TAG**” means a tag in a form approved by the Municipal Administrator for the Town of Picture Butte as permitted under the Municipal Government Act and/or the Highway Traffic Act.

**VIOLATIONS**

- 3.1 No Person shall cause or permit the emission of any Noise within the limits of the Town of Picture Butte.
- 3.2 No person shall allow property under his control or ownership to be used as that there originates from that property any Noise.
- 3.3 A Peace Officer may direct any Person who has made or caused the Noise, or any Person who controls or owns property from which the Noise has originated to abate or eliminate any noise. Such a direction may be verbal or written. If the direction is written, the direction shall be in the form provided in Schedule “A”.

## **PERMITS AND NON-APPLICATION OF BYLAW**

- 4.1 The Town's Municipal Administrator may, upon written application, issue a special permit suspending the provisions of this Bylaw.
- 4.2 The decision of the Town's Municipal Administrator may be appealed to the Town Council, which appeal shall be in writing in the form provided in Schedule "B" annexed hereto, and submitted to the Town's Municipal Administrator within fourteen (14) days of the Municipal Administrator's decision.
- 4.3 All special permits issued shall be produced to an authorized Peace Officer upon demand.
- 4.4 This Bylaw does not apply to any of the agent, servants or employees of the Town when conducting work on behalf of the Town, or Persons owning or controlling property upon which such work takes place.
- 4.5 Persons engaged in construction activities, and Persons owning or controlling property upon which construction activities take place shall be exempt from this Bylaw if:
  - .1 All necessary provincial, municipal, and federal permits have been obtained.
  - .2 The Noise is generated pursuant to work done in the normal manner to that industry; and
  - .3 The noise is generated between the daytime hours of 7:00 a.m. and 9:00 p.m. on any day other than a holiday, as defined in the Interpretation Act (R.S.A. 1980).
- 4.6 Persons using domestic equipment including lawnmowers, snow blowers, and garden tillers, and Persons owning or controlling property upon which such equipment is used shall be exempt from this Bylaw if:
  - .1 The Noise is of a temporary or intermittent nature;
  - .2 The equipment is properly maintained and operated in a normal manner; and
  - .3 The Noise occurs between the hours of 7:00 a.m. and 9:00 p.m.

## **AUTHORIZATION TO INSPECT**

- 5.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and an Peace Officer may issue to that Person, a Violation Tag with a penalty amount of \$50.00 for each offence.

## **PENALTIES**

- 6.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and an Peace Officer may issue to that Person, a Violation Tag with a penalty amount of \$50.00 for each offence.

## **OTHER**

- 7.1 The Town of Picture Butte Bylaws #564/81, #632/86 and #637/86, "The Noise Bylaw" are repealed with the coming into force of this Bylaw.
- 7.2 This Bylaw shall come into force on the third and final reading thereof.

MOVED by Councilor B. Bodnar that Bylaw #705/93 be read a first time this 22<sup>nd</sup> day of November, 1993. CARRIED.

MOVED by Councilor B. Foord that Bylaw #705/93 be read a second time this 22<sup>nd</sup> day of November, 1993. CARRIED.

MOVED by Councilor V. Nemecek that permission be granted to give third reading to Bylaw #705/93 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor J, Malmberg that Bylaw #705/93 be read a third time and finally passed this 22<sup>nd</sup> day of November, 1993. CARRIED.

Rick Casson  
Mayor R. Casson

Nona C. Trennery  
N. Trennery, Municipal Administrator

