

THE CORPORATION OF HALDIMAND COUNTY

By-law No. 1098/10

Being a by-law to prohibit and regulate noise

WHEREAS Section 10 of the *Municipal Act, 2001*, S.O. 2001, c.25, (the Act) provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public,

WHEREAS Section 10 of the Act provides that a single-tier municipality may pass bylaws respecting the social and environmental well-being of the municipality and the health, safety and well-being of persons;

WHEREAS Section 128 of the Act, authorizes a local municipality to prohibit and regulate matters that, in the opinion of Council, are or could become or cause public nuisances;

WHEREAS Section 129 of the Act, authorizes municipalities to prohibit and regulate noise, including requiring permits with conditions, with respect to noise;

WHEREAS Section 391 of the Act, authorizes Council to pass by-laws imposing fees and charges on any class of persons for services or activities provided or done on behalf of it;

WHEREAS Section 429 of the Act, authorizes a municipality to establish a system of fines for offences under a by-law of the municipality;

WHEREAS Section 444(1) of the Act, provides that the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity, and any person who contravenes such an order is guilty of an offence;

WHEREAS the people of Haldimand County expect, and have a right to, an environment free from unusual, unnecessary or excessive sound or which may degrade the quality and tranquility of their life or cause nuisance;

AND WHEREAS a recognized body of scientific and technological knowledge exists by which sound and vibration may be reasonably and accurately measured and substantially reduced.

NOW THEREFORE, the Council of The Corporation of Haldimand County enacts as follows:

PART I – INTERPRETATION AND DEFINITIONS

1. In this by-law all the words which are of a technical nature and are related to sound or vibration or words that are relevant to the implementation and enforcement of this by-law shall have the meanings specified for them in Section 2, herein. In this by-law all the words which are of a technical nature and are related to sound or vibration or words that are

relevant to the implementation and enforcement of this by-law and are not defined in Section 2 shall have the meanings specified for them in Publication NPC-101 - *Technical Definitions*.

2. In this by-law,

- (a) "By-law Enforcement Officer" means a person designated by Council as responsible for the enforcement of this by-law.
- (b) "Clearly Audible" means that sound from the source in question is easily perceptible, without undue effort, to a disinterested person with no hearing disability. In addition, any sound that can be shown by valid measurement or acoustical analysis to be 10 dBA or more below the prevailing ambient sound level, in terms of one-hour L_{eq} , shall be deemed to be not clearly audible. Any measurement or analysis shall incorporate the "penalties" for tonal or other characteristics as per Publication NPC-104, where appropriate.
- (c) "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.
- (d) "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, off-highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment.
- (e) "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.
- (f) "Council" means the Council of The Corporation of Haldimand County.
- (g) "County" means the Corporation of Haldimand County.
- (h) "Excessive" in reference to barking, howling, whining, squawking or other sound-making by an animal or bird has the same meaning as "persistent".
- (i) "Formula Track" means a closed course containing both left and right hand turns;
- (j) "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.
- (k) "Inhabitants" mean one or more persons who reside in or who are guests the County.

- (l) "Motor Vehicle" includes an automobile, motorcycle, truck, snowmobile, tractor and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways regulated federally.
- (m) "Motor Vehicle Racing" means the operation of a motor vehicle over a set course, whether in competition with other vehicles, for racing, training, lapping, testing, or instructional purposes, for recreational purposes, or for any other purpose, and includes any warm up or testing done on the premises in preparation for such operation of a Motor Vehicle.
- (n) "Motorized Conveyance" means a conveyance propelled or driven otherwise than by muscular, gravitational or wind power.
- (o) "Municipality" means the Municipality of the Corporation of Haldimand County.
- (p) "Noise" means unwanted sound. For the purposes of this by-law, sound in excess of the limits or specifically prohibited herein is defined to be noise.
- (q) "Normal Farm Practice" has the same meaning as contained in the *Farming and Food Production Protection Act, 1998*, S.O. 1998, Chapter 1, as amended, or any successor legislation.
- (r) "Off-Road Vehicle" means any vehicle propelled or driven otherwise than by muscular power or wind and designed to travel:
- i. on not more than three (3) wheels; or
 - ii. on more than three (3) wheels and being of a prescribed class of vehicles under the Off-Road Vehicles Act, R.S.O. 1990, c.O.4, as amended, and the regulations thereto.
- (s) "Oval Track" means a closed course containing only left hand or only right hand turns for vehicles travelling in the same direction;
- (t) "Persistent" in reference to barking, howling, whining, squawking or other sound-making by an animal or bird means continuously or intermittently for an aggregate period of at least 10 minutes out of any 60 minute period.
- (u) "Person" includes any corporation duly constituted under the laws of the Federal Government or the Province of Ontario.
- (v) "Place of Worship" means a building dedicated to religious worship and includes a church, synagogue, temple, mosque, monastery or convent.
- (w) "Point of Reception" means any point on the premises of a person where sound or vibration originating from other than those premises is received.
- (x) "Powered Device" means any powered device used in the servicing, maintenance or repair of property except devices driven by muscular power only and snow blowers.

- (y) "Property" means a building or structure or part of a building or structure, and includes the lands appurtenant thereto and all mobile homes, mobile buildings or mobile structures and vacant land.
- (z) "Publication" means a specified publication of the Ministry of the Environment, which is named in Schedule I; a copy of every Publication which is named in Schedule I is attached hereto and is hereby made part of this by-law.
- (aa) "Stationary Source" means a source of sound which does not normally move from place to place and includes the premises of a person as one stationary source, unless the dominant source of sound on those premises is construction or a conveyance.
- (bb) "Straight Line track" means a course without turns.

PART II – ZONES

3. The terms below shall have the meanings indicated:

- (a) *Quiet Zone* – any property within the municipality used as a hospital, retirement home, nursing home, senior citizens residence, or other similar use, in accordance with the zoning of the property or where the use is legal non-conforming, where such property has been designated a Quiet Zone by Council.
- (b) *Residential Area* – any property within the municipality which is zoned for residential uses by an applicable zoning by-law or which is used in whole or in part for human habitation, in accordance with the zoning of the property or where human habitation is a legal non-conforming use.

PART III - GENERAL PROHIBITIONS

4. No person shall emit or cause or permit the emission of sound resulting from an act listed herein:
- (a) Racing of any motorized conveyance other than in a racing event regulated by law.
 - (b) The operation of a motor vehicle in such a way that the tires squeal.
 - (c) The operation of any motor vehicle, off-road vehicle, stationary combustion engine, steam engine or pneumatic device without an effective exhaust or intake sound muffling/attenuating device in good working order and in constant operation. Furthermore, no person shall use a muffler cut-out, straight exhaust, gutted muffler, hollywood muffler, by-pass or similar device upon a motor vehicle.
 - (d) The operation of a vehicle or a vehicle with a trailer resulting in rattling, banging, clanking, grating, grinding, squealing or other like sounds due to maladjustment, disrepair or inadequate maintenance, or due to bearing or carrying material, articles, or things which are loaded upon such vehicle or trailer in such a manner as to create such sound.

- (e) 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:
- i. 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,
 - ii. 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,
 - iii. 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,
 - iv. the outside temperature is greater than 27 °C or less than 5 °C where idling is necessary for the operation of air conditioning or heating equipment as long as the vehicle is occupied;
 - v. 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.
 - vi. the vehicle is required to remain motionless because of an emergency, traffic (including congestion and signals), weather conditions, or mechanical difficulties over which the driver has no control;
 - vii. the vehicle is transporting a person where a medical doctor certifies in writing for medical reasons that a person in the vehicle requires temperature or humidity to be maintained within a certain range, and where the medical note is up-to-date and is kept with the vehicle operator;
 - viii. the vehicle is an armoured vehicle where a person remains inside the vehicle while guarding the contents of the vehicle or while the vehicle is being loaded or unloaded;
- (f) The operation of a bell, horn, siren or other warning device on a motor vehicle, motorcycle, bicycle or other vehicle of whatsoever kind, except where required or authorized by law or in accordance with good safety practices.
- (g) The operation of any item of construction equipment without effective engine exhaust muffling devices in good working order and in constant operation.
- (h) The use or operation of any drum, horn, bell, siren, radio, mechanical loudspeaker, electronic sound system, or other sound-producing, reproducing or transmitting device, instrument or apparatus for the purpose of advertising or for attracting attention to any performance, show, sale, or display of goods, wares or merchandise, that projects sound into any public street or other public place.

PART IV - PROHIBITIONS BY TIME AND PLACE

5. No person shall emit or cause or permit the emission of sound resulting from any act listed in Schedule 2 that is clearly audible at a Point of Reception located in a Quiet Zone or Residential Area of the municipality within the prohibited time period shown.
6. With respect to Schedule 2, item 9:
 - (a) Supplementary to the definition of "Persistent" relative to sound-making by an animal or bird, if the sound level, as measured with A-weighted decibels, created by an animal or bird exceeds the ambient sound level at a Point of Reception in a Quiet Zone or Residential Area by more than 15 dBA for more than 10% of a measurement time period of not less than ten minutes, the sound-making shall be deemed to be persistent and excessive, and such sound is deemed to be noise, unless provoked by legitimate causes as defined in 6(b). For purposes of this section, the ambient sound level shall be defined as the ninetieth percentile sound level in A-weighted decibels over a time period of no less than twenty minutes, not including the sound of the animal or bird.
 - (b) If at the time of making of sound by the animal(s) or bird(s) a person or other animal or bird is trespassing or threatening to trespass upon the private property on which the animal is situated, the sound-making is deemed not to be an infringement of this by-law.

PART V - GENERAL LIMITATIONS ON SOUND LEVELS DUE TO STATIONARY SOURCES

7. No person shall emit or cause or permit the emission of sound from a stationary source such that the level of sound from that source at a Point of Reception located in a Quiet Zone or Residential Area, exceeds the applicable sound level limit prescribed in Publication NPC-205 – *Sound Level Limits for Stationary Sources in Class 1 and 2 Areas (Urban)* or NPC-232 – *Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)* and such sound is deemed to be noise.

PART VI - LIMITATION ON SOUND FROM RESIDENTIAL AIR CONDITIONERS

8. No person shall emit or cause or permit the emission of sound from the operation of a residential air conditioning device of a type referred to in Publication NPC-216 – *Residential Air Conditioners*, resulting in a sound level at a Point of Reception located in a Quiet Zone or Residential Area in excess of the applicable sound level limit set out in Publication NPC-216 – *Residential Air Conditioners*.

PART VII - LIMITATION ON SOUND FROM BLASTING

9. No person shall emit or cause or permit the emission of sound (concussion) or vibration from a blasting operation of a type mentioned in Publication NPC-119 – *Blasting*, such that the

peak pressure level or peak particle velocity at a Point of Reception located in a Quiet Zone or Residential Area, exceeds the applicable limit set out in Publication NPC-119 – *Blasting*.

PART VIII - MOTOR VEHICLE RACING AND ANALOGOUS USES

10. This by-law applies to the operation of any Motor Vehicle or Off-Road Vehicle over a set course whether or not in competition with other vehicles for racing, training, lapping, testing, or instructional purposes, for recreational purposes, or for any other purpose, and includes any warm up or testing done on the premises in preparation for such operation of a Motor Vehicle.
11. With respect to Section 10 above:
- (a) The premises of any track used for the purposes identified in Section 10 shall be considered a “stationary source” for purposes of assessing noise.
 - (b) For activities identified in Section 10 on premises zoned and licensed, where necessary, for such use prior to January 1, 2010, the applicable sound limits at any Point of Reception shall be those determined in accordance with NPC-205 or NPC-232 as is appropriate to the Class of Area of the Point of Reception, plus 10 dBA.
 - (c) For activities identified in Section 10 on premises zoned and licensed, where necessary, for such use on or after January 1, 2010, the applicable sound limits at any Point of Reception shall be those determined in accordance with NPC-205 or NPC-232, as is appropriate to the Class of Area of the Point of Reception.
12. All Motor Vehicles and Off-Road Vehicles shall only be operated with a proper engine exhaust sound muffler/attenuator in place, in good working order and in constant operation.

PART IX - DISTURBING RELIGIOUS CEREMONY IN A PLACE OF WORSHIP

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

PART X - MOST RESTRICTIVE PROVISION APPLIES

14. Where a source of sound is subject to more than one provision of this by-law, the most restrictive provision shall apply.

PART XI - EXEMPTIONS

15. Public Safety and Highways:

Despite any other provision of this by-law, it shall be lawful to emit or cause or permit the emission of sound or vibration in connection with emergency measures undertaken for the following:

- (a) The immediate health, safety or welfare of the inhabitants of the municipality under emergency circumstances.
- (b) Any emergency requiring immediate action for the construction, preservation, restoration or demolition of any highway.
- (c) The Province, the County, and/or public authority, together with any authorized agents of the foregoing, to carry out their public responsibilities.

This exemption does not apply when such sound or vibration is clearly of a longer duration or nature more disturbing, than is reasonably necessary for the accomplishment of such emergency purpose.

16. Agricultural or Farm Activity:

Notwithstanding any other provision of this by-law, this by-law does not apply to any agricultural or farm activity, including food crop seeding, chemical spraying or harvesting, carried on by a farmer in accordance with Normal Farm Practice or to any agricultural activity determined by the Normal Farm Practice Protection Board to be Normal Farm Practice.

17. Bells – Clocks – Public - Religious

Bells, clocks, chimes and carillons associated with religious or public buildings or uses will be exempt from the noise by-law for the emission and amplification of sound or vibration.

18. County Operations

The operation of equipment by or on behalf of the County for the purposes of performing municipal maintenance operations on roads, sidewalks and parking lots associated with infrastructure rehabilitation and/or restoration, including but not limited to snow removal equipment, municipal street cleaners, municipal property maintenance, the collection of garbage, waste or recyclable materials.

19. Traditional, Festive or Religious Activities:

Notwithstanding any other provision of this by-law, any traditional, festive, religious and other activity planned on Municipal or private property that has received Haldimand County Council endorsement through the reporting process and has met the requirements of the County for the given year, will be exempt from the noise by-law for the emission and amplification of sound or vibration.

PART XII - GRANT OF EXEMPTION BY COUNCIL

20. Application to Council:

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 with respect to any source of sound or vibration for which he might be prosecuted.

21. Details of Application for Exemption:

The Application to Council shall be made in writing, in duplicate, and shall contain:

- (a) the name and address of the applicant;
- (b) the location of the event or activity for which the exemption is sought;
- (c) a description of the source of sound or vibration in respect of which exemption is sought;
- (d) a statement of the particular provision or provisions of the by-law from which exemption is sought;
- (e) the period of time, of a duration not in excess of six months, for which the exemption is sought;
- (f) the reasons why the exemption should be granted;
- (g) a statement of the steps, if any, planned or presently being taken to bring about compliance with the by-law; and
- (h) the applicant will be charged an administration fee in accordance with the User Fees and Service Charges By-law.

22. Upon receipt of an application containing all of the information outlined in Section 21, the applicable County division shall prepare a report recommending whether an exemption should be granted or refused and the terms and conditions which should be imposed upon the applicant if the exemption is granted.

23. The applicable County division shall forward a copy of the report to Council and to the applicant at the address shown on the application by prepaid regular mail.

24. Publication Of Notice:

The applicant shall, at his or her expense, cause a notice of the application to be published in a newspaper of general circulation within the municipality at least 14 days prior to the meeting of Council at which the application is to be considered, and shall provide proof of publication to the satisfaction of the Clerk prior to the application being considered by Council.

25. The notice referred to in Subsection 24 shall be in a form satisfactory to the Clerk and shall contain the information required by Subsection 21 and indicate the date upon which it is intended that the application will be considered by Council.

26. Decisions:

Council may, by resolution, refuse to grant the 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 six months, during which it is effective and may contain such terms and conditions as Council sees fit.

- (a) In deciding whether to grant the exemption, Council shall consider the application, the report and any written submission then received by Council and shall give the applicant and any person opposed to the application an opportunity to be heard and may consider such other matters as it sees fit.

27. Breach by the applicant of any of the terms or conditions of an exemption granted by Council or the failure of the applicant to pay any required fee shall render the exemption null and void.

PART XIII – SEVERABILITY

28. 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.

PART XIV – PENALTY

29. Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, forfeit and pay a fine of not less than \$100.00 and not more than \$2,000.00 for a first offence and not less than \$500.00 and not more than \$5,000.00 for a second or subsequent offence, exclusive of costs and every such fine is recoverable under *The Provincial Offences Act*.
30. In addition to the provisions of Section 29, the Court in which a conviction is entered, and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted, and in addition to any other remedy and to any penalty imposed on the person convicted.

PART XVI - ENFORCEMENT

31. The provisions of this by-law shall be enforced by the Haldimand County By-law Enforcement Officers as well as those agents designated by Council for this purpose.
32. For contravention of sections of this by-law for which a short form wording is provided in Column 1 of Schedule 3 (where Column 2 is the corresponding Section reference), an authorized by-law enforcement officer or other agent as appointed by Council may issue an Offence Notice (in accordance with Section 3 of the *Provincial Offences Act*, R.S.O. 1990, CHAPTER P.33) with the associated fine value shown in Column 3 of the Schedule. The Offence Notice shall be in the form as prescribed in Ontario Regulations made under the *Provincial Offences Act*.

PART XVII – REPEAL

33. THAT the following by-laws and any amendment thereto are hereby repealed:

- (a) Town of Haldimand – By-law No. 1193/95
- (b) Town of Dunnville – By-law No. 44-92
- (c) City of Nanticoke – By-law 67-81

PART XVIII – SHORT TITLE

34. This by-law shall be known as the “Noise By-law” for Haldimand County.

PART XIX - EFFECT

35. This by-law shall take precedence any other preceding by-law with which it is inconsistent.

36. This by-law shall come into force and take full effect immediately upon passage.

READ a first and second time this 31st day of May, 2010.

READ a third time and finally passed this 31st day of May, 2010.

MAYOR

ACTING CLERK

SCHEDULE 1
to By-law /10
INDEX OF PUBLICATIONS

Publication NPC-101	Technical Definitions
Publication NPC-102	Instrumentation
Publication NPC-103	Procedures
Publication NPC-104	Sound Level Adjustments
Publication NPC-106	Sound Levels of Road Traffic
Publication NPC-216	Residential Air Conditioners
Publication NPC-119	Blasting
Publication NPC-205	Stationary Sources
Publication NPC-232	Guidelines for Noise Control in Rural Areas

SCHEDULE 2
to By-law /10
PROHIBITIONS BY TIME AND PLACE

Prohibited Periods of Time (local time):

- A – 11:00 p.m. one day to 07:00 a.m. next day (9:00a.m. Saturdays, Sundays and Statutory Holidays);
 B – 7:00 p.m. one day to 7:00 a.m. next day (9:00a.m. Saturdays, Sundays and Statutory Holidays);
 C – 5:00 p.m. one day to 7:00 a.m. next day (9:00a.m. Saturdays, Sundays and Statutory Holidays);
 D – All day Sundays and Statutory Holidays;
 E – 7:00 p.m. one day to 07:00 a.m. next day;
 F – No person shall set off or discharge or permit the setting off or discharge of consumer Fireworks, except on the following days:
- (a) after 7:00 p.m. and before 11:00 p.m.:
 - the two (2) days immediately preceding and one (1) day following Victoria Day;
 - the two (2) days immediately preceding and one (1) day following Canada Day;
 - the two (2) days immediately preceding and one (1) day following July 4th; and
 - the two (2) days immediately preceding and one (1) day following New Year's Day.
 - (b) until 12:00 midnight on New Year's Eve and until 12:30 am New Year's Day
 - (c) any other days authorized by resolution of Council.

	Prohibited Period of Time	
	Quiet Zone	Residential Area
1) The detonation of fireworks or explosive devices not used in construction.	At all times, F	At all times, F
2) The discharge of firearms.	At all times	At all times
3) The operation of a combustion engine which, (i) is, or (ii) is used in, or (iii) is intended for use in, (iv) 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	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 in a stationary installation or in a motor vehicle.	At all times	At all times
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

SCHEDULE 2 (cont'd)
to By-law /10
PROHIBITIONS BY TIME AND PLACE

	Prohibited Period of Time	
	Quiet Zone	Residential Area
7) The operation of any motorized conveyance other than on a highway or other place intended for its operation.	At all times	At all times
8) 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
9) Persistent barking, calling, whining, squawking or other similar persistent noise making by any domestic pet or any other animal or bird kept or used for any purpose other than agriculture.	At all times	At all times
10) The operation of a commercial car wash with air drying equipment.	At all times	A
11) The operation of a commercial car wash of a type other than mentioned in item 10 in this table.	C	A
12) Yelling, shouting, hooting, whistling or singing.	At all times	A
13) The banging of drums or production of sound by any other unamplified musical instrument	At all times	B
14) The operation of a power assisted hang glider or parafoil.	At all times	D & E
15) The operation of any item of snow making equipment.	At all times	E
16) All selling or advertising by shouting or outcry or amplified sound.	At all times	D & E
17) 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.	D & E	D & E
18) The operation of any equipment in connection with construction.	D & E	B
19) The operation or use of any tool or powered device such as a lawnmower or chain saw for domestic purposes other than snow removal.	B	A
20) The operation of solid waste bulk lift or refuse compacting equipment.	B	B
21) The operation of a motor vehicle, off-road vehicle, motorized snow vehicle or other similar motorized conveyance for recreational purposes on any property other than a highway or private driveway.	At all times	At all times
22) The operation of an electronic bug killer.	At all times	A

Schedule 3
To By-law /10
SET FINES

Column 1		Column 2	Column 3
Short Form Wording		Provision Creating or Defining Offence	Set Fine
1.	Noise from racing a motor vehicle	Section 4 (a)	\$200
2.	Noise from squealing of tires	Section 4 (b)	\$100
3.	Noise from vehicle without effective exhaust	Section 4 (c)	\$100
4.	Noise from poorly maintained vehicle or vehicle with trailer	Section 4 (d)	\$100
5.	Noise from motor vehicle idling	Section 4 (e)	\$100
6.	Noise from construction equipment without effective muffling	Section 4 (g)	\$100
7.	Noise from the detonation of fireworks	Schedule 2, Item 1	\$100
8.	Noise from the discharge of firearms.	Schedule 2, Item 2	\$100
9.	Noise from operating a toy/model/replica having a combustion engine	Schedule 2, Item 3	\$100
10.	Noise emission created by amplified sound	Schedule 2, Item 4	\$100
11.	Noise emission created by an auditory signaling device	Schedule 2, Item 5	\$100
12.	Noise from operating a motor vehicle other than on a highway	Schedule 2, Item 7	\$100
13.	Persistent noise from a domestic animal or bird	Schedule 2, Item 9	\$100
14.	Noise from yelling, shouting, hooting, whistling or singing.	Schedule 2, Item 12	\$100
15.	Noise emission created by a non-amplified musical instrument	Schedule 2, Item 13	\$100
16.	Noise from advertising	Schedule 2, Item 16	\$100
17.	Noise from the operation of equipment in connection with construction	Schedule 2, Item 18	\$100
18.	Noise from the operation of a domestic power tool	Schedule 2, Item 19	\$100
19.	Noise from the operation of a motor vehicle for recreation	Schedule 2, Item 21	\$100