

**BYLAW NO. 2006A/REG/11  
MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER**

**A BYLAW of the Municipal Corporation of the Town of Hay River in the Northwest Territories to Amend "The Noise Abatement Bylaw" to Prohibit, Eliminate or Abate Noise Within the Town of Hay River pursuant to the CITIES, TOWNS AND VILLAGES ACT, S.N.W.T. 2003, C.22 Sections 70 and 72.**

**WHEREAS THE Council of the Town of Hay River deems it is in the best interests of the inhabitants of the Town of Hay River to Prohibit, Eliminate or Abate Noise.**

**NOW THEREFORE the Council of the Town of Hay River, in session duly assembled enacts the following amendments:**

**1) PART 3 - GENERAL ABATEMENT PROVISIONS**

306. Section 300. to 305. does not apply to:

(i) a person operating emergency or enforcement vehicles engaged in the lawful execution of their duty or to any person operating equipment on behalf of the Town whilst engaged in conducting emergency utility repairs or routine snow removal and street cleaning, or to

(ii) a person authorized in writing by the Senior Administrative Officer of the Town.

2) Bylaw No. 1649 is hereby repealed.

READ A FIRST TIME this 27<sup>th</sup> day of June, 2011.

  
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Mayor

READ A SECOND TIME this 27<sup>th</sup> day of June, 2011.

  
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Mayor

READ A THIRD AND FINAL TIME this 18<sup>th</sup> day of July, 2011.

  
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Mayor



**BYLAW NO. 2006A/REG/11**  
**MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER**

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CERTIFIED that this bylaw has been made in accordance with the requirements of the CITIES, TOWNS AND VILLAGES ACT, S.N.W.T. 2003, C.22, s.70 &72 and the bylaws of the Municipal Corporation of the Town of Hay River on this <sup>29<sup>th</sup></sup> day of <sup>June</sup>, 2011.

<sup>18<sup>th</sup></sup> <sup>July</sup> <sup>2011</sup>  
M. Richardson  
Senior Administrative Officer

**BYLAW NO. 2006/REG/06  
MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER**

**A BYLAW of the Municipal Corporation of the Town of Hay River in the Northwest Territories to Prohibit, Eliminate or Abate Noise Within the Town of Hay River pursuant to the CITIES, TOWNS AND VILLAGES ACT, S.N.W.T. 2003, C.22 Sections 70 and 72.**

**WHEREAS THE Council of the Town of Hay River deems it is in the best interests of the inhabitants of the Town of Hay River to Prohibit, Eliminate or Abate Noise.**

**NOW THEREFORE the Council of the Town of Hay River, in session duly assembled enacts as follows:**

**PART 1 – TITLE AND DEFINITIONS**

100. This Bylaw may be cited as "The Noise Abatement Bylaw".

101. In this Bylaw:

- (a) "Conveyance" includes a vehicle as defined in the Vehicle Act and any other device employed to transport a person or persons or goods from place to place;
- (b) "Council" means the Council of the Corporation of the Town of Hay River;
- (c) "Noise" means any sound that is reasonably likely to annoy or disturb the peace of others;
- (d) "Officer" means a bylaw officer of the Town of Hay River and any member of the R.C.M.P.;
- (e) "Person" includes any company, corporation, owner, partnership, firm, association, society or party;
- (f) "Property" means real property and includes land, other than a highway, together with all improvements which have been so affixed to the land as to make them in fact and in law a part thereof;
- (g) "Quiet Time" means the time from 2300 hours to 0700 hours (11:00 p.m. to 7:00 a.m.);
- (h) "Quiet Zone" means that area defined as Lot 1487, Plan 1926, on which H.H. Williams Memorial Hospital is located;
- (i) "Town" means the Municipal Corporation of the Town of Hay River;
- (j) "Town Manager" means the Senior Administrative Officer of the Corporation of the Town of Hay River.



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**PART 2 – TERMS AND EXPRESSIONS**

200. Save as herein otherwise provided, the terms and expressions used in this Bylaw shall have the same meaning as in the Interpretation Act, the Cities, Towns and Villages Act respectively.

**PART 3 - GENERAL ABATEMENT PROVISIONS**

300. No person shall cause or permit any noise that annoys or disturbs the peace of any other person.

301. No person shall permit property they own or control to be used so that noise from the property annoys or disturbs the peace of any other person.

301.1 In determining whether a sound is reasonably likely to annoy or disturb the peace of others, consideration may be given but is not limited to the:

- (a) type, volume and duration of the sound;
- (b) time of day and day of week; and
- (c) nature and use of the surrounding area.

302. For greater certainty, and without restricting the generality of section 300 hereof, no person shall engage in, cause, permit or suffer, on any property owned by or under the control of that person, any construction activity that creates or emits a noise before 0900 hours or after 1900 hours on any Sunday or statutory holiday.

303. No person shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound either in or on private premises or in any public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons during the Town's Quiet Time.

304. No person shall operate a motor vehicle, motorcycle, or other conveyance which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the person or persons in the vicinity during the Town's Quiet Time.

305. No person shall emit, cause, or permit the emission of any Noise as described in this Bylaw which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of individuals located in the Town's Quiet Zone at any time of the day or night.



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**PART 4 – PENALTY SECTION**

400. Every person who contravenes any of the provisions of this Bylaw is guilty of an offence, punishable on summary conviction and is liable to a fine of not more than Five Hundred (\$500.00) dollars or to imprisonment for one (1) month or both; and in default of payment of any fine imposed, a period of imprisonment not exceeding one (1) month.
401. An Officer who has reasonable or probable grounds to believe that a person is violating any provision of this Bylaw may give such person written notice of intention to prosecute in the form of a ticket as defined in the Summary Conviction Procedures Act, setting forth the date, time and place of the offence; briefly stating the nature of the offence and stating that payment may be made under Section 402 of the Bylaw.
402. A Person who has received a ticket pursuant to Section 401 in respect of an alleged offence under this Bylaw may, within fourteen (14) days after receipt of such ticket, in lieu of prosecution under this Bylaw pay a fine in the sum of:

First Offence	\$100.00
Second Offence	\$150.00
Third and Subsequent Offences	Summons to Court

Bylaws 1274 and 1274 A are repealed.

READ A FIRST AND SECOND TIME this 29<sup>th</sup> day of May, 2006.

  
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Mayor

READ A THIRD AND FINAL TIME this 26<sup>th</sup> day of June, 2006.

  
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Mayor

CERTIFIED that this bylaw has been made in accordance with the requirements of the CITIES, TOWNS AND VILLAGES ACT, S.N.W.T. 2003, C.22, s.70 &72 and the bylaws of the Municipal Corporation of the Town of Hay River on this 26<sup>th</sup> day of June, 2006.

  
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Senior Administrative Officer