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<!DOCTYPE html><html lang="en-US" xml:lang="en-US" style="margin: 0;"><head><meta http-equiv="Content-Type" content="text/html; charset=utf-8"><meta http-equiv="Content-Style-Type" content="text/css"><meta name="generator" content="Aspose.Words for .NET 24.10.0"><title>Noise By-law 2021-06-03</title><style type="text/css"> html, body { margin: 0; padding 0; } img { max-width:100%; height: auto;} span > img { max-width: initial; } div[style*="-aw-headerfooter-type"] img { max-width: initial; } a[href], a[href]:hover, a[href]:visited { color: #5d7599; text-decoration: underline; } a:not([href]), a:not([href]):hover, a:not([href]):visited { color: inherit !important; text-decoration: none !important; } th { text-align:initial; } td h3, td p { white-space: normal !important; word-wrap: break-word; overflow-wrap: break-word; } </style><style type="text/css">.awlist1 { list-style:none; counter-reset:awlistcounter3_0 }.awlist1 > li:before { content:'(' counter(awlistcounter3_0, lower-roman) ')'; counter-increment:awlistcounter3_0 }.awlist2 { list-style:none; counter-reset:awlistcounter3_0 5 }.awlist2 > li:before { content:'(' counter(awlistcounter3_0, lower-roman) ')'; counter-increment:awlistcounter3_0 }.awlist3 { list-style:none; counter-reset:awlistcounter4_0 }.awlist3 > li:before { content:'(' counter(awlistcounter4_0, lower-roman) ')'; counter-increment:awlistcounter4_0 }.awlist4 { list-style:none; counter-reset:awlistcounter5_0 }.awlist4 > li:before { content:'(' counter(awlistcounter5_0, lower-roman) ')'; counter-increment:awlistcounter5_0 }.awlist5 { list-style:none; counter-reset:awlistcounter7_0 }.awlist5 > li:before { content:'(' counter(awlistcounter7_0, lower-roman) ')'; counter-increment:awlistcounter7_0 }.awlist6 { list-style:none; counter-reset:awlistcounter8_1 }.awlist6 > li:before { content:'(' counter(awlistcounter8_1, lower-roman) ')'; counter-increment:awlistcounter8_1 }.awlist7 { list-style:none; counter-reset:awlistcounter9_1 2 }.awlist7 > li:before { content:'6.' counter(awlistcounter9_1); counter-increment:awlistcounter9_1 }.awlist8 { list-style:none; counter-reset:awlistcounter15_2 }.awlist8 > li:before { content:'(' counter(awlistcounter15_2, lower-roman) ')'; counter-increment:awlistcounter15_2 }.awlist9 { list-style:none; counter-reset:awlistcounter17_0 }.awlist9 > li:before { content:'(' counter(awlistcounter17_0, lower-roman) ')'; counter-increment:awlistcounter17_0 }.awlist10 { list-style:none; counter-reset:awlistcounter2_0 }.awlist10 > li:before { content:'(' counter(awlistcounter2_0, lower-roman) ')'; counter-increment:awlistcounter2_0 }</style><link
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FRONTENAC</h1><p style="margin-top:0pt; margin-
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 2021-
39</h1><p style="margin-top:0pt; margin-bottom:0pt"><span
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after:avoid; font-size:12pt">BEING A BY-LAW TO REGULATE AND
CONTROL NOISE</h1><div style="text-align: center;"><hr
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bottom:0pt; text-align:justify; widows:2; orphans:2"><span
style="font-weight:bold">WHEREAS the <span
style="font-style:italic">Municipal Act, 2001, S.O.

2001, c.25, Section 128 (1) provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of the Council are or could become public nuisances;

AND

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25, Section 129 provides that a municipality may pass by-laws to prohibit and regulate with respect to noise, vibration, and, in particular, to prohibit noise unless permission is obtained from the Township and to impose conditions for obtaining, continuing to hold and renewing the permission, including requiring the submission of plans;

AND

WHEREAS people have a right to and should be ensured an environment free from unusual, unnecessary excessive sound or vibration which might degrade the quality and tranquility of their life or cause nuisance;

AND

WHEREAS the Council of the Township of Central Frontenac deems it desirable to regulate noise;

NOW THEREFORE, the Council of the Corporation of the Township of Central Frontenac hereby enacts as follows:

1.

Definitions

In this By-law,

Ambient Sound:

This can include noises such as rain, traffic, crickets, and birds.

By-law Enforcement Officer

means a person designated by Council as responsible for the enforcement of this By-law,

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 alternation and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith;

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;

means the Council of the Corporation of the Township of Central

Frontenac;

means the sound level in decibels obtained when using a sound level

meter with the A-weighting;

means a situation or an impending situation, often dangerous, caused by the forces of nature, an accident, an intentional act or otherwise which arises sudden and calls for prompt action;

Fireworks

Highways Holiday Minister Motorized Vehicles

Conveyance Municipality Noise Person Point of Reception Premises Sound reproduction device Townships Zoning By-law, as amended;

Racing of any motorized conveyance other than in a racing event regulated by law.

Operating any combustion engine or pneumatic device without proper exhaust or intake muffling devices meeting specifications of the manufacturer in good working order and in constant operation.

Operating a vehicle or a vehicle with a trailer resulting in banging, clanking, squealing or other like sounds due to improperly secured load or equipment, or inadequate maintenance.

The operation or use of any sound reproduction device originating from or in connection with the operation of any commercial establishment from which sound reproduction device when measured inside any business, or any other type of residence has an equivalent sound level (L_{eq}) greater than 45 dB(A) or the noise from which sound reproduction device has an equivalent sound level (L_{eq}) greater than 55 dB (A) when measured outside any business or dwelling.

Fireworks may only be ignited during specified times as outlined in Schedule and in accordance with the Fireworks by-law.

2.2

No person shall cause or permit unnecessary motor vehicle noise such as the sounding of the horn, revving of engine and the squealing of tires of any motor vehicle on any property other than a highway unless;

The vehicle is in an enclosed structure constructed so as to effectively prevent the emission of noise;

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

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

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

Prevailing low temperatures make longer idling periods necessary immediately after starting the motor or engine, or,

The idling is for the purpose of cleaning and flushing the radiator and associated circulation system for seasonal change of anti-freeze, cleaning of the fuel system, carburetor or the like, when such work is performed other than

for profit.

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2.3 No person shall discharge into the open air, on any property other than a highway, or repair facility/garage the exhaust of any motor vehicle except through a muffler or other device which effectively prevents loud or explosive noises.

2.4 The use of construction equipment shall not create noise likely to cause a nuisance or disturb the inhabitants or exceed 85 dB(A) when measured at the point of reception;

2.5 The operation of any air conditioner, heat pump, compressor, condenser, chiller, cooling tower or similar device, which emits a noise greater than 50 dB(A) when measured at the point of reception.

2.6 The operation of any exhaust fan, exhaust system, intake fan, generators or similar

device which includes combustion exhaust of a high efficiency furnace, which emits a noise greater than 50 dB(A) when measured at the point of reception.

3. AMBIENT SOUND LEVEL MEASUREMENT

3.1 When a standard sound equivalent level (dB(A)) test cannot be used because ambient noise exceeds the maximum noise limit established for the device, vehicle or equipment to be measured, a differential reading may be used to isolate the level of noise contributed by the device, vehicle or equipment in question as follows:

- noise level reading shall be taken when the device, vehicle or equipment is not in operation;
- noise level reading shall be taken when the device, vehicle or equipment is in operation;

[illegible]

shown for such an zone.

Exemption for Public Safety

Notwithstanding any other provision of this by-law, it shall be lawful during an emergency to emit or cause or permit the emission of sound or vibration in connection with emergency measures undertaken;

- For the immediate health, safety or welfare of the inhabitants; or
- For the sounds of any bell, horn, siren or other signaling device associated with any emergency or law enforcement vehicle;

[illegible]

6.1

Application to Council

Upon receipt of a written application for Grant of Exemption to the by-law, the Council may refuse to grant any exemption or may grant the exemption applied for. Any exemption granted shall specify the time-period not more than six months during which it is effective and may contain such terms and conditions as Council determines to be appropriate.

6.2

Details of Application for Exemption

The application shall contain:

- i the name and address of the applicant;
- ii

the name and address of the organization represented by the applicant, if applicable;

the source of sound or vibration in respect of which exemption is sought;

a statement of the particular provision or provisions of the by-law from which the exemption is sought;

the date and time of commencement of the event for which the exemption is sought;

the time of conclusion for each day of the event for which the exemption is sought, if applicable;

the duration of the event for which the exemption is sought;

for which the exemption is sought;

rationale for granting an exemption, the name of the contact person or persons who will be supervising the event;

Decision

6.4

Breach

Breach by the applicant of any of the terms or conditions of any exemption granted by Council shall render the exemption null and void.

[illegible]

Traditional, Festive or Religious Activities

Notwithstanding any other provision of this by-law, this by-law does not apply to a person who emits or causes or permits the emission of sound or vibration in connection with any of the following listed traditional, festive, religious and other activities provided such activities are not carried out between 23:00 hours of one day and 07:00 hours of the next day:

- Any activity by a religious congregation or religious organization and dedicated exclusively to worship and related religious, social and charitable activities
- Any activity of a Service Club that is operating for fundraising purposes for community benefit.
- Any musicians performers providing

outdoor entertainment involving sound reproduction devices during the events staged by the Township Recreation Committees including the Heritage Festival or Canada Day Celebrations.

Fireworks displays are permitted under authority of the Fireworks By-law.

If an event relates to live or recorded music or involves the use of a sound amplifying system or sound reproduction device operated in a reasonable manner in the context of the special event;

The event shall not create noise likely to cause a nuisance or disturb the inhabitants or exceed 65 dB(A) when measured at the point of reception with the exception of fireworks when ignited under authority of the fireworks by-law.

9.

Agricultural Exemption

top:0pt; margin-left:28.35pt; margin-bottom:0pt; text-align:justify">Notwithstanding any other provision of this By-law, this By-law does not apply to a person or agricultural procedure who emits or causes or permits the emission of sound or vibration in connection with an established agricultural function.</p><p style="margin-top:0pt; margin-bottom:0pt; text-align:justify"> </p><h2 style="margin-top:2pt; margin-left:28.35pt; margin-bottom:0pt; text-indent:-28.35pt; page-break-inside:avoid; page-break-after:avoid; font-size:12pt; -aw-import:list-item; -aw-list-level-number:0; -aw-list-number-format:'%0.'; -aw-list-number-styles:'decimal'; -aw-list-number-values:'10'; -aw-list-padding-sml:11.67pt">10. Severability</h2><p style="margin-top:0pt; margin-bottom:0pt; text-align:justify"> </p><p style="margin-top:0pt; margin-left:36pt; margin-bottom:0pt; text-align:justify">If a court of competent jurisdiction should declare any section or part of a section of the 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. </p><p style="margin-top:0pt; margin-left:36pt; margin-bottom:0pt; text-align:justify"> </p><p style="margin-top:0pt; margin-left:36pt; margin-bottom:0pt; text-align:justify"> </p><p style="margin-top:0pt; margin-left:36pt; margin-bottom:0pt; text-indent:-18pt; text-align:justify; -aw-import:list-item; -aw-list-level-number:0; -aw-list-number-format:'%0.'; -aw-list-number-styles:'decimal'; -aw-list-number-values:'11'; -aw-list-padding-sml:1.32pt">11. <span style="font-

Enforcement/Penalty

Every By-law Enforcement Officer appointed by the Municipality is authorized to enforce this By-law and, for the purpose may enter at all reasonable times upon any real property in order to ascertain whether the provisions of this By-law are being observed.

Every person who contravenes any of the provisions of this by-law is guilty of an offence and, upon conviction, is subject to a fine as provided in the Provincial Offences Act and/or to any other applicable penalties.

12.

Administrative Penalties

A By-law Enforcement Officer may issue an administrative penalty notice to any Person who has

contravened the provisions of this By-Law.

- The penalty notice shall be given to the Person to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:
- Particulars of the contravention, including to which property it applies;
- The amount of the administrative penalty;
- A statement advising that an administrative penalty will constitute a debt to the Municipality.
- Any Person who contravenes any provision of this By-law shall, upon issuance of an administrative penalty notice pursuant to this Section, be liable to pay to the Municipality an administrative

penalty as per Schedule .

- A Person who has been issued a penalty notice shall pay the administrative penalty within fifteen (15) days from the date the notice was issued.
- An administrative penalty notice that is deemed to be confirmed constitutes a debt to the Municipality and may be added to the tax roll of the property on which the offence occurred.
- The Municipality shall serve any penalty notice, personally to the Person named on the notice, by registered or regular mail addressed to the Person to whom the document is to be given at the Persons last known address includes the address provided by the Person to the Municipality as identified in the property tax file.

13.

Schedules

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Schedule and as attached forms part of this

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Short Title </h3><p style="margin-

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This by-law shall be known as the

</p><p style="margin-top:0pt; margin-left:56.55pt; margin-

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15.1 This by-law shall become effective as of the date of passage at which time By-Law 1999-53 shall be rescinded.</p><p style="margin-top: 0pt; margin-bottom: 0pt"> </p><p style="margin-top: 0pt; margin-bottom: 0pt">READ a first, second and third time and finally passed this 27th day of April, 2021. </p><p style="margin-top: 0pt; margin-bottom: 0pt"> </p><p style="margin-top: 0pt; margin-bottom: 0pt"> </p><p style="margin-top: 0pt; margin-bottom: 0pt">_____ _____</p><p style="margin-top: 0pt; margin-left: 262.25pt; margin-bottom: 0pt; text-indent: -262.25pt">Frances Smith, Mayor Cathy MacMunn, CAO/Clerk</p><p style="margin-top: 0pt; margin-bottom: 0pt"><br style="page-break-before: always; clear: both"></p><p style="margin-top: 0pt; margin-bottom: 0pt; text-align: center; line-height: 28.4pt">SCHEDULE
PROHIBITIONS BY TIME AND PLACE</p><p style="margin-top: 0pt; margin-bottom: 0pt; line-height: 13.65pt">Periods of Time </p><p style="margin-top: 0pt; margin-bottom: 0pt; line-height: 13.75pt">A - <span style="font-size: 12.5pt;

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am</p><p style="margin-top:0pt; margin-bottom:0pt; line-
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color:#040404">s Eve fireworks can be detonated at a different time
period ( 11 pm New Years Eve until 11pm New Years
Day)</span></p><p style="margin-top:0pt; margin-left:9.65pt;
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import:ignore">&nbsp;</span></p><p style="margin-top:0pt; margin-
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single"><p style="margin-top:0pt; margin-bottom:0pt; text-

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2.	The operation of electronic devices intended for the production, reproduction or amplification of sound.
B	B
3.	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
B	B
4.	

The operation of any motorized conveyance other than on a highway or other place authorized by law for its operation	The constant barking, calling or whining or other similar persistent noise making by any domestic pet, or any other animal longer than 30 minutes at a time.
B	B
5.	6.
B	The operation of any equipment in connection with construction.

C	
7.	Operation or use of any tool for domestic purposes other than snow removal.
C	
8.	Cause or allow the emission of any unreasonable or unusual noise or vibration by means of the use or operation of any electrical motor, electrical/mechanical hydraulic device.

B	The operation of any air condition, heat pump, compressor, condenser, chiller, cooling tower or similar device which emits noise &nbsp; &nbsp; &nbsp;	A
9.	The operation of any exhaust fan, exhaust system, intake fan, or similar device which includes combustion unless in connection with an emergency situation. &nbsp;	10

```

style="margin:0pt 28.8pt 0pt 9.65pt; line-height:14.05pt"><span
style="font-size:12pt;
-aw-import:ignore">&nbsp;</span></p></td><td
style="width:102.95pt; border-style:solid; border-width:0.75pt;
vertical-align:middle; -aw-border:0.62pt single"><p
style="margin-top:0pt; margin-bottom:0pt; text-align:center;
line-height:13.55pt"><span
style="font-size:12pt">A</span></p></td></tr><tr
style="height:34pt; -aw-height-rule:exactly"><td
style="width:26.6pt; border-style:solid; border-width:0.75pt;
vertical-align:middle; -aw-border:0.62pt single"><p
style="margin-top:0pt; margin-bottom:0pt; text-align:right; line-
height:13.55pt"><span
style="font-size:12pt">11.</span></p></td><td
style="width:332.4pt; border-style:solid; border-width:0.75pt;
vertical-align:top; -aw-border:0.62pt single"><p
style="margin:0pt 28.8pt 0pt 9.65pt; line-height:14.05pt"><span
style="font-size:12pt">The operation of generators unless in
connection with an emergency situation or power
outage.</span></p><p style="margin:0pt 28.8pt 0pt 9.65pt; line-
height:14.05pt"><span style="font-size:12pt; -aw-
import:ignore">&nbsp;</span></p><p style="margin:0pt 28.8pt 0pt
9.65pt; line-height:14.05pt"><span style="font-size:12pt; -aw-
import:ignore">&nbsp;</span></p><p style="margin:0pt 28.8pt 0pt
9.65pt; line-height:14.05pt"><span style="font-size:12pt; -aw-
import:ignore">&nbsp;</span></p></td><td style="width:102.95pt;
border-style:solid; border-width:0.75pt; vertical-align:middle;
-aw-border:0.62pt single"><p style="margin-top:0pt; margin-
bottom:0pt; text-align:center; line-height:13.55pt"><span
style="font-size:12pt">A</span></p></td></tr></table><p
style="margin-top:0pt; margin-bottom:0pt"><span style="-aw-
import:ignore">&nbsp;</span></p><p style="margin-top:0pt; margin-
bottom:0pt"><br style="page-break-before:always;
clear:both"></p><p style="margin-top:0pt; margin-bottom:0pt;
text-align:center"><span
style="-aw-import:ignore">&nbsp;</span></p><p style="margin-
top:0pt; margin-bottom:0pt; text-align:center"><span style="-aw-
import:ignore">&nbsp;</span></p><p style="margin-top:0pt; margin-
bottom:0pt; text-align:center"><span style="-aw-
import:ignore">&nbsp;</span></p></div></div><script

```



```

        CivicWeb.Document.Voting.signalRConnected();
    }
    /*if
(CivicWeb.Document.RequestToSpeak)
    {

        CivicWeb.Document.RequestToSpeak.signalRConnected();
    }
    if
(CivicWeb.Document.MeetingControlPanel)
    {

        CivicWeb.Document.MeetingControlPanel.signalRConnected();
    }*/
    });
}

var margins = $('<div>.word-
margins');
margins.attr({ 'data-
style': margins.attr('style') });
if ($(window).width() <=
720) {

    margins.css({ 'padding': '2vw', 'border': 'none', 'box-
shadow': 'none' });
}
$
('a[href]').each(function () {
    var href = $
(this).attr('href');
    if
(href.indexOf('http') === 0 &&
href.indexOf(window.location.hostname) === -1) {
        $
(this).attr('target', '_blank');
    }
});
$(window).on('resize',

```

```

function () {
    var margins = $
    ('.word-margins');
    var smallWidth = $
    (window).width() <= 720;

    margins.css({ 'padding': smallWidth ? '2vw' : '', 'border':
smallWidth ? 'none' : '', 'box-shadow': smallWidth ? 'none' :
'' });

    if (!smallWidth) {

        margins.attr({ 'style': margins.attr('data-style') });
    }
    });

    // Open goals in the
dialog
    if (window.top.Portal) {
        $('a[href*="/item/"
[href*="/detailpublic"]').on('click', function (e) {

            window.top.Portal.MasterPagePage.openGoalPopup($
(this).attr('href'));

            e.preventDefault();

        });
    }
    });
</script></body></html>

```