

THE CORPORATION OF THE CITY OF WHITE ROCK

BYLAW NO. 1468

A Bylaw for the Regulation of Noise

WHEREAS it is deemed expedient to regulate the making or causing of noises within the City of White Rock.

AND WHEREAS the City Council is empowered in that regard by Section 932 (c) and (d) of the Municipal Act, RSBC 1979, Chapter 290.

NOW THEREFORE, the CITY COUNCIL of the Corporation of the City of White Rock in open meeting assembled, ENACTS as follows:-

1. In this Bylaw, unless the context otherwise requires:

"Council" means the City Council of the Corporation of the City of White Rock.
"motor vehicle" and "vehicle" have the same meaning as defined in the Motor Vehicle Act, RSBC 1979, Chapter 288.

2. No person shall make or cause any noises or sounds in or on a highway or elsewhere in the City which disturb, or tend to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of persons in the vicinity, or which the Council believes are objectionable or liable to disturb the quiet peace, rest, enjoyment, comfort, or convenience of individuals or the public.

3. No person shall harbour, keep or control any animal in the City which causes a 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 which are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.

4. No person shall shout, use megaphones, or make any other noise in or at or on streets, wharves, docks, piers, steamboat landings, railway stations, or other public places.

5. Without restricting the generality of the foregoing:

(a) No person shall make or cause or permit to be made any objectionable noise or sound; and no operator of any vehicle or motor vehicle shall make or cause to be made by or from that vehicle or motor vehicle any objectionable noise or sound as described below:

The following noises or sounds from a vehicle or motor vehicle are, in the opinion of the Council, believed to be objectionable and liable to disturb the quiet, peace, rest, enjoyment or comfort of individuals or the public and are hereby prohibited on any highway within the City:

- the squeal of a tire on a highway surface made by a vehicle or motor vehicle in accelerating or changing direction;

5. (Continued)

- a loud, roaring or explosive sound made by a vehicle or motor vehicle's engine or exhaust system;
- the amplified sound of a radio, television, tape player or other sound playback device or amplification equipment, or the sound of a musical instrument that emanates from a vehicle or motor vehicle which can easily be heard by someone outside the vehicle.

(b) No hawker, pedlar, huckster, newsvendor, or other person shall by intermittent or reiterated cries disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, of individuals or the public.

(c) No person shall play or operate any radio, gramophone, or other instrument or any apparatus for the production or amplification of sound in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of individuals or the public; PROVIDED that nothing contained in this section shall be deemed to apply to any emergency vehicle while responding to an emergency call.

(d) No person in the City shall on any day before 7:00 o'clock in the morning or after 9:00 o'clock in the evening carry on works in connection with the construction, reconstruction, alteration or repair of any building or structure or carry on any excavation, land clearing or other operation, or operate any kind of machine or engine in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or the public, provided that in cases where it is impossible and impracticable to comply with this section the Council may give consent in writing to carry on any such works between the said hours.

(e) Except for 5 (f), no person in the City shall on a Sunday or Statutory Holiday carry on works in connection with the construction, reconstruction, alteration or repair of any building or structure or carry on any excavation or land clearing or other operation or operate any kind of machine or engine in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or individuals or the public, provided that in cases where it is impossible and impracticable to comply with this section the City Council may give consent in writing to carry on such works between the said hours.

(f) A homeowner may carry on works in connection with construction, reconstruction, alteration or repair on Sundays or Statutory Holidays between the hours of 9 o'clock in the morning and 6 o'clock in the evening, to the dwelling or accessory building on the property where they reside.

6. Any person who violates any provision of this bylaw commits an offense. Each separate circumstance where a provision of this bylaw is violated constitutes a separate offense.

The following persons are hereby designated as authorized to enforce the provisions of this bylaw:

- a Peace Officer
- a Bylaw Enforcement Officer
- a Poundkeeper
- the Director of Permits & Licences, his Deputy and assistants
- the Building & Licence Inspector

and such authorized persons may enter upon property, including a vehicle or motor vehicle on a highway, at all reasonable times to ascertain whether the provisions of this bylaw are being observed.

7. Where a person is in violation of any provision of this Bylaw, authorized persons designated under 6. above may issue a violation notice to be served personally or by registered mail upon the person in violation; and such person shall be liable to pay the City of White Rock the respective sum or sums, indicated in the violation notice set out as follows:

(a) First Offence:

\$100.00 for each violation of the Bylaw

\$ 75.00 for each violation if paid within 48 hours of the issuance of the violation notice

Second Offence:

\$150.00 for each violation of the Bylaw

\$112.50 for each violation if paid within 48 hours of the issuance of the violation notice

Third Offence:

\$200.00 for each violation of the Bylaw

\$150.00 for each violation if paid within 48 hours of the issuance of the violation notice

(b) If the penalty indicated on the Violation Notice is not paid within seven (7) day of the issuance, a Summons will be issued in respect of the violation.

(c) Any person who commits an offense of a provision of this Bylaw and fails to pay the penalty indicated in respect to 7. (a) and (b), shall be liable on summary conviction to a fine not exceeding \$2,000.00.

8. The "Noise Regulation Bylaw, 1958, No. 23" and Amendment Bylaw Nos. 135, 241, 498, 886, 1021, 1179, 1262 and 1323 are hereby repealed in their entirety.

9. This Bylaw may be cited for all purposes as the "White Rock Noise Regulation Bylaw, 1996, No. 1468".

RECEIVED FIRST READING on the	day of	199
RECEIVED SECOND READING on the	day of	199
RECEIVED THIRD READING on the	day of	199
RECONSIDERED AND FINALLY ADOPTED on the	day of	199

Mayor

City Clerk

