

**Village of Edgerton**  
**Bylaw #03-19**  
**Noise Control Bylaw**

**A BYLAW OF THE MUNICIPALITY OF THE VILLAGE OF EDGERTON IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING NOISE WITHIN THE VILLAGE OF EDGERTON RESPECTING THE SAFETY, HEALTH AND WELFARE OF PEOPLE AND THE PROTECTION OF PEOPLE AND PROPERTY.**

**WHEREAS** the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, s.7, and amendments thereto, authorizes Council to pass bylaws for municipal purposes respecting:

- (A) The safety, health and welfare of people and the protection of people and property;
- (B) People, activities and things in, on or near a public place or place that is open to the public; and
- (C) Nuisances, including unsightly property;

**AND WHEREAS** the Village of Edgerton considers it within its jurisdiction and its responsibility to pass bylaws under s.7 of the Municipal Government Act to regulate noise within the Village of Edgerton respecting the safety, health and welfare of people and the protection of people and property.

**NOW THEREFORE** under the authority of the Municipal Government Act RSA 2000, Chpt. 26, the Council of the Village of Edgerton in the Province of Alberta enacts as follows:

**PART I: TITLE**

1.1 This Bylaw may be cited as the Noise Control Bylaw.

**PART II: DEFINITIONS**

2.1 "Act" means the Municipal Government Act, RSA 2000, Chpt. 26;

2.2 "Village" means the Village of Edgerton, a Municipality of the Province of Alberta;

2.3 "Chief Administrative Officer" means the Chief Administrative Officer of the Village of Edgerton. A duly designated and empowered Bylaw Enforcement Officer may be substituted; and

2.4 "Excessive Noise" means any noise which may be considered by the Chief Administrative Officer as constituting extra-ordinary, consistent, and/or abundant;

2.5 "Regular Hours" means the hours of 11:00 P.M. and 8:00 A.M. and consistent with Mountain Daylight Time;

2.6 "Barking" means the vocal noises emitted by a dog and/or canine;

2.7 "Lawncare" refers to the regular maintenance and care of a property's green space;

2.8 "Emergency Vehicles" means any vehicle which is designated as being such or any vehicle operated by an individual that is designated by Village bylaws and that considers an emergency to be present.

**PART III: PROHIBITION**

3.1 A person may not cause noise outside of regular hours that may disrespect, disregard, or damage the safety, health, and/or welfare of other peoples and property.

3.2 A person may not cause excessive noise at any time that may disrespect, disregard, or damage the safety, health, and/or welfare of their peoples and property.

3.3 This prohibition can and may include but is not limited to barking, lawncare, or any other such disruption as may be considered by the Chief Administrative Officer as constituting excessive noise.

3.4 Emergency vehicles shall be exempt from this bylaw.

**PART IV: ENFORCEMENT**

4.1 The enforcement of this bylaw will be consistent with Schedule A; and

4.2 A provision of the Bylaw may be applied at the discretion of the Chief Administrative Officer. The Chief Administrative Officer may then issue an Offence Ticket, as relates to a contravention of this Bylaw; and

4.3 No person shall interfere with the Chief Administrative Officer in the performance of their duties as relates to this Bylaw; and

4.4 The Chief Administrative Officer shall provide the Owner reasonable notice, consisting of no less than fourteen (14) days, when exercising authority to issue an Offence Ticket.

**PART V: SEVERABILITY**

5.1 Should any provision of this bylaw be invalid, then such invalid portion shall be severed, and the remaining bylaw shall be maintained.

**PART VI: REPEAL**

6.1 Bylaw #07-91 is hereby repealed.

**PART VI: EFFECTIVE DATE**

6.1 This bylaw will become effective upon the date of the final reading.

**PART VII: READINGS**

7.1 Read a FIRST time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

7.2 Read a SECOND time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

7.3 Read a THIRD and FINAL time with UNANIMOUS consent this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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MAYOR, Wendy Belik

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CHIEF ADMINISTRATIVE OFFICER, Wes Laporte

## **SCHEDULE A**

### **FEES AND PENALTIES**

#### **Offence Tickets**

\$40.00	First Offence Ticket relating to a contravention of this Bylaw.
\$80.00	Second Offence Ticket relating to a contravention of this Bylaw, issued fourteen (14) days following the First Offence Ticket.
\$160.00	Third Offence Ticket relating to a contravention this of Bylaw, issued fourteen (14) days following the Second Offence Ticket. Successive Offence Tickets are to follow this pattern.

Please note: Offence Tickets may be issued for any contravention of this Bylaw, as per the Chief Administrative Officer's discretion. Unpaid fines issued as a result of Offence Tickets will be added to the Utility Account for the property following six (6) weeks of the First Offence Ticket.