

BY-LAW No. 175 - 1996

A BY-LAW OF THE SUMMER VILLAGE OF ITASKA BEACH, IN THE PROVINCE OF ALBERTA TO CONTROL AND ABATE NOISE.

WHEREAS:

under the provisions of the Municipal Government Act ('the Act'), being the Statutes of Alberta, 1994, Chapter M 26.1 and amendments thereto permits the Summer Village of Itaska Beach, by By-Law, to prohibit, eliminate or abate noise and establish permissible noise levels for all or varying periods of the day in all or a designated part or locations of this said Municipality.

AND WHEREAS:

the intent of this By-Law is that all noises shall be reduced as far as possible, compatible with the normal activities of the Summer Village life, and that unnecessary noise be eliminated.

AND WHEREAS:

the Council of the Summer Village of Itaska Beach deems it advisable to adopt such a By-Law.

NOW THEREFORE:

the Municipal Council of the Summer Village of Itaska Beach duly assembled, enacts as follows;

1 DEFINITIONS

In this By-Law:

- 1.1 "Summer Village" means the Summer Village of Itaska Beach;
- 1.2 "Provincial offense tag" means a tag or ticket under The Provincial Procedure Act, wherein the person alleged to have committed a breach of a provision of this By-Law is given an opportunity to pay a voluntary penalty in lieu of prosecution for the offense;
- 1.3 "Person" includes public bodies, corporate bodies, societies, partnerships, firms, an individual, companies;
- 1.4 "Property" means real property and includes land together with all improvements which have been so affixed to the land as to make them in fact and in law a part thereof;
- 1.5 "District" means any area or district classified as residential, low density residential, residential comprehensive development, reserve, urban reserve, environmental reserve, direct control, institutional, or others as identified in the

Land Use By-Law and amendments thereto;

- 1.6 "Voluntary penalty" means a penalty specified in this By-Law for a contravention of a provision of this By-Law which amount shall be paid by a person to whom a provincial offense tag has been issued.

2 **GENERAL**

No person;

- 2.1 shall make, cause or permit to be made or caused, any noise which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons within the corporate limits of the Summer Village of Itaska Beach.
- 2.2 being the owner, tenant, or occupier of property shall allow or permit such property to be used so that noise which occurs thereon or emanates therefrom, disturbs or tends to disturb the quiet, peace, rest, enjoyment comfort or convenience of any person or persons within the corporate limits of the Summer Village of Itaska Beach.
- 2.3 shall keep or harbour any animal or bird which makes or causes to be made, any noise which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons within the corporate limits of the Summer Village of Itaska Beach.

Specifically;

No person in or on residential, low density residential, reserve, urban reserve; environmental reserve, districts;

- 2.4 shall operate or cause the operation of equipment, gardening equipment, power tools, electrical, mechanical or otherwise that generates sound that tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons within the corporate limits of the Summer Village of Itaska Beach during the following times;
- 2.4.1 September 1 through and up to and including April 30:
10:00 PM to 8:00 AM
- 2.4.2 May 1 through and up to and including August 31
10:00 PM to 8:30 AM
- 2.5 Non-identified districts are considered exempt from the foregoing time schedule.

3 **EMERGENCIES:**

- 3.1 Nothing herein shall render any person liable to a fine, penalty or punishment for performing work of an emergency nature for the preservation or protection of life,

health or property.

4 PENALTIES:

- 4.1 A provincial offense tag or ticket in the amount of the voluntary penalty will be issued for any breach of this By-Law.
- 4.2 Any person who commits a breach of any of the provisions of this By-Law shall be liable to a voluntary penalty of:
- 4.2.1 For the first offense to a voluntary penalty of fifty dollars (\$50.00).
- 4.2.2 For a second and subsequent offense, to a voluntary penalty of (\$100.00).

5 OFFENSE:

- 5.1 Any person who commits a breach of any of the provisions of this By-Law shall subject to the Provincial Offenses Procedures Act and amendments thereto.

6 EFFECTIVE DATE:

- 6.1 This By-Law and provisions contained within, comes into effect on the date of the third and final reading and passage of this By-Law.
- 6.2 This By-Law comes into effect on the 15TH of February 1996.

Read the first time the 15TH of February 1996.

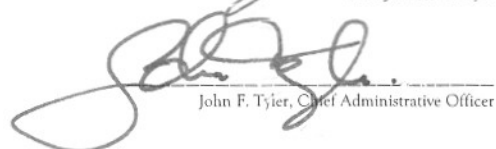
Read the second time the 15TH of February 1996.

Read the third time and finally passed the 15TH of February 1996.

The Summer Village of
Itaska Beach



R.B. Johnston Mayor



John F. Tyier, Chief Administrative Officer

**A BYLAW OF THE SUMMER VILLAGE OF ITASKA BEACH,
IN THE PROVINCE OF ALBERTA,
TO AMEND THE CURRENT NOISE CONTROL AND ABATEMENT BYLAW No. 175**

BYLAW NO: 2007-03

NOW THEREFORE, the Council for the Summer Village of Itaska Beach, duly assembled, hereby enacts as follows:

1. Section 4.2.1 will be amended to read as follows:
For the first offense to a voluntary penalty of three hundred dollars (\$300).
2. Section 4.2.2 will be amended to read as follows:
For a second and subsequent offense, to a voluntary penalty of five hundred dollars (\$500).
3. This bylaw comes into effect on the date of the third reading.

Read a first time this 20th day of June, 2007

Read a second time this 20th day of June, 2007

Read a third time, by unanimous consent, and finally passed, this 20th day of June, 2007

MAYOR

CHIEF ADMINISTRATIVE OFFICER