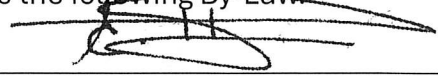


NOISE AND NUISANCE BY-LAW

PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by the Towns and Local Service Districts Act, chapter T-6.2, Section 8 (f), the Town of Humber Arm South has made the following By Law.



Erica-Humber Shears
Mayor

BY-LAW

1) TITLE

This By-law may be cited as the "Town of Humber Arm South Noise and Nuisance By-Law".

2) INTERPRETATION

In this By-Law:

- a) "**By-law**" means the Town of Humber Arm South Noise and Nuisance By-Law.
- b) "**Air Gun**" means those guns commonly referred to as B.B. or pellet guns and all guns operated by pump or spring mechanisms and compressed gas cylinders regardless of muzzle velocity.
- c) "**Chief**" means the Fire Chief of the Humber South Fire Department or other person designated by the Chief in and for the fire protection of the town.
- d) "**Council**" means the Council of the Town of Humber Arm South or designate.
- e) "**Nuisance**" means anything or any condition of things which is or may become injurious or dangerous or presents an obstruction to pedestrians or vehicular traffic or anything or any condition of things, in the opinion of Council, has an unpleasant effect on the senses or adversely affects the amenities of the surrounding property.
- f) "**Public Address System**" means any system of loudspeakers, amplifiers, microphones or reproducers or any combination of such equipment used in the reproduction or amplication of music, speech or other sounds when used for communication or to otherwise address or entertain groups of people whether the same is mounted upon a vehicle or upon a building or other structure or upon the ground.
- g) "**Town**" means the Town of Humber Arm South.

3) APPLICATION

This By-law shall apply within the boundaries of the Town.

4) GENERAL PROHIBITION

No person shall make, continue or cause to allow to be made or continued any loud, unnecessary or unusual noise or any noise whatsoever which either annoys, disturbs, injures, endangers, or detracts from the comfort, repose, health, peace or safety of other persons within the limits of the Town, except in accordance with this By-law.

5) NOISE

- a) No person shall create a noise within the Town through the use of fire-arms or other similar noise-making devices, except as may be approved by Council and subject to the approval of law enforcement or other regulatory agencies.
- b) No person shall create a noise within the Town through the use of shouting or noise-making devices for the purpose of selling wares, soliciting business or attracting attention.
- c) No person shall create a noise within the Town through the use of motor vehicle horns except as may be reasonably necessary in the opinion of Council for the safety and warning of traffic and pedestrians.

6) NUISANCE

- a) No person shall fire or discharge an air gun within 300 metres of a house or 1000 metres of a school, playground or athletic field within the Town.
- b) No person shall fire or discharge an air gun in a manner creating a nuisance.
- c) A police officer/By-law enforcement officer/peace officer may seize any air gun where there are reasonable and probable grounds to believe that an offence has been committed pursuant to this By-law.
- d) Where a charge is not laid pursuant to section 6 (a) and (b) within a period of thirty (30) days from the date of the offence, an air gun seized pursuant to 6 (c) shall be returned.

7) PEACE AND TRANQUILITY

- a) No person shall use within the Town, a lawnmower, chainsaw, snowmobile or other machinery or equipment which may disturb the peace and quiet of a neighborhood between the hours of 11:00 p.m. of any day to 7:00 a.m. of the following day, except as may otherwise be approved by Council.
- b) No person shall create a noise within the Town through the use of a motor vehicle that has no muffler or a defective muffler except as may be necessary to move such motor vehicle to a location for associated repairs.

- c) No person shall create a noise within the Town through the squealing of tires of a motor vehicle which is caused by unnecessary braking, turning or setting in motion of such motor vehicle.
- d) No Person shall create, cause or permit an intrusion of light of an unusual intensity or type onto adjacent property so as to be or to cause a nuisance. All exterior illuminated light fixtures shall be directed in a manner to minimize glare and the undue intrusion of light onto adjacent property.

8) EXCEPTIONS

- a) Nothing in this By-law shall be deemed to prohibit:
 - (i) The sounding of any bell, horn, siren or other warning device of any vehicle the law requires, or when responding to an emergency;
 - (ii) The ringing of church bells or chimes;
 - (iii) The sounding of industrial whistles;
 - (iv) The sounding of motor vehicle horns in a wedding procession or in parades permitted by Council; or
 - (v) The removal of snow by heavy equipment or any snow removal machinery, following a snow fall.
- b) The provisions of this By-law shall not apply to:
 - (i) Any member of the Royal Canadian Mounted Police, Royal Newfoundland Constabulary, Enforcement Officer or the Humber Arm South Fire Department.
 - (ii) A person or an employee of the Town, while any such member or employee is employed in the execution of his duties as a member of the Town.

9) ENFORCEMENT

This By-law may be enforced by the Royal Newfoundland Constabulary, Royal Canadian Mounted Police, Enforcement Officer, or any other person appointed by Council.

10) PENALTIES

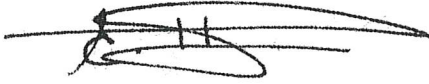
Every person who is guilty of an offence under this By-law or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so:

- a) Shall be liable to penalties as stipulated in accordance with section 290 of the Towns and Local Service Districts Act; or
- b) Shall be subject to an order under section 285 (1) of the Towns and Local Service Districts Act; or
- c) Shall be subject to a violation notice issued under section 287.(1) of the Towns and Local Service Districts Act; or
- d) Shall be issued a ticket under the Provincial Offences Act in accordance with section 288 of the Towns and Local Service Districts Act.

11) EFFECTIVE DATE

This By-law shall come into force on the 12th day of August 2025.

In witness whereof the Seal of the Town Humber Arm South has been affixed hereto and this By-law have been signed by the Mayor and the Town Manager on behalf of Council on this 12th day of August 2025.



Erica-Humber Shears
Mayor



Marion Evoy
Town Manager