

**The Corporation of The District of Maple Ridge
By-law No. 5122-1994**

A By-law to provide for the regulation
and prohibition of certain noises and sounds

WHEREAS it is deemed expedient to regulate and prohibit noise within the Municipality;

NOW THEREFORE the Municipal Council of the Corporation of the District of Maple Ridge, in open meeting assembled, ENACTS AS FOLLOWS:

1. This By-law shall be cited for all purposes as the "Maple Ridge Noise Control By-law No. 5122-1994."

Interpretation

2. In this By-law:

"By-law Enforcement Officer" means a person designated as such by Council;

"District" means the Corporation of the District of Maple Ridge;

"Highway" includes every highway within the meaning of the provincial Highway Act;

"Municipality" means the geographic area governed by the District;

"Person" includes natural persons of either sex, associations, corporations, bodies political, and partnerships, whether acting by themselves or by a servant, agent, employee or legal representative.

Prohibitions

3. No person shall make or cause, or permit to be made or caused, in or on a highway or elsewhere in the municipality, any 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.
4. No owner or occupier of property shall allow that property to be used so that a noise or sound which originates from that property disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.
5. No person shall allow any animal or bird in their control or possession which, by its calls, cries, barks or other noise, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.

Temporary Construction Noise

6. No person shall carry on or suffer or permit to be carried on any commercial or industrial works in connection with:

- (a) the construction, reconstruction, alteration, repair or demolition of any building or structure;
- (b) the construction, reconstruction, alteration or repair of any highway; and
- (c) the excavation or filing in of land

that disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of anyone residing in a residential zone between the hours of nine o'clock in the evening and seven o'clock in the morning on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday, and not at all on Sunday and Statutory Holidays as defined in the provincial **Interpretation Act**.

7. Notwithstanding Section 6 herein, work relating to construction, reconstruction, alteration and repair may be performed outside the stipulated hours and days if prior written consent is obtained from a By-law Enforcement Officer of the District. The By-law Enforcement Officer has discretion to decide whether there are extenuating circumstances which merit a relaxation of the times set out in Section 6 herein. The written consent shall state the specific day(s) and hour(s) which the relaxation is permitted and the nature of the work to be performed during the extra hours.

Engine Noise

8. No person shall carry on or suffer or permit to be carried on in any residential zone the operation of any commercial vehicle or major repairs to any commercial vehicle that disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.

Exemption

9. The provisions of this By-law do not apply to:
- (a) police, fire or other emergency vehicles proceeding upon or engaged in an emergency;
 - (b) excavation; construction, reconstruction, alteration or repair of bridges, streets, highways, public works or lands by the employees or agents of the District;
 - (c) snow removal or highway cleaning operations by the District;
 - (d) operation of a public transportation system;
 - (e) any person lawfully participating in any parade, exhibition or other special event which has received prior approval from the District; and
 - (f) a lawn mower or power gardening equipment between the hours of seven o'clock in the morning and nine o'clock in the evening on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday, and between the hours of nine o'clock in the morning and nine o'clock in the evening on Sunday and Statutory Holidays as defined in the provincial **Interpretation Act**.

General Provisions

10. A By-law Enforcement Officer may enter on any property at any time for the purpose of ascertaining whether the provisions of this By-law are being observed.
11. Any person who contravenes or violates any of the provisions of this By-law or who suffers or permits any act or things to be done in contravention or in violation of any of the provisions of this By-law or who neglects to do or refrains from doing anything required to be done by any of the provisions of this By-law commits an offence and, upon summary conviction therefore, shall be liable to a fine of not less than \$100.00 and not more than the maximum fine provided by the **Offence Act**, R.S.B.C. 1979, Chp. 305, and, where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.
12. If any section, subsection, sentence, phrase or clause of this Bylaw is declared or held to be invalid by a court of competent jurisdiction, then that invalid section, subsection, sentence, phrase or clause shall be severed and the remainder of the By-law shall be deemed to have been enacted and adopted without the invalid and severed section, subsection, sentence, phrase or clause.
13. Maple Ridge Noise Control By-law No. 3054-1982 and amendments are hereby repealed.

READ a FIRST TIME on the 22nd day of August, 1994.

READ a SECOND TIME on the 22nd day of August, 1994.

READ a THIRD TIME on the 12th day of September, 1994.

RECONSIDERED AND ADOPTED the 17th day of October, 1994.

Carl Durksen

Mayor

James McBride

Clerk