BYLAW NO. 201

THE SUMMER VILLAGE OF KAPASIWIN

A Bylaw for the Purpose of Regulating Noise in the Summer Village of Kapasiwin ("NOISE BYLAW")

WHEREAS the *Municipal Government Act*, R.S.A. 1980, and amendments thereto permits the Council of the Summer Village of Kapasiwin, by bylaw, to prohibit, eliminate or abate noise and establish permissible noise levels for all or varying periods of the day;

AND WHEREAS the Council of the Summer Village of Kapasiwin deems it advisable to adopt such a bylaw;

NOW THEREFORE the Council of the Summer Village of Kapasiwin, in the Province of Alberta, duly assembled, enacts as follows:

DEFINITIONS

1.0 In this Bylaw, -

1.1 "Summer Village" means the Summer Village of Kapasiwin;

1.2 "person" includes public bodies, bodies corporate, societies, partnerships, firms, an individual, companies;

1.3 "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;

1.3A Violation Warning - means a tag or ticket to the owner not paying them to rectify the situation

1.4 "Violation Ticket" means a tag or ticket wherein the person alleged to have committed a breach of a provision of this Bylaw is given an opportunity to pay a Voluntary

Penalty to the Summer Village in lieu of prosecution for the offence;

1.5 "Voluntary Penalty" means a penalty specified in this Bylaw for a contravention of a provision of this Bylaw which amounts shall be paid by a person to whom a Violation Ticket has been issued.

GENERAL

2.0 No person 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.

2.1 No person 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.

2.2 No persons shall own, 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.

EMERGENCIES

3.0 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.

PENALTIES

4.0 A Violation Ticket in the amount of the Voluntary Penalty will be issued for any breach of this Bylaw.

4.1 In the event a Violation Ticket remains unpaid after a period of fourteen (14) days, the provisions of General Penalty Bylaw No. 204 of the Summer Village shall apply.

4.2 Any person who commits a breach of any of the provisions of this Bylaw shall be liable to a Voluntary Penalty of:

(a) For the first offence to a Voluntary Penalty of One Hundred Dollars ($100.00).

(b) For a second offence, to a Voluntary Penalty of Two Hundred Dollars ($200.00).

(c) For a third offence, to a Voluntary Penalty of Four Hundred Dollars ($400.00).

READ a first time this 7 day of August, 1991
READ a second time this 7 day of August, 1991.
READ a third time this 7 day of August, 1991.

Carol F. Losie

CAROL LOSIE **MAYOR**

J. Drever.

JOLLY DREVER **MUNICIPAL ADMINISTRATOR**

330674

AMENDMENT OF BYLAW NO. 201

THE SUMMER VILLAGE OF KAPASIWIN

WHEREAS the Municipal Government Act RSA 1980 and amendments thereto permits the council of The Summer Village of Kapasiwin, by bylaw, to prohibit, eliminate or abate noise and establish permissible noise levels for all or varying periods of the day, and

WHEREAS on the 7th day of August, 1991 the council of The Summer Village of Kapasiwin adopted Bylaw No. 201, a Bylaw for the purpose of regulating noise in The Summer Village of Kapasiwin, and

WHEREAS the council of The Summer Village of Kapasiwin deems it desirable to amend Bylaw No. 201.

NOW THEREFORE the council of The Summer Village of Kapasiwin in the Province of Alberta duly assembled enacts that Bylaw No. 201 is hereby amended as follows:

1. Section 4.0 is deleted and the following Section is substituted therefor:

"4.0 (a) for a first breach of this Bylaw there will be issued either:

(i) a Violation Warning, or

(ii) a Violation Ticket in the amount of the Voluntary Penalty; and

(b) for a second or any subsequent breach of this Bylaw there will be issued a Violation Ticket in the amount of the Voluntary Penalty".

2. Section 4.2 is deleted and the following is substituted therefor:

"4.2 any person who commits a breach of the provisions of this Bylaw in respect of which a violation ticket is issued shall be liable to a Voluntary Penalty of:

(a) One Hundred ($100.00) Dollars for the first offence,

(b) Two Hundred ($200.00) Dollars for a second offence, and

(c) Four Hundred ($400.00) Dollars for a third offence".

Read a first time this 1 day of November, 1992.

Read a second time this 2 day of November, 1992.

Read a third time this 3 day of November, 1992.

MAYOR

MUNICIPAL ADMINISTRATOR