

NUISANCE BI-LAW

PUBLISHED BY AUTHORITY

The following regulations have been made by the Town Council of Springdale under the Provisions of Section 248 of the Municipalities Act 1979 and were adopted by Council on the 25th day of October A.D. 1982.

REGULATIONS

1. Interpretation
 - A. "Act" means the Municipalities Act 1979.
 - B. "Council" means the Town Council of the Town of Springdale.
 - C. "Motor Vehicle" as defined by the Highway Traffic Act.
 - D. "Peace Officers" means any member of the Town of Springdale Municipal Enforcement Department, R.C.M.P. or Newfoundland Constabulary.
 - E. "Town" means the Town of Springdale as defined in paragraph 2 of the Order in Council, dated the 27th day of July A.D. 1961.
 - F. "Sound Amplifying Equipment" means any device used for the amplification of human voice, music or any other sounds.
2. A person shall not commit a nuisance within the Town by:
 - A. Squealing tires or brakes of a motor vehicle by unnecessarily rapid braking, turning or setting in motion such motor vehicle.
 - B. Discharging firearms or firing or setting off any sort of fire cracker or fireworks between the hours of 10:00 P.M. and 7:00 A.M. unless specifically permitted to do so in writing by Council.
 - C. Using a motor vehicle horn or warning device any more than is reasonably necessary for the safety and warning of other traffic or pedestrians.
 - D. Using or starting the motor of a lawnmower, chain saw, or any other machinery or equipment other than a motor vehicle, which is likely to disturb the peace and quite of the neighbourhood between the hours of 10:00 P.M. and 7:00 A.M.
 - E. Operating a motor vehicle on any street or on private land unless it is equipped with a muffler so constructed as to prevent any intense noise.
 - F. Operating sound amplifying equipment audible for a distance in excess one hundred and fifty (150) feet and so that the volume is not unreasonably jarring or disturbing to persons within the area of audibility.

An amendment is required to the Town of Springdale Nuisance Regulations.

Section 2 Subsection F is presently as follows:

- 2 (F) Operating sound amplifying equipment audible for a distance in excess of one hundred and fifty feet (150) feet and so that the volume is not unreasonably jarring or disturbing to persons within the area of audibility.

Section 2 subsection F of the Town of Springdale Nuisance Regulations is repealed and the following substituted.

- 2 (F) Unlawfully operating sound amplifying equipment audible so that the volume was unreasonable or disturbing to persons within the area of audibility.

Town Office

3) Amendment to nuisance regulations

Motion # 89-083 Butt/Kelleher

Resolved that section 2 subsection F of the Town of Springdale nuisance regulations is repealed and the following substituted.

2 (F) Unlawfully operating sound amplifying equipment audible so that the volume was unreasonable or disturbing to persons within the area of audibility.

Minutes of meeting July 10/89

3. Section 2 Subsection F, will not apply to motorcades or parades within the Town authorized by Council.
4. Nothing in the foregoing Sections will deem to prohibit.
 - A. The sounding of any bell, horn, siren or other signal device on any motor vehicle, when the sounding of such signals is required by law or emergencies, or
 - B. The sounding of the siren or horn of any emergency vehicle while responding to a call, or
 - C. the ringing of church bells, or
 - D. the sounding of railway bells, horns and signals, or
 - E. the sounding of industrial whistles, or
 - F. aircraft

Amendment - Regular Council Meeting - January 24, 2011

Motion #11-17 Weir/Henstridge

Resolved to add to the town's existing Nuisance Bi-Law under nothing in these regulations shall be deemed to prohibit "The removal of snow by heavy equipment, immediately following a snow storm".

- G. The removal of snow by heavy equipment, immediately following a snow storm.**
5. Prosecution under these regulations may be taken summarily by the Council or any Peace Officer.
 6. Any person who violates any of the foregoing regulations shall be guilty of an offence and shall be liable on summary conviction:
 - A. To a fine not exceeding one thousand dollars or in default of payment to a period of imprisonment not exceeding ninety days, or to both such fine and period of imprisonment.
 7. These regulations shall come into effect on the 25th day of October A.D. 1982, and may be cited as the Town of Springdale Nuisance Regulations.

Daphne Earle
Town Clerk