

VILLAGE OF GRAND MANAN

BY-LAW NO. 30-01

A BY-LAW OF THE MUNICIPALITY OF GRAND MANAN RESPECTING DISTURBANCES BY EXCESSIVE NOISES AND NUISANCES

THE COUNCIL OF THE MUNICIPALITY OF GRAND MANAN UNDER THE AUTHORITY VESTED
IN IT UNDER SECTION 11 (1) (L) OF THE MUNICIPALITIES ACT, HEREBY ENACTS AS FOLLOWS:

PURPOSE

1. To allow all the Citizens of Grand Manan the enjoyment of Island life in a peaceful environment.

SHORT TITLE

2. This by-law shall be known as the **“Noise By-law”**

DEFINITIONS

3. *“All Terrain Vehicle”* means any motor vehicle not licensed by the Province of New Brunswick for the operation on Provincial and Municipal Roads and, without limiting the generality of the foregoing, including dirt bikes, dune buggies, motorized snow vehicles, and amphibious machines but does not include any vehicle which is for the use and is being used in agriculture, aquaculture, fishing, forestry, mining or construction.

“Village” means the Municipality of Grand Manan.

“Motor Vehicle” means every vehicle that is self-propelled by a combustion engine.

“Person” includes a club, association, body corporate and politic and the heirs, executors, administrators or other legal representatives of a person.

PUBLIC NUISANCES

4. No person shall make or permit to be made any noise within the Municipality of Grand Manan, which is likely to cause a public disturbance or otherwise disturb any resident, or residents of the Village.
5. Without restricting the generality of section 3, a noise likely to cause a public nuisance or otherwise disturb any resident or residents of the Village is any noise or sound of such volume or nature which causes annoyance to any resident or residents, including but not limited to noise caused by shouting, singing, whistling, music, motor vehicles including motorcycles, motor bikes and All Terrain Vehicles, snowmobiles, pneumatic hammers, construction equipment and machinery, and an animal.
6. No person shall operate an All Terrain Vehicle on the Grand Manan Airport property.
7. No person shall remove or damage any Municipal signs or lights.

8. The Provisions of this By-Law shall not apply to:
 - a) Agents, servants or employees of the Municipality of Grand Manan who are performing work on behalf of the Municipality;
 - b) Construction work of an emergency nature;
 - c) Emergency vehicles;
 - d) Snow removal equipment;
 - e) Alarms sounding not more than twenty minutes;
 - f) Trucks operating on a designated truck route; and
 - g) Equipment related to the operation of a fishing or aquaculture related nature.

9. This By-Law shall not apply to noise caused by pneumatic hammers, construction equipment and machinery, and vehicles of business or trade between the hours of 7:00 am and 8:00 pm on a weekday and Saturday.

10. Notwithstanding anything contained in this By-Law, application may be made to the Council of the Village of Grand Manan to allow the making of noise otherwise prohibited hereunder for a special event. The application must be made in writing to the Village Clerk not less than thirty (30) days prior to the date of the special event is to be held.

11. Every person who violates any provision of this B-Law is guilty of an offence and is liable on summary conviction to a fine of not less than Fifty Dollars (\$50.00) and to increase by Fifty Dollars (\$50.00) for each subsequent violation there after to a maximum of Five Hundred Dollars (\$500.00)

12. A representative of the Municipality of Grand Manan or the Royal Canadian Mounted Police (RCMP) will enforce this By-Law.

This By-Law comes into force on the date of final passing thereof.

Read A First Time In its Entirety This 7 Day of May 2001.

Read A Second Time By Title only This 7 Day of May 2001.

Read Third Time By Title and Enacted This 5 Day of June 2001.

Clerk

Mayor

Seal