

# **THE CORPORATION OF THE TOWNSHIP OF WELLESLEY**

## **BY-LAW NUMBER 38/2008**

### **BEING A BY-LAW TO PROHIBIT OR REGULATE NOISE IN THE TOWNSHIP OF WELLESLEY**

WHEREAS the Municipal Act, 2001, Section 129, paragraph (1) provides Councils of municipalities with the authority to pass by-laws to prohibit or regulate, within the municipality or within any defined area or areas thereof, noise likely to disturb the inhabitants;

AND WHEREAS the inhabitants have right to and should be ensured an environment free from unusual, unnecessary, or excessive sound which may degrade the quality or tranquility of their life or cause nuisance;

AND WHEREAS the Council of the Corporation of The Township of Wellesley deems it advisable and expedient to pass such a by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WELLESLEY ENACTS AS FOLLOWS:

1 (a) Without the express written permission of the Council of the Township of Wellesley, or to warn of danger or emergency, no person within the limits of the Municipality shall ring any bell, blow or sound any horn, shout or make loud or unusual noises or noises likely to disturb the inhabitants of the Township of Wellesley or cause or permit the same to be made.

1 (b) Without the express written permissions of the Township of Wellesley, no person shall within the limits of the municipality cause or permit continuous noise from construction or other controllable causes between the hours of 1900 hours (7:00pm) and 7:00am weekdays or all day Sunday

1 (c) This by-law shall not be enforced against normal social and economic activities of the inhabitants of the Municipality including noise associated with spontaneous events such as celebrations, weddings, church bells, etc.

2 Persons contravening this by-law shall, upon conviction thereof, forfeit and pay a penalty not exceeding (exclusive of costs) the sum of five thousand (\$5,000) dollars for each offence, and every such penalty shall be recoverable under the Provincial Offences Act, R.S.O. 1990, Chapter P.33.

3 The provisions of this by-law shall be enforced by the Township of Wellesley Police Services Officer, a By-law Enforcement Officer or other person appointed by the Council of the Township of Wellesley to enforce the provisions of this by-law.

4 That where the provisions of any other by-law, resolution or action of Council are inconsistent with the provisions of the by-law, the provisions of this by-law shall prevail.

5. The short title of this by-law shall be the Noise Control By-law.

6. That this by-law shall come into force and take effect on the date of its final passing.

Read a first and second time this 5th day of August, 2008.

Read a third and final time and passed this 5th day of August, 2008.

**Ross Kelterborn**  
Mayor Ross Kelterborn

**Susan Duke**  
Susan Duke, CAO/Clerk, Director of Planning

**TOWNSHIP OF WELLESLEY  
SCHEDULE 'A'  
TO  
BY-LAW NUMBER 38/2008**

<b>SHORT FORM WORDING</b>	<b>PROVISION CREATING OR DEFINING OFFENCE</b>	<b>SET FINE</b>
Cause noise likely to disturb the inhabitants of Wellesley Township	Section 1	\$50.00 (plus applicable court costs)
Permit noise likely to disturb the inhabitants of Wellesley Township	Section 1	\$50.00 (plus applicable court costs)
Cause persistent noise by a pet likely to disturb inhabitants of Wellesley Township	Section 2	\$50.00 (plus applicable court costs)
Permit persistent noise by a pet likely to disturb the inhabitants of Wellesley Township	Section 2	\$50.00 (plus applicable court costs)