

Town of Fort Frances

By-Law No. 48/97

(Being a by-law to prohibit unnecessary noise in the Town of Fort Frances.)

WHEREAS the Municipal Act, R.S.O. 1990, Chapter c.M.45, Section 210, Paragraph 138, provides that by-laws may be passed by Councils of local municipalities for prohibiting or regulating, within the municipality or within any defined area or areas thereof, the ringing of bells, the blowing of horns, shouting and unusual noises, or noises likely to disturb the inhabitants; and

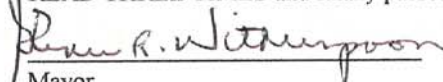
WHEREAS on July 14, 1997, Council approved a recommendation from the Planning and Development Executive committee with respect to the penalty clause in the Anti-Noise By-Law.

NOW THEREFORE the council of the Corporation of the Town of Fort Frances HEREBY ENACTS as follows:-

1. That By-Law No. 70/90 and amendments thereto are repealed.
2. No person shall make noise or permit noise to be made that is likely to disturb any other person within the Town of Fort Frances.
3. For the purpose of this by-law and without limiting the generality of the foregoing clause, the following noises or sounds shall be deemed to be unusual noises or noises likely to disturb the inhabitants, namely:
 - a) the sound or noise created by any radio, phonograph, television, musical instrument, public address system, sound equipment, loudspeaker or similar device or devices, or any musical or sound producing, sound reproducing, or sound transmitting instrument or apparatus of whatever kind when such device or instrument is played or operated in such volume as to annoy or disturb the peace, quiet, comfort or repose of any individual in any house, apartment house, hotel or any other type of residence or campgrounds.
 - b) the use of loud, abusive or profane language in such a manner as to disturb the peace within the municipality.
 - c) the use of truck engine brakes being a device or system that converts a power-reducing engine into a power-absorbing retarding mechanism, or its equivalent, commonly referred to as a "Jake Brake" (The Jacobs Manufacturing Company), or "Dynatard Engine Brake" (Mack Trucks), or a "Brake Saver", or a "C-Brake" (Cummins/Peterbilt Trucks), or its equivalent.
4. Anyone who contravenes any of the provisions of this By-Law is guilty of an offence and subject to such fines and penalties provided for under the Provincial Offences Act.
5. This by-law shall be enforced and administered by the Police Force and/or by the By-Law Enforcement Officer of the Town of Fort Frances.
6. This By-Law may be referred to as "The Anti-Noise By-Law".

This by-law shall come into force and take effect upon the final passing thereof.

READ THREE TIMES and finally passed in open Council this 14th day of July, 1997.


Mayor


Clerk