

B-1

**PEACE RIVER REGIONAL DISTRICT
BY-LAW NO. 1084, 1997**

A by-law to regulate noise within
the Peace River Regional District.

WHEREAS, it is the opinion of the Regional Board that regulations and prohibitions must be instituted to control objectionable sounds or sounds liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;

AND WHEREAS by the Municipal Act and supplementary Letters Patent, the Regional Board, may by by-law, regulate or prohibit the making or causing of noises or sounds in or on a highway or elsewhere in the Regional District which disturb or tend to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood, or of any persons in the vicinity, or which in the opinion of the Regional Board are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public, and may make different regulations or prohibitions for different areas of the Regional District.

NOW THEREFORE the Regional Board of the Peace River Regional District, in open meeting assembled, enacts as follows:

1.	TITLE
-----------	--------------

- 1.1 This by-law may be cited for all purposes as "Peace River Regional District Noise Control By-law No. 1084, 1997".

2.	DEFINITIONS
-----------	--------------------

- 2.1 In this by-law, the following definitions apply:

PERSON

includes any company, corporation, owner, partnership, firm, association, society or party;

MOTORBOAT

means a boat or any vehicle used on water that is powered by an engine; and includes jetskis; and

REGIONAL DISTRICT

means the Peace River Regional District.

3. GENERAL PROHIBITIONS

- 3.1 No person shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production of or amplification of sound in any public or private place, which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or vicinity.
- 3.2 No person shall operate a motorboat so as to cause noise which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person in the neighbourhood or vicinity.

4. EXEMPTIONS

- 4.1 Sections 3.1 and 3.2 of this by-law do not apply where the noise in question;
- a) results from an activity of an emergency nature undertaken for the preservation or protection of life, health or property; or
 - b) when the source of the noise comes from an area designated for industrial use, as outlined through a Peace River Regional District Zoning By-law.

5. PENALTY

- 5.1 Every person who violates any of the provisions of this by-law or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law, who neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law or who does any act which violates any of the provisions of this by-law, is guilty of an offence against this by-law and liable to the penalties hereby imposed. Each day that a violation continues to exist shall constitute a separate offence.
- 5.2 Every person who commits an offence against this by-law is liable to a fine and penalty for each offence, and in default of payment thereof, forthwith and within such time as the presiding Provincial Court Judge or Justice of the Peace shall direct, the fine imposed shall be recoverable under the provisions of the Offence Act, R.S.B.C. 1996, Chapter 338 and all amendments thereto.

98/09/20

B-1

6. SEVERABILITY

6.1 If any provisions of this by-law are found in a court of competent jurisdiction to be invalid, such invalidity shall not affect the validity of any other provision of this by-law, each of which shall remain in full force and effect as if the invalid portion had been severed from this by-law.

7. ENFORCEMENT

7.1 This by-law may be enforced and administered by any Peace Officer as defined in the Interpretation Act or by any person appointed to enforce and administer this by-law.

READ A FIRST TIME this 9th day of October, 1997.

READ A SECOND TIME this 26th day of March, 1998.

READ A THIRD TIME this 26th day of March, 1998.

Public Notification on the _____ day of _____, 1998.

READ A FOURTH TIME and ADOPTED this 10th day of September, 1998.

CERTIFIED a true and correct copy of "Peace River Regional District Noise Control By-Law No. 1084, 1997".

THE CORPORATE SEAL of the Peace River Regional District was hereto affixed in the presence of:

[Redacted Signature]

Moray Stewart, Administrator

[Redacted Signature]

Karen Goodings, Chairperson

[Redacted Signature]

Moray Stewart, Administrator

B-1



4

1961.

I hereby certify that the following is a true copy of a Minute of the Honourable the Executive Council of the Province of British Columbia, approved by His Honour the Lieutenant-Governor on the 17th day of June, A.D. 1970.

To His Honour

ASSISTANT DEPUTY PROVINCIAL SECRETARY.

The Lieutenant-Governor in Council:

The undersigned has the honour to

report

THAT section 766 of the Municipal Act provides inter alia that the Lieutenant-Governor in Council may, on the recommendation of the Minister, provide in the Letters Patent or supplementary Letters Patent of a regional district for further objects, powers, obligations, duties, limitations and conditions:

AND TO RECOMMEND THAT the Letters Patent of all regional districts, namely, Regional District of Alberni-Clayoquot; Regional District of Bulkley-Wechako; Capital Regional District; Cariboo Regional District; Central Fraser Valley Regional District; Regional District of Central Kootenay; Regional District of Central Okanagan; Regional District of Columbia-Shuswap; Regional District of Comox-Strathcona; Regional District of Cowichan Valley; Regional District of Dewdney-Alouette; Regional District of East Kootenay; Regional District of Fraser-Cheam; Regional District of Fraser-Fort George; Greater Vancouver Regional District; Regional District of Kitimat-Stikine; Regional District of Kootenay Boundary; Regional District of Mount Waddington; Regional District of Nanaimo; Regional District of North Okanagan; Ocean Falls Regional District; Regional District of Okanagan-Similkameen; Peace River Regional District; Powell River Regional District; Regional District of Skeena A; Squamish-Lillooet Regional District; Sunshine Coast Regional District; Thompson-Nicola Regional District, be amended by the inclusion of the following:

In all that portion of the regional district not contained within the boundaries of a city, town, district or village municipality, the Regional Board may pursuant to the provisions of the Municipal Act exercise the powers of a municipal Council in respect of the powers set out under clause (a) of section 453N, section 634 and clauses (b) to (i) inclusive of section 670 and for any function, gathering or entertainment mentioned in those clauses or sections for which a fee is charged either directly or indirectly for attendance to impose a licence fee under the provisions of Part X of the Act according to the conditions of subsection (3) of section 453 upon the owner or occupier of the

premises and may further require as a condition of such licence the posting of security by the owner or occupier or the person or persons promoting the function, gathering or entertainment in such form and amount as may be stipulated by the Regional Board for the reimbursement of any costs incurred by the regional district because of and as a consequence of the holding of the function, gathering or entertainment:

AND TO FURTHER RECOMMEND THAT supplementary Letters Patent be deemed issued accordingly to each regional district as of the date this Minute is approved:

AND TO FURTHER RECOMMEND THAT supplementary Letters Patent be so issued.

DATED this 11 day of June A.D. 1970.

"Dan Campbell"
Minister of Municipal Affairs.

APPROVED this 11 day of June A.D. 1970.

"W.A.C. Bennett"
Presiding Member of the Executive Council.

