BY-LAW NO. 2012-155

OF

The Corporation of Norfolk County

BEING A BY-LAW TO AMEND BY-LAW 2010-84, TO REGULATE AND PROHIBIT EXCESSIVE NOISE WITHIN NORFOLK COUNTY.

WHEREAS Section 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 129 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, authorizes municipalities to pass By-Laws to prohibit and regulate noise;

AND WHEREAS it is deemed necessary to amend Norfolk County By-Law 2010-84 to better reflect current needs and trends.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF NORFOLK COUNTY HEREBY ENACTS AS FOLLOWS:

1. That Subsection 3.1 of Norfolk County By-Law 2010-84 be "Deleted" and "Replaced" as follows:

   3.1 No person shall make, cause or permit to be made, any unusual Noise or Noise at any time which exceeds the applicable sound level limit prescribed in the *Ontario Ministry of the Environment Noise Pollution Control (NPC) Publication* and is likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants of the County.

2. That Subsection 4.1 of Norfolk County By-Law 2010-84 be "Deleted" and "Replaced" as follows:

   4.1 Without limiting the generality of Subsection 3.1, no person shall make, cause or permit to be made any Noise from any act as listed in **Schedule A**, at any time if clearly audible at a Point of Reception.

3. That Section 4 of Norfolk County By-Law 2010-84, be amended by adding the following:

   4.2 Without limiting the generality of Subsection 4.1, no person shall make, cause or permit to be made any Noise from a Motorized Conveyance exceeding;

   a) 94 decibels (dBA) as measured using the *SAE Technical Standards International J1287 "Measurement of Exhaust Sound Pressure Levels of Stationary Motorcycles"*, as amended, and

   b) Sound Limits as described in the *Ontario Ministry of the Environment Publication NPC-232 "Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)"*, as amended.

4. That Section 8 of **Schedule A** of Norfolk County By-Law 2010-84 be "Deleted" and "Replaced" as follows:

   8. Persistent barking, calling or whining or other similar persistent Noise made by any domestic pet outside the premises or at any boundary of the real property where the pet is kept.

5. That the effective date of this By-Law shall be the date of final passage thereof.

ENACTED AND PASSED THIS 28TH DAY OFAUGUST, 2012.

First Reading: August 28, 2012

Second Reading: August 28, 2012

Third Reading August 28, 2012

Mayor

Clerk

P.E.D. 12-72