



**VILLAGE OF HARRISON HOT SPRINGS  
BYLAW NO. 1218**

**A bylaw to provide for the abatement and control of noise**

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WHEREAS section 8(3)(h) of the *Community Charter* authorizes local governments to, by bylaw, regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community in relation to the matters referred to in section 64;

AND WHEREAS section 64(b) of the *Community Charter* authorizes local governments to exercise their authority under section 8(3)(h) in relation to noise, vibration or any other matter that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;

NOW THEREFORE in open meeting assembled, the Mayor and Council of the Village of Harrison Hot Springs enacts as follows:

**1. CITATION**

This Bylaw shall be cited as the Village of Harrison Hot Springs “Noise Bylaw No. 1218, 2025”.

**2. DEFINITIONS**

For the purposes of this bylaw:

“CAO” means the Village’s Chief Administrative Officer or their designate

“Commercial Zone” means a commercial zone as defined and expressed pursuant to the Village of Harrison Hot Springs Zoning Bylaw No. 1115, 2017 as amended from time to time

“Construction Noise” includes the erection, alteration, repair, relocation, dismantling, demolition and removal of a building, structural maintenance, painting, land clearing, earth moving, grading, excavating, the laying of pipe and conduit (whether above or below ground level), street building, concreting and the installation, alteration or removal of construction equipment, components and materials in any form or for any purpose, and includes any work being done in connection therewith

“Continuous Sound” means any Noise that takes place for more than three minutes in a fifteen minute period

"Noise" includes any continuous or non-continuous sound which disturbs or tends to disturb the peace, quiet, rest, enjoyment, comfort or convenience of the neighbourhood in which such sound is received, or, of any reasonable person in the vicinity of the source of such sound who receives such sound

"Power Equipment" means any equipment or machinery used in lawn and garden care or in building and property maintenance, and includes but is not limited to leaf blowers, edge trimmers, line trimmers, rototillers, lawnmowers, pressure washers, carpet cleaning equipment, and hand-operated power tools

"Residential Zone" means a residential zone as defined and expressed pursuant to the Village of Harrison Hot Springs Zoning Bylaw No. 1115, 2017

"Vehicle" means a device in, on or by which a person or thing is or may be transported or drawn on a highway except a device designed to be moved by human power

"Village" means the Village of Harrison Hot Springs

### **3. GENERAL REGULATION**

It shall be unlawful for any person or persons or the owner or occupier of any premises or of any real property or any person in charge thereof, to make or cause to be made or to allow or suffer to be made any Noise or sound which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity or of individuals or of the public.

### **4. PROHIBITION**

Without limiting the generality of section 3, the following conduct is specifically prohibited within the boundaries of the Village of Harrison Hot Springs:

- (a) The use of any radio, television, receiving set, musical instrument, megaphone, microphone or other sound amplification device, shouting, clamouring, banging or making similarly disruptive sounds, whether produced outdoors or from within a premises that can be heard outside.
- (b) The owning, keeping or harbouring of any animal, bird, or fowl which by its cries unduly disturbs the peace, quiet, rest, enjoyment or comfort of the surrounding neighbourhood or the public at large.
- (c) The operation of any power lawn mower or power equipment between 10:00 p.m. and 8:00 a.m. the following day.
- (d) The discharging into the open air of the exhaust of any stationary internal combustion engine, motor vehicle engine including a motorcycle engine, automobile engine, watercraft engine or other engine except through a muffler or other device which effectively prevents excessive noise therefrom;

- (e) The sounding of a horn or other signalling device upon an automobile, motorcycle, bus or other vehicle in motion except as a danger or warning signal;
- (f) The creation of any excessive Noise on any street, highway or lane adjacent to any school, institution of learning, or church while the same are in session;
- (g) The loading or unloading of any truck, wagon, or automobile in or upon any public or private place or premises in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity;
- (h) The continuous running of any stationary vehicle in any residential zone within the Village so as to disturb the peace, quiet, rest or enjoyment of the neighbourhood;
- (f) Construction Noise at any time on Sundays or on any day from Monday to Saturday between 10:00 p.m. and 8:00 a.m. the following day.

## **5. NOISE EXEMPTION PERMIT**

- (a) Where it is impossible or impractical to comply with this section, a person may, on the form and in the manner specified by the CAO, apply for a Noise Exemption Permit subject to any application fees as set out in Miscellaneous Fee Bylaw No. 1049, 2014 as amended from time to time.
- (b) If a Noise Exemption Permit is granted, the applicant must notify in writing all owners and occupiers within a 30 metre radius at least 48 hours in advance of the start of the exemption period. The notice must include the times, dates, location and general description of the activity subject to a Noise Exemption Permit.

## **6. EXCEPTIONS**

The provisions of this bylaw shall not apply to or be enforced against:

- (a) any vehicle or employee of the Village of Harrison Hot Springs while engaged in necessary public business;
- (b) any emergency response vehicle and the use of sirens or other warning instruments under the control of the Fire Department, a Peace Officer or Emergency Health Services personnel; or
- (c) any activity covered by any permit granted by the Village of Harrison Hot Springs.

## **7. PENALTIES**

- (a) This Bylaw is designated under the provisions of Section 260 of the *Community Charter* as a Bylaw that may be enforced by means of a ticket issued under the provisions of the Bylaw Notice Enforcement Bylaw.
- (b) Every person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw shall be deemed to be guilty of an offence under the Bylaw Notice Enforcement Bylaw.

## **8. SEVERABILITY**

If any provision of this bylaw is found to be invalid by a court of competent jurisdiction, that provision may be severed from the bylaw without affecting the validity of the remainder of the bylaw.

## **8. REPEAL**

Village of Harrison Hot Springs Abatement and Control of Noise Bylaw No. 474, 1987 and all amendments thereto are hereby repealed in their entirety.

READ A FIRST TIME THIS 13<sup>th</sup> DAY OF JANUARY 2025

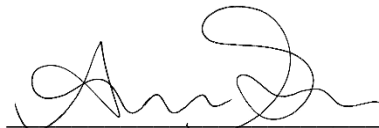
READ A SECOND THIS 13<sup>th</sup> DAY OF JANUARY 2025

READ A THIRD TIME THIS 13<sup>th</sup> DAY OF JANUARY 2025

ADOPTED THIS 2<sup>nd</sup> DAY OF FEBRUARY 2025



Fred Talen  
Mayor



Amanda Graham  
Corporate Officer