THE CORPORATION OF THE TOWNSHIP OF CARLING

BY- LAW NO. 2014-21

Being a By-Law to Prohibit and Regulate Noise and Vibration

WHEREAS Section 129 of the *Municipal Act, 2001*, as amended, authorizes a municipality to prohibit and regulate with respect to noise and vibration;

AND WHEREAS Council wishes to reduce and control noise and vibration that interfere with the peaceful enjoyment of the environment;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Township of Carling enacts a by-law as follows:

1.0 INTERPRETATION

In this By-law,

1.01 Construction

"construction" includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earthmoving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith;

1.02 Construction Equipment

"construction equipment" means any equipment or device designed and intended for use in construction, or material handling, including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment;

1.03 Conveyance

"conveyance" includes a vehicle and any other device employed to transport a person or persons or goods from place to place but does not include any such device or vehicle that is an assistive device for a person with a disability;

1.04 Council

"Council" means the Council of the Corporation of the Township of Carling;

1.05 Highway

"highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles;

1.06 Motor Vehicle

"motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include construction equipment, the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act;

1.07 Motorized Conveyance

"motorized conveyance" means a conveyance propelled or driven otherwise than by muscular, gravitational or wind power;

1.08 Municipality

"municipality" means the land within the geographic limit of the Township of Carling;

1.09 Noise

"noise" means unwanted sound;

1.10 Noise Control Officer

"Noise Control Officer" means the By-law Enforcement Officer designated by Council as such;

1.11 Point of Reception

"point of reception" means a location on any part of a parcel of property where sound or vibration originating from other than that property is received.

1.12 Property

"property" means a building or structure or part of a building or structure, the lands appurtenant to the building or structure, all mobile homes, mobile buildings or mobile structures and includes vacant land.

1.13 Township

"Township" means The Corporation of the Township of Carling;

1.14 Zones

In this By-law,

Residential Zone

"residential zone" includes all properties within the municipality that contain one or more dwelling units or upon which dwelling units are permitted and includes all properties within the municipality that are zoned Residential WF1, WF2, WF3, WF4, WF5, BR1 and any special provision zones within such categories.

Commercial Zone

"commercial zone" means all property that is used as a tourist establishment or trailer camp as defined in the Township's Comprehensive Zoning By-law, as amended.

2.0 GENERAL PROHIBITIONS

2.01 No person shall at any time emit or cause or permit the emission of noise or vibration resulting from an act listed in Schedule "1" - General Prohibitions, attached hereto, and which noise is clearly audible or which vibration is clearly identifiable at a point of reception in the municipality.

3.0 PROHIBITIONS BY TIME

3.01 No person shall emit or cause or permit the emission of noise or vibration resulting from any act listed in Schedule "2" - Prohibitions by Time, attached hereto, and which noise is clearly audible or which vibration is clearly identifiable at a point of reception located in a residential zone or commercial zone of the municipality within a prohibited time shown in Schedule "2".

4.0 EXEMPTION

Public Safety

4.01 Notwithstanding any other provision of this By-law, it shall be lawful to emit or to cause or permit the emission of noise or vibration in connection with emergency measures undertaken for the following purposes:

a) for the immediate health, safety or welfare of persons; or

b) for the preservation or restoration of real or personal property;

unless such noise or vibration is clearly of a longer duration than is reasonably necessary for the accomplishment of such purposes.

5.0 GRANT OF EXEMPTION BY COUNCIL

5.01 Application to Council

Notwithstanding anything contained in this By-law, any person may make application to Council to be granted an exemption from any of the provisions of this By-law with respect to any source of noise or vibration for which he might be prosecuted, and Council, by resolution, may refuse to grant any exemption, or may grant the exemption applied for or any exemption of lesser effect, and any exemption granted shall specify the time period, which shall not be in excess of six (6) months, during which it is effective, and which may contain such terms and conditions as Council sees fit.

5.02 Contents of Application

The application mentioned in subsection 5.01 shall be made in writing, and shall contain:

(a) the name and address of the applicant;

(b) a description of the source of noise or vibration in respect of which exemption is sought;
(c) a statement of the particular provision or provisions of the By-law from which exemption is sought;
(d) the period of time, of a duration not in excess of six (6) months, for which the exemption is sought;
(e) the reasons why the exemption should be granted;
(f) a statement of the steps, if any, planned or presently being taken to bring about compliance with the By-law.

5.03 Noise Control Officer's Report

(a) Council shall cause one (1) copy of the application for exemption to be delivered to the Noise Control Officer who shall prepare a report to Council forthwith, stating his opinion of the merits of the application and his recommendations as to terms and conditions which, in his opinion, should be imposed upon the applicant if the exemption is granted.

(b) The Noise Control Officer shall forward a copy of his report to the applicant at the address shown on the application by prepaid registered mail and shall, not sooner than two (2) weeks after the mailing of the report to the applicant, submit the report to Council and shall, on request, make his report available for public inspection.

(c) Council will not consider the application for exemption until it has received the report of the Noise Control Officer.

5.04 Notice of Application

The Applicant shall give notice of his application for the exemption by publication at least once in a newspaper of local circulation in the municipality not more than sixty (60) days and not less than twenty (20) days prior to the date that the application will be considered at a meeting of Council. Such notice shall be in a form provided by the municipality and contain the information required in Section 5.02(a) to (f) inclusive of this By-law.

5.05 Decision

(a) In deciding whether to grant the exemption, Council shall consider
the application, the report of the Noise Control Officer and any written submission then received by Council and made by the applicant after the receipt of the report of the Noise Control Officer. Council shall also give the applicant and any person who wishes to provide comments in favour of or opposed to the application an opportunity to be heard.

(b) Council shall consider the following matters in making its decision:

(i) the nature or purpose of the noise or vibration;

(ii) the reasons why the exemption should be granted;

(iii) the period of time for which the exemption is sought;

(iv) the options available and costs related to reducing the noise or vibration during the exemption period;

(v) the impacts or potential impacts that the noise or vibration may have on persons or property.

5.06 Breach of Terms and Conditions

If an exemption is granted subject to terms and conditions then in the event that there is a breach of any of such terms and conditions Council may immediately terminate the exemption.

6.0 ADMINISTRATION, ENFORCEMENT AND INSPECTION

6.01 This By-law shall be administered and enforced by the Noise Control Officer, but nothing herein shall be deemed to limit the ability of the Ontario Provincial Police or any other police force with sufficient jurisdiction to enforce this By-Law at any time.

6.02 A Noise Control Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the provisions of this By-law are being complied with and for the purpose of preparing a Report to Council in connection with an application for exemption. For the purposes of such an inspection the Noise Control Officer may,

(a) require the production for inspection of documents or things relevant to the inspection;

(b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;

(c) require information from any person concerning a matter related to the inspection; and

(d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

7.0 OFFENCE

7.01 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to the fines and penalties as provided for in the Provincial Offences Act, as amended.

7.02 A director or officer of a corporation who knowingly concurs in the contravention of any provision of this By-law by the corporation is guilty of an offence and is liable to the fines and penalties as provided for in the Provincial Offences Act, as amended.

7.03 Every person who hinders or obstructs, or attempts to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law is guilty of an offence and on conviction is liable to the fines and penalties as provided for in the *Provincial Offences Act*, as amended.

7.04 Where a person has been convicted of an offence under this By-law, the Court may, in addition to any other penalty imposed on the person convicted, make an order prohibiting the continuation or repetition of the offence by the person convicted.

8.0 SEVERABILITY

8.01 If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

9.0 FORCE AND EFFECT

9.01 This By-law shall come into force and take effect on the day of the final passing thereof.

10.0 BY-LAW NO. 2009-14 REPEALED

10.01 By-law No. 2009-14 is hereby repealed.

READ and FINALLY PASSED in OPEN COUNCIL this **12th** day of **May, 2014.**

THE CORPORATION OF THE TOWNSHIP CARLING

Gord Harrison, Mayor

Stephen P. Kaegi, CAO/Clerk

THE CORPORATION OF THE TOWNSHIP OF CARLING

SCHEDULE "1" TO BY-LAW NO. 2014-21

GENERAL PROHIBITIONS

1. Racing any motorized conveyance other than in a racing event regulated by law.

2. The operation of a motor vehicle in such a way that the tires squeal.

3. The operation of any combustion engine, pneumatic device, or construction equipment without an effective exhaust or intake muffling device in good working order and in constant operation.

4. The operation of a motor vehicle or a motor vehicle with a trailer resulting in banging, clanking, squealing or other like sounds due to improperly secured load or equipment, or inadequate maintenance.

5. The operation of an engine or motor in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes, while such vehicle is stationary, unless:

   a) the original equipment manufacturer specifically recommends a longer idling period for normal and efficient operation of the motor vehicle in which case such recommended period shall not be exceeded; or,

   b) operation of such engine or motor is essential to a basic function of the vehicle or equipment, including but not limited to, operation of ready-mixed concrete trucks and lift platforms; or,

   c) weather conditions justify the use of heating or refrigerating systems powered by the motor or engine for the safety and welfare of the operator, passengers or animals, or the preservation of perishable cargo, and the vehicle is stationary for purposes of delivery or loading; or,

   d) prevailing low temperatures make longer idling periods necessary immediately after starting the motor or engine; or

   e) the idling is for the purpose of cleaning and flushing the radiator and associated circulation system for seasonal change of antifreeze, cleaning of the fuel system, carburettor or the like, when such work is performed other than for profit.

6. The operation of a motor vehicle horn or other warning device except where required or authorized by law or in accordance with good safety practices.

7. Persistent barking, calling or whining or other similar persistent noise made by a domestic pet or any other animal kept or used for any purpose other than agriculture.

8. The operation of any auditory signalling device, including but not limited to the ringing of bells or gongs, and the blowing of horns, sirens, whistles, or the production, reproduction or amplification of any similar sounds by electronic means, except where required or authorized by law or in accordance with good safety practices.

THE CORPORATION OF THE TOWNSHIP OF CARLING

SCHEDULE "2" TO BY-LAW NO. 2014 - 21

PROHIBITIONS BY TIME

PROHIBITED PERIODS

A - 23 00 one day to 08 00 next day (0900 Sundays)
B - 21 00 one day to 08 00 next day (0900 Sundays)
C - All day Sundays and Statutory Holidays
D - 21 00 one day to 08 00 next day
E - 21 00 one day to 07 00 next day.

#	ACT	PROHIBITED PERIOD
1.	The detonation of fireworks or explosive devices not used in construction, except for: (a) Victoria Day; (b) New Year's Day; (c) Independence Day (USA); (d) Canada Day; or (e) other festivals or holidays traditionally celebrated with fireworks.	A
2.	The operation of a combustion engine which, (a) is; (b) is used in; or (c) is intended for use in, a toy or a model or replica of any device, which model or replica has no function other than amusement and which is not a conveyance.	B
3.	The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers and intended for the production, reproduction or amplification of sound.	A
4.	The operation of any powered rail car, trucks and trailers, including, but not limited to, refrigeration cars/units, locomotives or self-propelled passenger cars, while stationary on property not owned or controlled by a railway governed by the *Canada Railway Act*.	B
5.	The operation of any motorized conveyance other than on a highway or other place intended for its operation.	B
6.	The venting, release or pressure relief of air, steam or other gaseous material, product or compound from any autoclave, boiler pressure vessel, pipe, valve, machine, device or system.	A
7.	The operation of a commercial car wash with air drying equipment.	C & D
8.	Yelling, shouting, hooting, whistling, singing or playing a musical instrument.	A

9.	The operation of any item of snow making equipment.	D
10.	All selling or advertising by shouting, outcry or amplified sound.	C & D
11.	Loading, unloading, delivering, packing, unpacking, or otherwise handling any containers, products, materials or refuse, whatsoever, unless necessary for the maintenance of essential services or the moving of private household effects.	C & D
12.	The operation of any construction equipment.	C & E
13.	The operation or use of any tool for domestic purposes other than snow removal.	B
14.	The operation of solid waste bulk lift or refuse compacting equipment.	B
15.	The operation of a commercial car wash of a type other than mentioned in item 7.	A

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
NORTHEAST REGION

159 CEDAR STREET
3rd FLOOR, SUITE 303
SUDBURY, ONTARIO P3E 6A5

CABINET DU JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DU NORD-EST

159, RUE CEDAR
3e ÉTAGE, BUREAU 303
SUDBURY (ONTARIO) P3E 6A5

TELEPHONE/TÉLÉPHONE (705) 564-7624
FAX/TÉLÉCOPIEUR (705) 564-7620

March 6, 2015

Ms. Tammy Purdy, MLEO
The Township of Carling
2 West Carling Bay Road
R.R. #1
Nobel, Ontario P0G 1G0

Dear Ms. Purdy:

Re: Set Fine Application – Provincial Offences Act –Part I
Township of Carling, Parry Sound District

Enclosed herewith is an original Order and an original schedule of set fines for By-law No. 2014-21, the By-law indicated in the schedule. Please ensure that a copy of the said documents is forwarded to the Provincial Offences Office, which has jurisdiction for the Township of Carling.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

I have forwarded the copy of the Order and the schedules of these set fines to the Ontario Court of Justice in Parry Sound, together with a certified copy of the By-Law.

Yours truly,

MARTIN LAMBERT
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE

ML/hrd
Encl.

c.c.: His Worship Theodore Hodgins, Regional Senior Justice of the Peace
Her Worship Patricia Tennant, Justice of the Peace

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FAX/TÉLÉCOPIEUR (705) 564-7620

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-Law No. 2014-21, of the Township of Carling, Parry Sound District, attached hereto is the set fine for those offences. This Order is to take effect March 13th, 2015.

Dated at the City of Greater Sudbury, this 6th day of March, 2015.

MARTIN LAMBERT
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE

Township of Carling BY-LAW NO.2014-21 TITLE: Prohibit and regulate noise within the Township of Carling

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provisions Creating Or Defining Offence	COLUMN 3 Set Fine
1.	Cause, emit or permit noise by racing a motorized conveyance other than in a racing event regulated by law.	s.2.01, Schedule 1, s.1	$350.00
2.	Cause, emit or permit noise by operating a motor vehicle in a way such that the tires squeal.	s.2.01, Schedule 1, s.2	$350.00
3.	Cause, emit or permit noise by operating a combustion engine without an effective exhaust or intake muffling device.	s.2.01, Schedule 1, s.3	$350.00
4.	Cause, emit or permit noise by operating a pneumatic device without an effective exhaust or intake muffling device.	s.2.01, Schedule 1, s.3	$350.00
5.	Cause, emit or permit noise by operating construction equipment without an effective exhaust or intake muffling device.	s.2.01, Schedule 1, s.3	$350.00
6.	Cause, emit or permit noise by the operation of a vehicle or a vehicle trailer due to improperly secured load or equipment or inadequate maintenance.	s. 2.01, Schedule 1, s. 4	$350.00

Note: **The penalty provisions for the offences indicated above are section 7.01 of By-law 2014-21, certified copy which has been filed.**

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provisions Creating Or Defining Offence	COLUMN 3 Set Fine
7.	Cause, emit or permit noise by the operation of an engine or motor in, or on, a motor vehicle or attached auxiliary equipment for a continuous period exceeding 5 minutes.	s. 2.01, Schedule 1, s. 5	$350.00
8.	Cause, emit or permit noise by prohibited use of a motor vehicle horn or other warning device.	s. 2.01, Schedule 1, s. 6	$350.00
9.	Cause, emit or permit noise by persistent barking, calling, whining of a domestic pet or other animal.	s. 2.01, Schedule 1, s. 7	$350.00
10.	Cause, emit or permit noise by the operation of an auditory signalling device.	s. 2.01, Schedule 1, s. 8	$350.00
11.	Cause, emit or permit noise by the detonation of fireworks or explosive devices during prohibited times.	s. 3.01, Schedule 2, s. 1	$350.00

Note: **The penalty provisions for the offences indicated above are section 7.01 of By-law 2014-21, certified copy which has been filed.**

Township of Carling BY-LAW NO.2014-21 TITLE: Prohibit and regulate noise within the Township of Carling

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provisions Creating Or Defining Offence	COLUMN 3 Set Fine
12.	Cause, emit or permit noise by the operation of a combustion engine in a toy or replica or model where the sole use is for amusement, during prohibited times.	s. 3.01, Schedule 2, s. 2	$350.00
13.	Cause, emit or permit noise by electronic devices during prohibited times.	s. 3.01, Schedule 2, s. 3	$350.00
14.	Cause, emit or permit noise by the operation of powered rail cars or trucks and trailers while stationary and not on property owned or controlled by a railway governed by the Canada Railway Act, during prohibited times.	s. 3.01, Schedule 2, s. 4	$350.00
15.	Cause, emit or permit noise by the operation of a motorized conveyance in a prohibited area, during prohibited times.	s. 3.01, Schedule 2, s. 5	$350.00
16.	Cause, emit or permit noise from the venting, release or pressure relief of air, steam or other gaseous materials from a device or system during prohibited times.	s. 3.01, Schedule 2, s. 6	$350.00

Note: **The penalty provisions for the offences indicated above are section 7.01 of By-law 2014-21, certified copy which has been filed.**

Township of Carling BY-LAW NO.2014-21 TITLE: Prohibit and regulate noise within the Township of Carling

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provisions Creating Or Defining Offence	COLUMN 3 Set Fine
17.	Cause, emit or permit noise from operation of a commercial car wash with air drying equipment during prohibited times.	s. 3.01, Schedule 2, s. 7	$350.00
18.	Cause, emit or permit noise by yelling, shouting, hooting, whistling, signing or playing a musical instrument during prohibited times.	s. 3.01, Schedule 2, s. 8	$350.00
19.	Cause, emit or permit noise by the operation of snow making equipment during prohibited times	s. 3.01, Schedule 2, s. 9	$350.00
20.	Cause, emit or permit noise for the purposes of selling or advertising by shouting or outcry or amplified sound, during prohibited times.	s. 3.01, Schedule 2, s. 10	$350.00
21.	Cause, emit or permit noise from loading, unloading, delivering, packing, unpacking or handling of containers, products, materials or refuse during prohibited times.	s. 3.01, Schedule 2, s. 11	$350.00
22.	Cause, emit or permit noise from the operation of construction equipment during prohibited times.	s. 3.01, Schedule 2, s. 12	$350.00

Note: The penalty provisions for the offences indicated above are section 7.01 of By-law 2014-21, certified copy which has been filed.

Township of Carling BY-LAW NO.2014-21 TITLE: Prohibit and regulate noise within the Township of Carling

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provisions Creating Or Defining Offence	COLUMN 3 Set Fine
23.	Cause, emit or permit noise from the operation or use of any tool for domestic purposes other than snow removal during prohibited times.	s. 3.01, Schedule 2, s. 13	$350.00
24.	Cause, emit or permit noise from the operation of a solid waste bulk lift or refuse compacting equipment during prohibited times.	s. 3.01, Schedule 2, s. 14	$350.00
25.	Cause, emit or permit noise from the operation of a car wash of a type other than mentioned in Item 7, during prohibited times.	s. 3.01, Schedule 2, s. 15	$350.00

Note: The penalty provisions for the offences indicated above are section 7.01 of By-law 2014-21, certified copy which has been filed.

Township of Carling BY-LAW NO.2014-21 TITLE: Prohibit and regulate noise within the Township of Carling

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provisions Creating Or Defining Offence	COLUMN 3 Set Fine
1.	Cause, emit or permit noise by racing a motorized conveyance other than in a racing event regulated by law.	s.2.01, Schedule 1, s.1	
2.	Cause, emit or permit noise by operating a motor vehicle in a way such that the tires squeal.	s.2.01, Schedule 1, s.2	
3.	Cause, emit or permit noise by operating a combustion engine without an effective exhaust or intake muffling device.	s.2.01, Schedule 1, s.3	
4.	Cause, emit or permit noise by operating a pneumatic device without an effective exhaust or intake muffling device.	s.2.01, Schedule 1, s.3	
5.	Cause, emit or permit noise by operating construction equipment without an effective exhaust or intake muffling device.	s.2.01, Schedule 1, s.3	
6.	Cause, emit or permit noise by the operation of a vehicle or a vehicle trailer due to improperly secured load or equipment or inadequate maintenance.	s. 2.01, Schedule 1, s. 4	

Note: **The penalty provisions for the offences indicated above are section 7.01 of By-law 2014-21, certified copy which has been filed.**

Township of Carling BY-LAW NO.2014-21 TITLE: Prohibit and regulate noise within the Township of Carling

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provisions Creating Or Defining Offence	COLUMN 3 Set Fine
7.	Cause, emit or permit noise by the operation of an engine or motor in, or on, a motor vehicle or attached auxiliary equipment for a continuous period exceeding 5 minutes.	s. 2.01, Schedule 1, s. 5	
8.	Cause, emit or permit noise by prohibited use of a motor vehicle horn or other warning device.	s. 2.01, Schedule 1, s. 6	
9.	Cause, emit or permit noise by persistent barking, calling, whining of a domestic pet or other animal.	s. 2.01, Schedule 1, s. 7	
10.	Cause, emit or permit noise by the operation of an auditory signalling device.	s. 2.01, Schedule 1, s. 8	
11.	Cause, emit or permit noise by the detonation of fireworks or explosive devices during prohibited times.	s. 3.01, Schedule 2, s. 1	

Note: **The penalty provisions for the offences indicated above are section 7.01 of By-law 2014-21, certified copy which has been filed.**

Township of Carling BY-LAW NO.2014-21 TITLE: Prohibit and regulate noise within the Township of Carling

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provisions Creating Or Defining Offence	COLUMN 3 Set Fine
12.	Cause, emit or permit noise by the operation of a combustion engine in a toy or replica or model where the sole use is for amusement, during prohibited times.	s. 3.01, Schedule 2, s. 2	
13.	Cause, emit or permit noise by electronic devices during prohibited times.	s. 3.01, Schedule 2, s. 3	
14.	Cause, emit or permit noise by the operation of powered rail cars or trucks and trailers while stationary and not on property owned or controlled by a railway governed by the Canada Railway Act, during prohibited times.	s. 3.01, Schedule 2, s. 4	
15.	Cause, emit or permit noise by the operation of a motorized conveyance in a prohibited area, during prohibited times.	s. 3.01, Schedule 2, s. 5	
16.	Cause, emit or permit noise from the venting, release or pressure relief of air, steam or other gaseous materials from a device or system during prohibited times.	s. 3.01, Schedule 2, s. 6	

Note: **The penalty provisions for the offences indicated above are section 7.01 of By-law 2014-21, certified copy which has been filed.**

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provisions Creating Or Defining Offence	COLUMN 3 Set Fine
17.	Cause, emit or permit noise from operation of a commercial car wash with air drying equipment during prohibited times.	s. 3.01, Schedule 2, s. 7	
18.	Cause, emit or permit noise by yelling, shouting, hooting, whistling, signing or playing a musical instrument during prohibited times.	s. 3.01, Schedule 2, s. 8	
19.	Cause, emit or permit noise by the operation of snow making equipment during prohibited times	s. 3.01, Schedule 2, s. 9	
20.	Cause, emit or permit noise for the purposes of selling or advertising by shouting or outcry or amplified sound, during prohibited times.	s. 3.01, Schedule 2, s. 10	
21.	Cause, emit or permit noise from loading, unloading, delivering, packing, unpacking or handling of containers, products, materials or refuse during prohibited times.	s. 3.01, Schedule 2, s. 11	
22.	Cause, emit or permit noise from the operation of construction equipment during prohibited times.	s. 3.01, Schedule 2, s. 12	

Note: The penalty provisions for the offences indicated above are section 7.01 of By-law 2014-21, certified copy which has been filed.

Township of Carling BY-LAW NO.2014-21 TITLE: Prohibit and regulate noise within the Township of Carling

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provisions Creating Or Defining Offence	COLUMN 3 Set Fine
23.	Cause, emit or permit noise from the operation or use of any tool for domestic purposes other than snow removal during prohibited times.	s. 3.01, Schedule 2, s. 13	
24.	Cause, emit or permit noise from the operation of a solid waste bulk lift or refuse compacting equipment during prohibited times.	s. 3.01, Schedule 2, s. 14	
25.	Cause, emit or permit noise from the operation of a car wash of a type other than mentioned in Item 7, during prohibited times.	s. 3.01, Schedule 2, s. 15	

Note: The penalty provisions for the offences indicated above are section 7.01 of By-law 2014-21, certified copy which has been filed.

THE CORPORATION OF THE TOWNSHIP OF THE CARLING

BY-LAW NO. 2026- 17

A By-law to Amend By-law 2014-21 being a By-law to Prohibit and Regulate Noise and Vibration

WHEREAS section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on the municipality to enable it to govern its affairs as it considers appropriate and to enhance its ability to respond to municipal issues;

AND WHEREAS the Council for the Corporation of the Township of Carling has determined that it is desirable to make amendments to By-law 2014-21;

THEREFORE BE IT RESOLVED that Council of the Corporation of the Township of Carling hereby enacts as follows:

1. That By-law 2014-21 be amended by deleting Section 7.0 "Offence" and replacing it with the following:

7.0 ADMINISTRATIVE MONETARY PENALTY SYSTEM

7.01 Every person who contravenes any provision of this By-law is liable to the fines and administrative fees set out under the AMPS By-law, as amended, or its successor by-law, and each day shall constitute a new and separate offence.

7.02 Every person who is in contravention of the provisions of this By-law may request a review of the matter in accordance with the AMPS By-law, as amended, or its successor by-law.

READ and **FINALLY PASSED** in **OPEN COUNCIL** this **12th** day of **May, 2026.**

THE CORPORATION OF THE TOWNSHIP OF CARLING

Susan Murphy, Mayor

Kevin McIlwain, CAO/Clerk