

**DISTRICT OF BARRIERE  
BYLAW NO. 0033**

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**A BYLAW TO AMEND DISTRICT OF BARRIERE  
NOISE CONTROL BYLAW NO. 0020, 2008**

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The District Council of the District of Barriere, in open meeting assembled, enacts as follows:

1. Section 8 – Temporary Noise Permits as follows is added.

“8. TEMPORARY NOISE PERMITS

- (a) A person who, or a business duly licensed to operate within the District that violates this Bylaw must apply to the Council for a permit to create noise. No person may make noise that violates this Bylaw, and no business may operate or continue to operate in a manner that violates this Bylaw, without a permit.
- (b) The applicant for a permit shall file with the Chief Administrative Officer of the District an application duly completed and signed, in the form prescribed by Schedule “A” to this Bylaw, and the Clerk shall place such application form before Council as soon as is reasonably possible.
- (c) The Council shall, at its sole discretion, determine if a permit shall be issued based on the information identified in Schedule “A” and any other information received from the applicant or other individuals or the public, including, but not limited to, the following:
  - (i) the nature and source of the sound;
  - (ii) the necessity for the sound;

- (iii) the proposed hours of the sound and the reason the sounds cannot be confined to the hours of 7:00 hours to 22:00 hours; and
  - (iv) the degree to which the sound is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.
- (d) The permit shall be issued in the form attached hereto as Schedule “B”
  - (e) The permit shall be valid for the time period specified in the permit, which shall not be in excess of twelve (12) months, and may contain such terms or conditions as the Council sees fit.
  - (f) If the Council declines to issue a permit, Council must advise the applicant of the grounds for refusal.
  - (g) A permit issued by the Council may be revoked by the Council or the Chief Administrative Officer if the information supplied by the applicant to Council and upon which the permit was granted was untrue or inaccurate, or if the applicant fails to comply with the terms or conditions of the permit. Within seven (7) days of revoking a permit, the Council or the Inspector shall make reasonable attempts to provide the permit-holder with written notice that the permit has been revoked.
  - (h) If a permit is revoked, a person may be liable for a contravention of this Bylaw, in accordance with Section 9 herein.”
2. Schedule A – Application for Noise Permit is added to said Bylaw No. 0020
  3. Schedule B – Noise Permit is added to said Bylaw No. 0020
  4. Section 8 – Offence and Penalties is renumbered as Section 9.
  5. This Bylaw may be cited as “District of Barriere Noise Control Bylaw Amendment Bylaw No. 0033, 2009

READ FOR A FIRST TIME the 2<sup>nd</sup> day of February, 2009

READ FOR A SECOND TIME the 2<sup>nd</sup> day of February, 2009

READ FOR A THIRD TIME the 2<sup>nd</sup> day of February, 2009

ADOPTED this 16<sup>th</sup> day of February, 2009

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Mayor Mike Fennell

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Wayne Vollrath, CAO