

**BY - LAW #609
TOWN OF WEMBLEY**

A BY-LAW OF THE TOWN OF WEMBLEY IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING NOISE, and to cancel Town of Wembley By-Law #510.

WHEREAS the Municipal Government Act, Chapter M-26.1, Revised Statutes of Alberta, 1994 and amendments thereto authorizes a Council to pass by-laws for the purpose of prohibiting, eliminating or abating noise and establishing permissible noise levels for all or varying periods of the day, in all or a designated part or location of the municipality, and

WHEREAS the Council of the Town of Wembley deems it advisable to adopt such a by-law,

THEREFORE the Council of the Town of Wembley in the Province of Alberta, duly assembled enacts as follows:

TITLE:

1. This By-Law may be cited as the "Noise By-Law".

DEFINITIONS:

2. In this By-Law:
 - a) "Town" means the Town of Wembley.
 - b) "Person" includes public bodies, bodies corporate, societies, partnerships, firms, and individuals.
 - c) "Property" means real property and includes land, together with all improvements which have been so affixed to the land as to make them in fact, and in law, a part thereof.
 - d) "Voluntary Penalty" means a penalty specified in this By-Law which amount shall be paid by a person alleged to have committed a breach of a provision of this By-Law and is given an opportunity to pay the violation ticket in lieu of prosecution for the alleged offense.
 - e) "Peace Office" means a member of the County of Grande Prairie Law Enforcement Department or a member of the Royal Canadian Mounted Police.

GENERAL:

- 3). No person shall make, cause or permit to be made any noise which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons at any time, within the boundaries of the Town of Wembley and no person being the owner, tenant, or occupier of properties within the aforementioned areas shall allow or permit such property to be used so that noise which occurs thereon or emanates therefrom, disturbs and quiet, peace, rest, enjoyment, comfort or convenience of any person in the Town of Wembley.

EMERGENCIES:

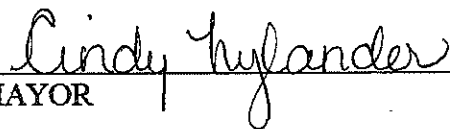
4. Nothing herein shall render any person liable to a fine, penalty or punishment for performing work of an emergency nature for the preservation or protection of life, health, or property.

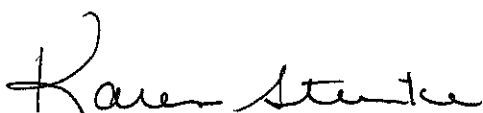
PENALTIES:

5. A Violation Ticket in the amount of the voluntary penalty will be issued for any breach of this By-Law.

6. Any person who commits a breach of any of the provisions of this By-Law shall be liable to a voluntary penalty of:
- a) For the first offense to a voluntary penalty of One Hundred Dollars (\$100.00) and upon Summary Conviction to a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) and in default of payment to a term of imprisonment of six months or both.
 - b) For a second offense and any subsequent offenses to a voluntary penalty of Two Hundred Dollars (\$200.00) and upon Summary Conviction, to a fine of not less than Two Hundred Dollars (\$200.00) and not more than Five Hundred Dollars (\$500.00) and in default of payment to a term of imprisonment of six months or both.

READ A FIRST, SECOND, AND BY UNANIMOUS CONSENT OF THE COUNCILLORS PRESENT, A THIRD AND FINAL TIME AND FINALLY PASSED THIS 14TH DAY OF DECEMBER, A.D. 1998.


MAYOR


ADMINISTRATOR