
BY-LAW 2026-60
BEING A BY-LAW TO REGULATE AND CONTROL NOISE
IN THE MUNICIPALITY OF WEST NIPISSING

WHEREAS section 9 of the Municipal Act, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under that Act;

AND WHEREAS sections 10, 128 and 129 of the Municipal Act, 2001 authorize municipalities to pass by-laws respecting the health, safety and well-being of persons, the protection of persons and property, and the regulation and prohibition of noise and public nuisances;

AND WHEREAS in the opinion of Council, certain types of noise are or may become a public nuisance and may adversely affect the quiet enjoyment, health, safety and well-being of residents;

AND WHEREAS Council wishes to regulate and control such noise within the Municipality through a modernized and enforceable regulatory framework;

NOW THEREFORE the Council of the Corporation of the Municipality of West Nipissing enacts as follows:

1. SHORT TITLE

This by-law may be cited as the **Noise Control By-law**.

2. DEFINITIONS

In this by-law:

- **“Amplified sound”** means sound created or increased by electrical, electronic, mechanical, or other amplification equipment.
- **“Clerk”** means the Municipal Clerk or designate.
- **“Construction”** means any activity involving the erection, alteration, repair, dismantling, or demolition of a building, structure, road, or utility, and includes site preparation, excavation, grading, and the operation of construction equipment.
- **“Council”** means the Council of the Municipality of West Nipissing.
- **“Domestic power tool”** means a tool powered by electricity, battery, gasoline, or compressed air, including but not limited to lawn mowers, leaf blowers, chainsaws, hedge trimmers, and similar equipment.
- **“Emergency work”** means work required to prevent or address an immediate danger to life, health, safety, property, or essential services.
- **“Motor vehicle”** has the same meaning as in the Highway Traffic Act.
- **“Municipality”** means the Corporation of the Municipality of West Nipissing.
- **“Municipal Law Enforcement Officer”** means a person appointed by Council to enforce municipal by-laws.
- **“Noise”** means any sound that is unreasonable, persistent, excessive, or likely to disturb the quiet enjoyment of persons.
- **“Normal farm practice”** has the same meaning as defined in the Farming and Food Production Protection Act, 1998, S.O. 1998, c. 1, as amended.
- **“Persistent”** means continuing, repeated, or recurring noise that, having regard to the circumstances, exceeds what an average person would reasonably tolerate.
- **“Point of reception”** means any location where sound is received.
- **“Public authority”** means the Government of Canada, the Province of Ontario, the Municipality, a local board as defined in the Municipal Act, 2001, or any agency, board, commission, corporation, utility, or contractor acting on behalf of, or under the authority of, any of the foregoing.
- **“Public place”** means any place to which the public has access as of right or by invitation, whether express or implied.
- **“Quiet Zone”** means lands or premises where a heightened expectation of quiet exists, including schools, licensed childcare facilities, places of worship, cemeteries, hospitals, long-term care facilities, libraries, and municipal parks.
- **“Residential area”** means land zoned or used primarily for residential purposes.



- **“Unreasonable Noise”** means Noise that, having regard to all of the circumstances, including the factors set out in subsection 4.1, is likely to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of one or more persons.

3. GENERAL PROHIBITION

- 3.1 No person shall make, cause, or permit Unreasonable Noise within the Municipality.
- 3.2 Without limiting the generality of the foregoing, Noise includes, but is not limited to, the types of Noise and activities described in Schedules “A”, “B” and “C” to this by-law.
- 3.3 No person shall deliberately make, cause, or permit Noise for the purpose of disturbing, harassing, intimidating, or interfering with another person’s reasonable enjoyment of property.
- 3.4 Without limiting subsection 3.1, no person shall make, cause, or permit:
- a) the operation of a motor vehicle in a manner that creates excessive or unnecessary Noise;
 - b) the operation of a car stereo or sound system at a volume clearly audible beyond the motor vehicle;
 - c) the repeated or unnecessary use of a horn, alarm, or warning device;
 - d) the operation of a recreational vehicle, including an ATV, snowmobile, or boat, in a manner that causes Unreasonable Noise;
 - e) the use of recreational or leisure equipment in a Public Place that produces ongoing or intrusive Noise;
 - f) the use of amplified sound in a Public Place without authorization, including speakers, microphones, or music systems;
 - g) the operation of equipment that causes vibration or transmitted Noise affecting a nearby building or premises; or
 - h) the continuation of Noise after a lawful warning or direction to reduce or stop the Noise has been given.

4. INTERPRETATION

- 4.1 In determining whether Noise constitutes Unreasonable Noise, consideration shall be given to the time of day, duration, frequency and character of the sound, surrounding land use, whether the Noise occurs within a Quiet Zone, and the reasonable expectations of occupants in the area.

5. QUIET HOURS

- 5.1 Quiet hours for the purposes of this by-law are as set out in **Schedule “B”**.

6. QUIET ZONES

- 6.1 In addition to any other provision of this by-law, no person shall make, cause, or permit Unreasonable Noise at any time within a Quiet Zone.
- 6.2 During quiet hours, no person shall make, cause, or permit:
- a) Unreasonable Noise;
 - b) amplified sound, including music, television, or amplified voices;
 - c) the operation of Domestic Power Tools, including lawn mowers, leaf blowers, chainsaws, or similar equipment;
 - d) shouting, yelling, singing, or similar vocal conduct audible beyond the property where it originates;
 - e) loading or unloading materials or equipment that causes banging, dropping, or repetitive Noise;
 - f) the operation of mechanical or electrical equipment that causes continuous or intrusive Noise;
 - g) the idling, warming up, or repeated starting of a motor vehicle that causes unnecessary Noise;
 - h) the discharge of fireworks or similar explosive devices, except where permitted or authorized; or
 - i) the continuation of Noise after a lawful warning or direction to stop has been given.



7. EXEMPTIONS

7.1 This by-law does not apply to the following, provided reasonable efforts are made to minimize noise:

- a) emergency work;
- b) municipal or provincial operations, including road maintenance, snow removal, sanding, salting, waste collection, and infrastructure repair;
- c) utilities and public works undertaken by or on behalf of a Public Authority;
- d) the use of personal snow removal equipment, including snow blowers or similar devices, by the occupant of a property for the purpose of clearing snow from a driveway, walkway, or entrance, provided that such activity is carried out for a reasonable duration and reasonable efforts are made to minimize noise, having regard to the time of day and surrounding land use;
- e) agricultural activities conducted as part of a normal farm practice in accordance with provincial legislation;
- f) the operation of emergency generators during power outages or necessary testing;
- g) bells, chimes, or similar sounds produced by places of worship or schools;
- h) noise generated by events authorized by Council, subject to any conditions imposed.

8. COUNCIL EXEMPTIONS

8.1 Despite any provision of this by-law, Council may, by resolution, grant an exemption from one or more provisions of this by-law.

8.2 An exemption shall be for a fixed period and shall not exceed three (3) months, unless otherwise authorized by Council.

8.3 A breach of any term or condition of an exemption renders the exemption null and void.

Council may impose conditions and require periodic review of any exemption.

9. APPLICATION FOR EXEMPTION

9.1 Despite any provision of this by-law, any person may apply to Council for an exemption from one or more provisions of this by-law with respect to a specific source of noise.

9.2 An application for exemption shall be submitted in writing to the Clerk and shall include:

- a) the name and contact information of the applicant;
- b) a description of the source and nature of the noise;
- c) the location where the noise will occur;
- d) the date(s) and time(s) for which the exemption is requested;
- e) any proposed measures to mitigate noise impacts; and
- f) the name and telephone number of the person responsible for supervising the activity onsite.

9.3 Applications shall be submitted at least thirty (30) days prior to the requested exemption period unless otherwise authorized by the Clerk.

9.4 An application fee may be imposed in accordance with the Municipality's Fees and Charges By-law.

9.5 Council may revoke an exemption where the conditions of the exemption are not complied with.

10. ENFORCEMENT

10.1 This By-law is designated as a by-law to which the Municipality's Administrative Monetary Penalties System applies;

10.2 The provisions of the Municipalities Administrative Monetary Penalty By-Law, as amended from time to time, apply to each contravention of this By-Law;

11. ORDERS AND REMEDIAL ACTION



11.1 An Officer may issue an Order requiring a person to cease, discontinue, or remedy a contravention of this By-law and may specify the measures or work required to achieve compliance.

11.2 Order may require immediate compliance or compliance within a specified time.

11.3 Where a person fails to comply with an Order, the Municipality may, at reasonable times and in accordance with the Municipal Act, 2001, enter upon the land and take such steps as are reasonably necessary to bring the property or activity into compliance.

11.4 Costs incurred by the Municipality may be added to the tax roll and collected in the same manner as municipal taxes.

12. ADMINISTRATIVE PENALTIES

12.1 An Officer may issue a Penalty Notice.

12.2 Administrative Penalties for designated contraventions shall be as set out in the Municipality's Administrative Monetary Penalty System By-Law, as amended.

12.3 Administrative Penalties:

a) are a debt to the Municipality; and

b) may be added to the tax roll and collected in the same manner as municipal taxes

12.4 A review may be requested per the AMPS By-law.

13. CONTINUING OFFENCE

Each day a contravention continues constitutes a separate offence or penalty.

14. OBSTRUCTION

No person shall hinder, obstruct, or attempt to hinder or obstruct an Officer in the lawful exercise of their duties under this By-law.

15. SEVERABILITY

If any provision of this By-law is declared invalid, such invalidity shall not affect the validity of the remaining provisions.

16. REPEAL

By-law 1999/75, being a by-law to control noise in the Municipality of West Nipissing, as amended, is hereby repealed in its entirety.

17. EFFECTIVE DATE

This by-law shall come into force and take effect on the date of its passing.

ENACTED AND PASSED ON AUGUST 11, 2026, AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS OFFICERS.

KATHLEEN THORNE-ROCHON
MAYOR

MELANIE DUCHARME
CLERK

The Schedules to this by-law form part of this by-law and are intended to provide guidance respecting prohibited noise and enforcement. Penalty amounts, if any, shall be established separately under the Municipality's Administrative Monetary Penalty System By-law.

For the purposes of these Schedules, a second, third or subsequent offence means a further contravention of the same provision by the same person within twenty-four (24) months of the date on which a Penalty Notice for the earlier contravention became final.

Schedule A – Noise Control Infractions (General)

Section	Short-Form Wording	First Offence	Second Offense	Third and continuing offense
3.1	Make, cause, or permit Unreasonable Noise having regard to the circumstances	\$500	\$750	1,000
3.1	Persistent animal noise, including repeated barking, howling, whining, or similar sounds that continue over time	\$500	\$750	\$1000
3.1	Amplified sound that is excessively loud or intrusive, including music, bass, or amplified voices	\$500	\$750	\$1000
3.1	Yelling, shouting, singing, cheering, or similar vocal conduct that disturbs nearby occupants	\$500	\$750	\$1000
3.1	Use of outdoor speakers or sound systems that project noise beyond the property where they are located	\$500	\$750	\$1000
3.1	Operation of mechanical equipment attached to a dwelling producing ongoing or intrusive noise, including, generators or ventilation equipment	\$500	\$750	\$1000
3.1	Racing, revving, aggressive acceleration, or similar operation of a motor vehicle creating unnecessary noise	\$500	\$750	\$1000
3.1	Operation of a motor vehicle or equipment without an effective muffler, or with a modified or defective exhaust	\$500	\$750	\$1000
3.1	Transporting an improperly secured load producing banging, clanking, rattling, metallic impact noises, or similar repetitive sounds	\$500	\$750	\$1000
3.1	Use of tools, devices, or equipment in a manner that causes Unreasonable Noise or repetitive Noise	\$500	\$750	\$1000
3.1	Noise from a party, gathering, or social event that continues for an extended period or disturbs nearby residents	\$500	\$750	\$1200
3.1	Any other Noise that is persistent, excessive, or constitutes Unreasonable Noise and is not specifically listed	\$500	\$750	\$1000

Schedule B – Noise Control Infractions (Quiet Hours)

For the purposes of this by-law, “quiet hours” are as follows:

- Monday to Saturday: 11:00 p.m. to 7:00 a.m.
- Sundays and statutory holidays: 11:00 p.m. on Saturday to 9:00 a.m. Sunday

The following activities constitute noise control infractions during quiet hours:

Section	Short-Form Wording	Offence	Second Offense	Third and Continuing Offense
5.2(a)	Making or permitting unreasonable noise during quiet hours	\$500	\$750	\$1000
5.2(b)	Playing or producing amplified sound during quiet hours, including music, television, or amplified voices	\$500	\$750	\$1000
5.2(c)	Operating domestic power tools during quiet hours, including lawn mowers, leaf blowers, chainsaws, or similar equipment	\$500	\$750	\$1000
5.2(d)	Shouting, yelling, singing, or similar vocal conduct during quiet hours audible beyond the property where it originates	\$500	\$750	\$1000
5.2(e)	Loading or unloading materials or equipment during quiet hours causing banging, dropping, or repetitive noise	\$500	\$750	\$1000
5.2(f)	Operating mechanical or electrical equipment during quiet hours causing continuous or intrusive noise	\$500	\$750	\$1000
5.2(g)	Idling, warming up, or repeatedly starting a motor vehicle during quiet hours causing unnecessary noise	\$500	\$750	\$1000
5.2(h)	Discharging fireworks or similar explosive devices during quiet hours except where permitted or authorized	\$500	\$750	\$1200

Schedule C – Noise Control Infractions (Specific Activities & Public Spaces)

Item	Short-Form Wording	Offence	Second Offense	Third and Continuing Offense
3.4(a)	Operating a motor vehicle in a manner that creates excessive or unnecessary noise	\$500	\$750	\$1500
3.4(b)	Playing a car stereo or sound system at a volume clearly audible beyond the vehicle	\$500	\$750	\$1000
3.4(c)	Repeated or unnecessary use of a horn, alarm, or warning device	\$500	\$750	\$1500
3.4(d)	Operating recreational vehicles, including ATVs, snowmobiles, or boats, in a manner causing Unreasonable Noise	\$500	\$750	\$1500
3.4(e)	Using recreational or leisure equipment in a public place producing ongoing or intrusive noise	\$500	\$750	\$1000
3.4(f)	Using amplified sound in a public place without authorization, including speakers, microphones, or music systems	\$500	\$750	\$1500
3.4(g)	Operating equipment causing vibration or transmitted noise affecting nearby buildings or premises	\$500	\$750	\$1500
15	Hindering, obstructing, or interfering with an investigation or enforcement action under this by-law	\$750	\$1500	\$2500