

Explanatory Note To By-law 2025-46

Council at their meeting of June 13, 2024 considered Staff Report "Introduction of Administrative Monetary Penalties and First Round of Designated By-laws" and adopted By-law 2024-45 being A By-law to control Noise within the Municipality and to repeal By-law 2019-15.

Staff is recommending that Council adopt an amending by-law to include Schedule "A" to By-law 2024-45; to amend Section 11.1 to repeal By-law 2016-97, "as amended" and to revise the title to reflect the repealed By-law 2016-97, as amended instead of By-law 2019-15.

This By-law is properly before Council for consideration.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW 2025-46

A By-law to amend By-law 2024-45 being a By-law to control Noise within the Municipality and to repeal By-law 2019-15

WHEREAS pursuant to section 9 of the Municipal Act, 2001, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS pursuant to section 8. (1) of the Municipal Act, 2001, the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS By-law 2024-45 being a By-law to control Noise within the Municipality and to repeal By-law 2019-15 was adopted by Council at their meeting of June 13, 2024;

AND WHEREAS Council deems it necessary to amend By-law 2024-45 to include Schedule "A"; to revise the Title to reflect the originating By-law 2016-97, as amended as being repealed; and to revise Section 11.1 to include the words "as amended" to capture repealing all amendments to By-law 2016-97.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. That By-law 2024-45 is hereby amended as follows:
 - a. That the title be amended by deleting the words "By-law 2019-15" and replacing it with the words "By-law 2016-97, as amended".
 - b. That Section 11.1 be amended to add the words ", as amended" after the words "By-law 2016-97".
 - c. That Schedule "A" attached hereto and forming part of this By-law be added as Schedule "A" to By-law 2024-45
 - d. That all other provisions of By-law 2024-45, as amended, shall apply.
 - e. That this By-law shall come into force and effect on the final passage thereof.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY
PASSED THIS 25th DAY OF SEPTEMBER, 2025.**

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Clerk

SCHEDULE "A"

Prohibitions by Time and Place: Noise Disturbance By-law

Prohibition	Property Zoned Residential (R1, R2, R3, RE, RM) Other Commercial, Rural or Industrial Property not otherwise specified	Commercial Tourist Accommodations (Zoned CA & CT) Bars/Restaurants (that serve alcohol and provide musical entertainment from time to time) that are located within 225meters of R1 zoned Residential properties	Commercial Bars/Restaurants (that serve alcohol and provide musical entertainment from time to time) that are located more than 225meters from R1 zoned Residential properties
<p>1. The operation of a combustion engine which,</p> <p>a) Is, or</p> <p>b) Is used in, or</p> <p>c) Is intended for use in, a toy or model or replica of any device which model or replica has no function other than amusement and which is not a conveyance,</p> <p>d) Is a drone or similar vehicle when being lawfully operated</p>	<p align="center">At all times</p>	<p align="center">a-c) At all times</p> <p align="center">d)11pm – 7am (or when creating a nuisance)</p>	<p align="center">a-c) At all times</p> <p align="center">d)12midnight-7am (or when creating a nuisance)</p>
<p>2. 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.</p>	<p align="center">11pm – 7am (or when creating a nuisance)</p>	<p align="center">12midnight – 7am (or when creating a nuisance)</p>	<p align="center">2am – 7am (same day) (or when creating a nuisance)</p>

<p>3. The sound from or created by audio or visual device, public address system, sound equipment, loud speaker, or any musical or sound producing instrument of whatever kind when the same is played or operated in such a manner or with such volume as to disturb the peace, quiet, comfort or repose of any individual in any office, dwelling house, apartment, hotel, hospital, or any other type of residence.</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>2am – 7am (same day) (or when creating a nuisance)</p>
<p>4. The operation of any auditory signalling device, including but not limited to the ringing of bells or gongs and the blowing of horns, sirens or 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.</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>11pm – 7am (or when creating a nuisance)</p>
<p>5. 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.</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>11pm – 7am (or when creating a nuisance)</p>	<p>11pm – 7am (or when creating a nuisance)</p>

6. Persistent barking, calling or whining or other similar persistent noise making by any domestic pet, or any other animal kept or used for any purpose other than agriculture.	At all times	At all times	At all times
7. The operation of a commercial wash with air drying equipment.	At all times	When creating a nuisance	When creating a nuisance
8. Yelling, shouting, hooting, whistling, singing, or other boisterous activity.	11pm – 7am (or when creating a nuisance)	12midnight – 7am (or when creating a nuisance)	2am – 7am (same day) (or when creating a nuisance)
9. The operation of a power assisted hang glider or parafoil.	At all times	When creating a nuisance	When creating a nuisance
10. The operation of any item of snow making equipment.	11pm – 7am (or when creating a nuisance)	N/A	N/A
11. All selling or advertising by shouting or outcry or amplified sound.	11pm – 7am (or when creating a nuisance)	12midnight – 7am (or when creating a nuisance)	2am – 7am (same day) (or when creating a nuisance)
12. 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.	11pm – 7am (or when creating a nuisance)	12midnight – 7am (or when creating a nuisance)	2am – 7am (same day) (or when creating a nuisance)
13. Construction Activities Weekdays (June 1- August 31)	9pm – 7am (or when creating a nuisance)	9pm – 7am (or when creating a nuisance)	9pm – 7am (or when creating a nuisance)
14. Construction Activities Weekdays (September 1- May 30)	7pm – 7am (or when creating a nuisance)	7pm – 7am (or when creating a nuisance)	7pm – 7am (or when creating a nuisance)
15. Construction Activities Saturdays (Year round)	7pm (Friday) – 7am Saturday (or when creating a nuisance)	7pm (Friday) – 7am Saturday (or when creating a nuisance)	7pm (Friday) – 7am Saturday (or when creating a nuisance)
16. Construction Activities Sundays (Year round)	7pm (Saturday)- 10am (Sunday) (or when creating a nuisance)	7pm (Saturday)- 10am (Sunday) (or when creating a nuisance)	7pm (Saturday)- 10am (Sunday) (or when creating a nuisance)

17. The operation of any equipment in connection with construction Weekdays (June 1 – August 31)	9pm – 7am (or when creating a nuisance)	9pm – 7am (or when creating a nuisance)	9pm – 7am (or when creating a nuisance)
18. The operation of any equipment in connection with construction Weekdays (September 1 – May 30)	7pm – 7am (or when creating a nuisance)	7pm – 7am (or when creating a nuisance)	7pm – 7am (or when creating a nuisance)
19. The operation of any equipment in connection with construction Saturdays (Year round)	7pm (Friday) – 7am Saturday (or when creating a nuisance)	7pm (Friday) – 7am Saturday (or when creating a nuisance)	7pm (Friday) – 7am Saturday (or when creating a nuisance)
20. The operation of any equipment in connection with construction Sundays (Year round)	At all times	At all times	At all times
21. The operation or use of any powered lawnmowers (Monday – Saturday) Residential Lands	9pm – 9am (or when creating a nuisance)	9pm – 9am (or when creating a nuisance)	9pm – 9am (or when creating a nuisance)
22. The operation or use of any powered lawnmowers or landscape maintenance (Monday – Saturday) Non-Residential Lands	9pm – 6am (or when creating a nuisance)	9pm – 6am (or when creating a nuisance)	9pm – 6am (or when creating a nuisance)
23. The operation or use of any powered lawnmowers or landscape maintenance (Sundays) Residential Lands	9pm (Saturday) – 9am (Sunday) (or when creating a nuisance)	9pm (Saturday) – 9am (Sunday) (or when creating a nuisance)	9pm (Saturday) – 9am (Sunday) (or when creating a nuisance)
24. The operation or use of any powered lawnmowers or landscape maintenance (Sundays) Non-Residential Lands	9pm (Saturday) – 9am (Sunday) (or when creating a nuisance)	9pm (Saturday) – 9am (Sunday) (or when creating a nuisance)	9pm (Saturday) – 9am (Sunday) (or when creating a nuisance)
25. The operation of solid waste bulk lift or refuse compacting equipment (Monday-Saturday)	10pm – 7am (or when creating a nuisance)	10pm – 7am (or when creating a nuisance)	10pm – 7am (or when creating a nuisance)
26. The operation of solid waste bulk lift or refuse compacting equipment (Sundays)	10pm – 9am (or when creating a nuisance)	10pm – 9am (or when creating a nuisance)	10pm – 9am (or when creating a nuisance)

27. The operation of a commercial car wash of a type other than mentioned in item 10.	At all times	At all times	At all times
28. Property care, maintenance or recreational activity.	11pm – 7am (or when creating a nuisance)	11pm – 7am (or when creating a nuisance)	11pm – 7am (or when creating a nuisance)