



## TOWN OF MINTO

**MEETING DATE:** March 19, 2024  
**REPORT TO:** Mayor and Council  
**SERVICE AREA:** Clerks  
**SUBJECT:** CL 2024-003 - Noise By-law

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### **RECOMMENDATIONS:**

**THAT** the Council of the Town of Minto receives report CL 2024-003 regarding Noise By-law for Information;

**AND FURTHER** considers a By-law in Open Session authorizing the Deputy Mayor and Clerk to execute a By-law adopting a new Noise By-law and repealing By-law No. 5001-05.

### **BACKGROUND:**

Staff have been working with neighbouring municipalities within Wellington County to review and update By-law 5001-05 “*being a by-law to provide for the regulation and prohibition of unusual noises or noises likely to disturb the public and/or the prevention of public nuisances*”, otherwise known as the Noise By-law. The Ontario Provincial Police primarily enforce this by-law and have requested the by-law be uniform amongst all participating municipalities. In consultation with SV Law, staff have finalized a Noise By-law that compliments the needs of all member municipalities. This updated Noise By-law allows for effective enforcement with provisions addressing the need of a growing community. As with other by-laws, enforcement staff always strive for voluntary compliance, however, when such compliance cannot be achieved, this by-law will provide staff the necessary enforcement tools.

### **COMMENTS:**

In consultation with neighbouring municipalities, staff identified a need to revise and update the existing County-wide Noise By-law #5001-05 to address the growing needs of our residents and respective enforcement agencies. The proposed By-law provides a variety of provisions to address gaps in the existing by-law which rendered many aspects unenforceable. Similar to the existing Noise By-law, general prohibitions on noise at any time has been included.

The Municipal Act provides authority for municipalities to regulate noise within the municipality. The Noise By-law has been drafted to include:

- A comprehensive set of definitions and provisions;
- A list of exemptions;

- A process for noise exemptions, including permit applications and submission requirements;
- Delegation of authority to the Municipal Clerk to approve noise exemptions;
- Terms and conditions for resolution of non-compliance of permits;
- Regulations pertaining to administration and inspection/enforcement;
- New provisions allowing for the expansion of noise sources with the potential to adversely affect the inhabitants;
- Reasonable times for noise while also allowing for enforcement/restrictions on unreasonable or excessive noise during permitted times;
- Exemptions for snow removal on private and public property;
- Provisions applicable Town-wide, not just in residential areas;
- Additionally updated short form wording and set fines will align with standard rates throughout the Province.

The proposed draft by-law allows for designated staff to review and approve noise exemption applications without Council approval. By delegating approval of noise exemptions to the Municipal Clerk, the permitting system can be streamlined and expedited. From a compliance perspective, the proposed by-law also provides expedited authority to the Permit Issuer, an Officer, or Council to revoke a permit if the terms and conditions of the permit have not been met, or information later discovered that would have prevented the approval of the Permit.

In summary, the proposed by-law allows the OPP and Municipal Law Enforcement Officers to address a variety of noise issues not captured in the existing by-law. Furthermore, the proposed by-law provides appropriate and reasonable expectations of all residents and businesses to ensure noise related activities do not extend into unreasonable hours, affecting the right to peace and enjoyment. The new By-law is to take effect on May 1, 2024.

### **FINANCIAL CONSIDERATIONS:**

The Fees and Charges By-law will need to be updated to include a cost for a noise exemption permit, yet to be determined.

### **STRATEGIC PLAN:**

#### **Goal 2: Quality of Life**

Provide a holistic quality of life which supports the mental, physical, and social health of our community.

**PREPARED BY:** Annilene McRobb, Clerk

**RECOMMENDED BY:** Mark Potter, Interim Chief Administrative Officer