



**ADMINISTRATIVE COMPILATION**

**BY-LAW NUMBER 44-2003**

**RESPECTING NOISE IN THE TERRITORY OF VILLE DE GATINEAU**

Adopted by the City Council on July 10, 2003

Effective date: July 12, 2003

As amended by the following by-laws:

<b>By-Law Number</b>	<b>Date Approved by the Council</b>	<b>Effective Date</b>
<b>44-1-2003</b>	<b>2004-01-20</b>	<b>2004-01-28</b>

Updated: 2013-11-19

## **FOREWORD**

The reader is hereby advised that any error or omission in the following text shall not limit the enforceability of the by-laws and amendments herein, as approved in their original version.

A publication of the Office of the Clerk



## BY-LAW NUMBER 44-2003

### BY-LAW NO. 44-2003 RESPECTING NOISE IN THE TERRITORY OF VILLE DE GATINEAU

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**WHEREAS** the Council may enact by-laws to regulate whistles, chimes and other noise-making items and prescribe fines;

**WHEREAS** the Council deems it appropriate and in the public interest to revise the current by-laws respecting noise adopted by the former cities of Aylmer, Buckingham, Gatineau, Hull and Masson-Angers, which have become Ville de Gatineau;

**WHEREAS** Notice of Motion No. AP-2003-762, which must precede the adoption of the by-law, was given at the Council meeting held on July 8, 2003:

**THE COUNCIL OF VILLE DE GATINEAU DECREES AS FOLLOWS:**

#### **CHAPTER 1** **INTERPRETATION AND APPLICATION**

##### **1. Definitions**

Unless the context indicates a different meaning, the following expressions and words have the meaning set out below:

- 1° **“Sound device”**: Any device that transmits or reproduces sounds, including, but not limited to, an amplifier, radio or loudspeaker.
- 2° **“Decibel (dB)”**: The ratio between a reference pressure and a measured pressure, whose application to sound is established, in accordance with publication number 651 of the International Electrotechnical Commission, using the following equation:  
$$\text{dB} = 20 \log_{10} (P/P_r)$$

where P is the measured pressure and P<sub>r</sub> is the reference pressure, set at 20 µPa for the measure of sound.
- 3° **“A-weighted decibel (dBA)”**: A sound level value measured in decibels then modified with an A-weighted filter, as decreed by the International Electrotechnical Commission, to account for the sensitivity of the human ear to the various ranges of frequencies.
- 4° **“Immovable”**: A property or a building.

- 5° **“Day”**: A period that begins at 7:00 a.m. every morning and ends at 11:00 p.m. every evening.
- 6° **“Night”**: A period that begins at 11:00 p.m. every evening and ends at 7:00 a.m. the next morning.
- 7° **“Officer responsible”**: The director of the police force, his or her representatives, as well as any employee of Ville de Gatineau who has received training in noise meter measurement recognized by the Ministère de l'éducation du Québec or Ontario's Ministry of Education.
- 8° **“Vehicle”**: A vehicle that is drawn, propelled or driven by any means other than muscular power, including railway equipment.

## **2. Scope of Application**

This By-law applies to the entire territory of Ville de Gatineau.

### **CHAPTER 2 SOUND DEVICES**

3. No person shall use or allow the use of a sound device such that noise is perceptible outside the immovable where the device is located and is likely to disturb public or neighbourhood peace, well-being and comfort.
4. No person shall use, within the city, a vehicle equipped with a sound device such that noise is perceptible outside the vehicle and is likely to disturb public or neighbourhood peace, well-being and comfort.

### **CHAPTER 3 PUBLIC ADVERTISING**

5. No person shall conduct business or advertise in the streets by calling, shouting, ringing or acting in any other manner that disturbs public or neighbourhood peace, well-being and comfort.

### **CHAPTER 4 LOADING**

6. No person shall carry out, or allow, loading or unloading activities with respect to goods, equipment or anything else at a residence, a place of business or a property between 10:00 p.m. and 7:00 a.m. when such activity is likely to disturb public or neighbourhood peace, well-being and comfort.

### **CHAPTER 5 WORK**

7. Due to the irritating nature of the noise (sirens, shock waves, repetitive impacts, etc.), work on construction, renovation or demolition sites located less than 150 metres from an immovable used as housing is permitted only from Monday to Saturday, from 7:00 a.m. until 9:00 p.m., except in the event of emergency work on public infrastructures or work expressly authorized by the Executive Committee.

### **CHAPTER 6 AUTO BODY REPAIR**

8. No person shall perform auto body repair work of any kind or use compressors, sandblasters, shock instruments or any other such loud machinery at night that is likely to disturb public or neighbourhood peace, well-being and comfort.

**CHAPTER 7**  
**MECHANICAL DEVICES**

9. No person shall use or allow the use of a chain saw, lawn mower, snow blower, mechanical tool or any other such device at night that is likely to disturb public or neighbourhood peace, well-being and comfort.
10. No person shall use, operate or leave in operation, or allow the use, operation or the leaving in operation, of machinery, a vehicle, a machine-tool or any device whatsoever at night that is likely to disturb public or neighbourhood peace, well-being and comfort.

**CHAPTER 8**  
**PUMPS, COMPRESSORS AND MOTORS**

11. No person shall operate, or allow to operate, a pool filter, a fan, an air conditioner, a heat pump, a generator or any other such pump, compressor, motor or machinery for residential, commercial or industrial use whose sound level perceived by the occupant of an immovable used as housing exceeds 60 dBA during the day and 55 dBA at night.

For motors, air conditioners or compressors that do not operate continuously, the noise levels decreed in the above paragraph are raised to 65 dBA during the day and 60 dBA at night. (By-law No. 44-1-2003)

12. The use of engine brakes is prohibited in the territory of Ville de Gatineau.

**CHAPTER 9**  
**AUTHORITY OF THE OFFICER RESPONSIBLE**

13. The officer responsible may order any person who contravenes the provisions of this By-law to cease the violation forthwith or to cause the violation to cease and the person must comply at once.

**CHAPTER 10**  
**CRIMINAL PROVISIONS AND PENALTIES**

14. The Council generally authorizes the officer responsible to commence criminal proceedings against any person who violates a provision of this By-law and, therefore, generally authorizes such persons to issue offence reports for this purpose; these persons are responsible for enforcing this By-law.
15. The officer responsible for enforcing this By-law is authorized to visit and inspect at any reasonable time any personal or real property, as well as the interior and exterior of any house or building, to determine compliance with this By-law, and the owner, tenant or occupant of the property, house or building shall allow the officer to enter.
16. Every one who contravenes a provision of this By-law commits an offence and is liable, in the case of a first offence, to a fine of not less than \$200 where the offender is a natural person, or to a fine of not less than \$500 where the offender is a corporation; and, in the case of a subsequent offence, to a fine of not less than \$400 where the offender is a natural person, or to a fine of not less than \$1,000 where the offender is a corporation.

In all cases, the cost of the proceedings shall be in addition to the fine.

The deadlines for the payment of fines and costs imposed under this section and the consequences of failing to pay such fines and costs within the prescribed deadlines are established in accordance with Quebec's *Code of Penal Procedure* (R.S.Q., c. C-25.1).

17. **Continuing Offence**

Where an offence continues for more than a day, each day during which it continues shall constitute a separate offence.

**CHAPTER 11**  
**FINAL PROVISIONS AND EFFECTIVE DATE**

**18. Repeal**

This By-law repeals and replaces the following by-laws:

- 1° By-law No. 59, as amended, of the former City of Aylmer.
- 2° By-law No. 1180, as amended, of the former Ville de Hull.
- 3° By-law No. 137, as amended, of the former Ville de Masson-Angers.

However, repeal of the aforementioned By-laws shall not be interpreted as affecting any matter or thing done under the provisions of the by-laws thus repealed and shall not prejudice in any manner proceedings brought thereunder.

**19. Effective Date**

This By-law shall become effective on the day on which the notice of publication is published. (By-law No. 44-1-2003)

**BY-LAW ADOPTED AT THE MEETING OF JULY 10, 2003**

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**PAUL MORIN**  
**COUNCILLOR AND COUNCIL**  
**CHAIR**

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**M<sup>c</sup> SUZANNE OUELLET**  
**CLERK**