

**CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE**

BY-LAW NO. 4588D-26

**A BY-LAW TO AMEND BY-LAW 4588-12 AS AMENDED, BEING
A BY-LAW TO PROHIBIT AND REGULATE NOISE WITHIN THE
TOWN OF NIAGARA-ON-THE-LAKE;**

WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake approved By-law 4588-12 on the 9th day of October, 2012;

AND WHEREAS Section 9 of the Municipal Act, R.S.O. 2001, Chapter 25, as amended provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS Section 10(2) of the Municipal Act, R.S.O. 2001, Chapter 25, as amended, authorizes a Council to pass a By-law respecting the health, safety and well-being of persons, and the economic, social and environmental well-being of the municipality;

AND WHEREAS Section 128 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS Section 129 of the Municipal Act, 2001, S.O. 2001, c. 25 authorizes municipalities to pass By-Laws to prohibit and regulate noise;

AND WHEREAS it is in the public interest to reduce the noise level in the Town of Niagara-on-the-Lake (the "Town"), so as to preserve, protect, and promote public health, safety, welfare, and the peace and quiet of the Inhabitants of the Town;

AND WHEREAS it is the policy of the Council of the Corporation of the Town of Niagara-on-the-Lake to regulate such sound or vibration, or nuisance;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:


1.That Schedule “D” (Administrative Penalties) attached to By-law 4588-12 as amended, be further amended by adding the following item and all subsequent items be renumbered sequentially:

Item	Column 1 - Short Form Wording	Offence	Set Fine
Schedule "D" - Noise By-law No. 4588-12 as amended			
1	Make, cause or permit sound or vibration at any time, which is likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants of the Town.	s.3	\$500

2.That Schedule “D” (Administrative Penalties) attached to By-law 4588-12 as amended, is hereby deleted and replaced with Schedule “D” (Administrative Penalties) attached hereto;

3.This By-law shall come into force and take effect immediately upon the passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 27TH DAY OF JANUARY 2026.


LORD MAYOR GARY ZALEPA


TOWN CLERK GRANT BIVOL

SCHEDULE D

**SCHEDULE OF OFFENCES AND FINES
TO ADMINISTER BY-LAW 4588-12 AS AMENDED UNDER
AMPS (NON-PARKING) BY-LAW 5334-21 AS AMENDED**

1. Column One in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column Two.
2. Column Two in the following table lists the provisions in the Noise Prohibition By-law 4588-12 as amended that are hereby designated.
3. Column Three in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column Two.

Item	Column 1 - Short Form Wording	Offence	Set Fine
Schedule "D" - Noise By-law No. 4588-12 as amended			
1	Make, cause or permit sound or vibration at any time, which is likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants of the Town.	s.3	\$500
2	Emit/cause/permit selling/advertising by shouting/outcry/amplified	s. 4 Schedule B. (1)	\$350
3	Cause/permit persistent barking/whining sound by any animal	s. 4 Schedule B. (2)	\$350
4	Operation of engine/motor in/on motor vehicle/boat/auxiliary equipment exceeding 3 minutes	s. 4 Schedule B. (3)	\$350
5	Emit/cause/permit noise from any auditory signaling device during prohibited time	s. 5 Schedule C (1)	\$350
6	Emit/cause/permit noise from operation of any electronic device during prohibited time	s. 5 Schedule C (2)	\$500
7	Noise from loading/unloading containers/products/ materials/refuse during prohibited time	s. 5 Schedule C (3)	\$350
8	Noise from construction equipment during prohibited time	s. 5 Schedule C (4)	\$350
9	Noise from fireworks or explosive devices when prohibited	s. 5 Schedule C (5)	\$350
10	Emit/cause/permit noise from operation of combustion engine when prohibited	s. 5 Schedule C (6)	\$350
11	Noise from powered/non-powered tool for domestic purposes, when prohibited	s. 5 Schedule C (7)	\$350
12	Emit/cause/permit noise from solid waste bulk lift/refuse compacting equipment when prohibited	s. 5 Schedule C (8)	\$350
13	Play musical instrument outdoors during prohibited time	s. 5 Schedule C (9)	\$350
14	Yelling/shouting/hooting/whistling/singing when prohibited	s. 5 Schedule C (10)	\$350