

PUBLISHED BY AUTHORITY

The following regulations have been amended by the Town Council of Stephenville Crossing under the provisions of section 413 of the Municipalities Act, 1999, in the Province of Newfoundland and Labrador and were adopted by Council on the 20th day of October, A.D., 2004.

Leona Webb
Mayor

REGULATIONS

1. INTERPRETATION:

- A. "Act" means the Municipalities Act, 1979.
- B. "Council" means the Town Council of the Town of Stephenville Crossing.
- C. "Motor Vehicle" as defined by the Highway Traffic Act in the Province of Newfoundland and Labrador.
- D. "Nuisance" means unreasonable interference in a private or public manner with the rights of a citizen(s).
- E. "Private Nuisance" refers to unreasonable interference with a property owner's use and enjoyment of his or her property.
- F. "Public Nuisance" refers to interference with the welfare or convenience of the general public and is usually considered a criminal or quasi-criminal offence.
- G. "Peace Officer" means any member of the Town of Stephenville Crossing Municipal Enforcement Department, R.C.M.P., or Royal Newfoundland Constabulary.
- H. "Town" means the Town of Stephenville Crossing, the boundaries of which are defined in the Town of Stephenville Crossing's Municipal Plan Order, 1988, dated the 10th day of February, 1988, by Order-In-Council.
- I. "Sound Amplifying Equipment" means any device used for amplification of human voice, music, or any other sound.

2. A person will be in violation of the Nuisance Control Act within the town by:

- A. squealing tires or brakes of a motor vehicle by unnecessary rapid braking, turning, or setting in motion such motor vehicle.
- B. discharging firearms, firing, or setting off any sort of fire cracker or fireworks, between the hours of 10:00 P.M. and 7:00 A.M., unless specifically permitted to do so in writing by Council.
- C. using a motor vehicle horn or warning device any more than reasonably necessary for the safety and warning of other traffic or pedestrians.
- D. using or starting the motor of a lawnmower, chainsaw, or any other machinery or equipment other than a motor vehicle, which is likely to disturb the peace and quiet of a neighborhood between the hours of 10:00 P.M. and 7:00 A.M.
- E. operating a motor vehicle on any street, or on private land unless it is equipped with a muffler so constructed as to prevent any intense noise.
- F. operating sound amplifying equipment audible for a distance in excess of one hundred and fifty (150) feet so that the volume is unreasonably jarring or disturbing to persons within the area of audibility.
- G. using any industrial machinery, tractors, crushers, and sawmills in a residential area between the hours of 7:00 P.M. and 7:00 A.M. without written approval of Council.
- H. creates excessive and continuous smoke.
- I. Performs an activity that pollutes the water and air.
- J. Regularly uses band equipment (ex: drums) in a residential zone.
- K. Blocks off town road(s).

3. Section 2, subsection C and F will not apply to motorcades or parades within the Town.

4. **Nothing in the preceding sections shall be deemed to prohibit:**
 - A. the sounding of any bell, horn, siren, or other signal device on any motor vehicle when the sounding of such signal is required by law or emergencies.
 - B. the sounding of the siren or horn of any emergency vehicle while responding to a call.
 - C. the ringing of church bells.
 - D. the sounding of industrial whistles.
 - E. Aircraft.

5. **Protection under these regulations may be taken summarily by Council or any Peace Officer.**

6. **Any person who violates any of these Nuisance Regulations shall be guilty of an offence and shall be liable on summary conviction.**
 - A. For a first offence: a fine of not less than fifty dollars (\$50.00) or more than two hundred dollars (\$200.00) or in default of payment, to imprisonment for a period not to exceed three (3) months.

7. **These amended regulations shall come into effect on the 20th of October, A.D., 2004, and may be cited as the Town of Stephenville Crossing Nuisance Regulations.**