

The Corporation of the City of Richmond Hill

By-Law 148-21

Being a By-law to amend Noise By-law 43-20

Whereas sections 8, 9 and 11 of the *Municipal Act, 2001*, authorize the Council of the Corporation of the City of Richmond Hill to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5, 6 and 8 of subsection 11(2) authorize by-laws respecting the economic, social and environmental well-being of the municipality, the health, safety and well-being of Persons; and the protection of Persons and property;

And Whereas Section 129 of the *Municipal Act, 2001*, as amended, provides that a municipality may prohibit noise and vibration unless a permit is obtained from the municipality and may impose conditions for obtaining, holding and renewing the permit.

And Whereas excessive sound and inadequately controlled noise may impair public health, safety and welfare and may become a nuisance;

Now Therefore The Council Of The Corporation Of The City Of Richmond Hill Enacts As Follows:

1. That By-law No. 43-20 (“the Noise By-law”) be amended as follows:

1.1 Repealing the definition of “**Stationary Source**” and replacing it with the below definition:

“**Stationary Source**” means a source of sound or combination of sources of sound that are included and normally operated within the property lines of a facility, and includes the premises of a Person as one stationary source, unless the dominant source of sound on those premises is covered by a specific section of this by-law;

1.2 **Section 2.4** shall be deleted and replaced with:

No person shall emit or cause or permit the emission of Noise resulting from any operation of Construction Equipment or any Construction that is clearly audible at a Point of Reception in a Residential Zone:

- a) From 7 p.m. to 7 a.m. the next day, or
- b) All day Sunday and statutory holidays.

1.3 **Section 2.8** shall be deleted and replaced with:

No Person shall emit or cause or permit the emission of Noise resulting from a residential air conditioner, pump, filter, or similar equipment that is clearly audible at a Point of Reception in a Residential Zone that exceeds the higher of 50 dB(A) or the Ambient Sound Level plus 5 dB.

1.4 **Schedule 1 – Exempt Activities** shall be amended by adding the below:

- 11) Noise made in connection with the delivery of goods to any of:
 - a. retail business establishments,
 - b. restaurants, including cafes and bars,
 - c. hotels and motels, and
 - d. goods distribution facilities.

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Passed this 24 day of November, 2021.

Joe DiPaola
Acting Mayor

Stephen M.A. Huycke
City Clerk