

Noise & Nuisance By-Law

Pursuant to the authority conferred by Section 8 of the Towns and Local Service Districts Act, (SNL 2023 T-6.2), the Town of Grand Falls-Windsor has made the following Noise and Nuisance By-Law.

1. Interpretations: In this By-Law:

- (a) "Act" means the Towns and Local Service Districts Act (SNL 2023 T-6.2).
- (b) "Air Gun" means those guns commonly referred to as B.B. or Pellet guns and all guns operated by pump or spring mechanisms and compressed gas cylinders regardless of muzzle velocity.
- (c) "Council" means the Town Council of Grand Falls-Windsor.
- (d) "Firearm" means a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm. As defined in the Criminal Code of Canada.
- (e) "Inspector" means a Municipal Enforcement Officer as appointed by Council.
- (f) "Nuisance" means anything or any condition of things which is or may become injurious or dangerous or presents an obstruction to pedestrians or vehicular traffic or anything or any condition of things that, in the opinion of Council, has an unpleasant effect on the senses or adversely affects the amenities of the surrounding property.
- (g) "Public Address System" means any system of loudspeakers, amplifiers, microphones or reproducers or any combination of such equipment used in the reproduction or amplification of music, speech or other sounds when used for communication or to otherwise address or entertain groups of people whether the same is mounted upon a vehicle or upon a building or other structure or upon the ground.
- (h) "Town" means the Town of Grand Falls-Windsor as defined.

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2. No person shall create a noise within the Town, through the use of firearms, fireworks, or other similar noise-making devices, except as may be approved by Council and subject to the approval of law enforcement or other regulatory agencies.
3. No person shall create a noise within the town, through the use of shouting or noise-making devices, for the purpose of selling wares, soliciting business or attracting attention, except as may be approved by Council.
4. No person shall fire or discharge an air gun or firearm within the boundaries of the Town of Grand Falls-Windsor, unless authorized by Council.
 - (a) A police officer/municipal enforcement officer/peace officer may seize any air gun or firearm where there are reasonable and probable grounds to believe that an offence has been committed pursuant to this By-Law.
 - (b) Where a charge is not laid pursuant to section 4a, within a period of thirty (30) days from the date of the offence, any air gun or firearm seized shall be returned.
5. No person shall create noise within the town, through the use of motor vehicle horns, except as may be reasonably necessary in the opinion of Council, for the safety and warning of traffic and pedestrians.
6. No person shall use, within the Town, a lawnmower, chainsaw, snowmobile or other machinery or equipment which may disturb the peace and quiet of a neighbourhood, between the hours of 11:00 p.m. of any day to 6:00 a.m. of the following day, except as may otherwise be approved by Council.
7. No person shall create noise within the town, through the use of a motor vehicle that has no muffler or a defective muffler, except as may be necessary, in the opinion of Council, to move such motor vehicle to a location for associated repairs, subject to the approval of law enforcement officials under the Highway Traffic Act.
8. No person shall create a noise within the Town, through the squealing of tires of a motor vehicle, which, in the opinion of Council, is caused by unnecessary braking, turning of setting in motor of such motor vehicle.

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9. (a) No person shall operate, cause, or permit to be operated any public address system, gramophone, radio or other device or apparatus for reproducing or amplifying sound, the sounds of which are capable of being heard on any street in the Town, without having first received approval from the Inspector or from the Council as hereinafter provided.
- (b) Such approval may be granted by the Inspector for the operation of such apparatus or device between the hours of 10:00am and 11:00pm, and may be refused if the Inspector shall be of the opinion that the operation of such apparatus or device disturbs or tends to disturb the peace and tranquility of the Town or any portion thereof;
- (c) Such approval may be granted upon other terms and conditions as may be determined by the Inspector, including the volume of sound to be reproduced by such apparatus or device, and shall be for such period as stated in such approval;
- (d) Any approval so granted may be cancelled by the Inspector at any time if he shall be of the opinion that the operation of such apparatus or device for which such approval was issued violates any of the terms and conditions attached to such approval or disturbs or tends to disturb the peace and tranquility of the Town or any portion thereof.
10. (a) Between the hours of 11:00pm in the evening on any day and 6:00am of the following day, no person, firm or company or owner or any land or building or premises shall, in the Town operate, conduct or carry on or use or cause or permit to be operated, conducted or carried on any industry, business, trade or vocation whatever which makes or allows to be made in connection with such operation, conduct or carrying on of such industry, business, trade or vocation, any noise or music which disturbs or tends to disturb the peace and tranquility of the Town or any portion thereof, or which disturbs or tends to disturb the peace and tranquility of any person residing in the vicinity of such street, building or place, or which can reasonably be deemed to be an annoyance to any person residing or carrying on business or being in the vicinity of such street, building or place.
- (b) No person, firm or corporation shall permit or maintain a nuisance by creating loud noises or raucous sounds or by creating or participating in any raucous behaviour that, in the opinion of Council, may have an unpleasant or disagreeable effect upon the senses.



11.
 - (a) Notwithstanding the provisions of Section 10, the Inspector may grant approval to operate, conduct or carry on any industry, business, trade or vocation which makes or allows to be made in connection with such operation, conduct or carrying on of such industry, business, trade, vocation any noise which disturbs or tends to disturb the peace and tranquility of the Town or any portion thereof between the hours of 11:00pm and 6:00am of the following day if, in the opinion of the Inspector, such operation, conduct or carrying on of such industry, business, trade or vocation is necessary in the interests of public health and safety.
 - (b) Such approval may be granted upon such terms and conditions as may be determined by the Inspector and shall be for a period not to exceed three (3) days.
12. Nothing in this By-Law shall be deemed to prohibit:
 - (a) The sounding of any bell, horn, siren or other warning device of any vehicle, where the law requires, or when responding to an emergency.
 - (b) The ringing of church bells or chimes.
 - (c) The sounding of industrial whistles.
 - (d) The sounding of motor vehicle horns in a wedding procession or in parades permitted by Council.
 - (e) The removal of snow by heavy equipment, immediately following a snowstorm.
13. The provisions of this By-Law shall not apply to:-
 - (a) Any member of the Royal Canadian Mounted Police, Municipal Enforcement Officer or Grand Falls-Windsor Fire Department.
 - (b) A person or an employee of the NL Health Services or the Town, while any such member or employee is employed in the execution of their duties as a member of such Force or Department or as an employee of the NL Health Services or the Town.
14. Enforcement

A member of the RCMP, a Grand Falls-Windsor Municipal Enforcement Officer (MEO), a Grand Falls-Windsor Inspector, or any person designated by Council may enforce this By-Law.

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15. Offence

- (1) A person who contravenes a provision of these By-Laws or who neglects or refuses to comply with a provision of these By-Laws commits an offence contrary to section 289(1)(f) of the Towns and Local Service Districts Act.
- (2) Each day upon which the same offence is committed or continued is a separate offence in accordance with section 289(3) of the Towns and Local Service Districts Act.
- (3) Every person who commits an offence under these By-Laws may:
 - (a) be subject to an Order pursuant to section 285(1) of the Towns and Local Service Districts Act;
 - (b) be issued a Violation Notice pursuant to section 287 of the Towns and Local Service Districts Act; or
 - (c) where the Town Council has not issued a violation notice, or where a violation notice has been issued but not complied with, be charged by way of summons, including a summons issued by means of a ticket under the Provincial Offences Act, pursuant to section 288 of the Towns and Local Service Districts Act.

16. Violation Notice

- (1) Where a person contravenes a provision of these By-Laws, the Town Council may issue a Violation Notice in accordance with section 287 of the Towns and Local Service Districts Act.
- (2) Where the Council issues a Violation Notice to a person in respect of a contravention of these By-Laws, that person may make a voluntary out of court payment to the Council.
- (3) Where the person makes a voluntary payment to the Council under 16(2) the amount of the voluntary payment shall be:
 - i. \$50.00 if the person makes a voluntary payment to the Council no later than seven (7) days from the date of issuance of a Violation Notice; or
 - ii. \$75.00 if the person makes the voluntary payment after the expiration of the time period in subsection (i), but not later than (14) days from the date of issuance of the Violation Notice.

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- (4) Where the person makes a voluntary payment to the Council under 16(2), no further action will be taken by the Council in respect to the contravention.
- (5) Where the Council issues a Violation Notice to a person, and that person fails to make a voluntary payment pursuant to section 16(2), the Council shall issue a summons with respect to the contravention noted in the Violation Notice.
- (6) The Council may charge the person referred to in 16(5) by way of summons, including a summons that is issued by means of a ticket under the *Provincial Offences Act*, pursuant to section 288 of the Towns and Local Service District Act.
- (7) Where a person has received a Violation Notice is convicted of an offence with respect to the same subject matter for which the Violation Notice was issued, the penalty for that offence shall be \$100.

17. Penalty

Pursuant to Section 290 of the Act, any person who violates any provision of these By-Laws shall be guilty of an offence and be liable on summary conviction;

- a) for a first offence to a fine of not less than \$100 and not more than \$1,000 or to a term of imprisonment of not more than one month or to both the fine and imprisonment;
- b) for a subsequent offence to a fine of not less than \$1,000 and not more than \$2,000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.

Darren Finn
CAO

Approved by Council at Meeting
on July 7, 2026.

Revision Dates

March 27, 2012	July 7, 2026			

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