

**CORPORATION OF THE VILLAGE OF BARNWELL  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 01-26**

**A BYLAW OF THE VILLAGE OF BARNWELL IN THE PROVINCE OF ALBERTA TO CONTROL,  
REGULATE, AND ABATE NOISE.**

**WHEREAS** the *Municipal Government Act, R.S.A. 2000, c. M-26*, as amended, provides that a Council may pass bylaws for municipal purposes respecting the safety, health, and welfare of people and the protection of people and property;

**AND WHEREAS** the Council of the Village of Barnwell deems it desirable to prevent and abate noises that disturb the peace and comfort of residents;

**NOW THEREFORE** the Council of the Village of Barnwell, duly assembled, enacts as follows:

**1. SHORT TITLE**

This Bylaw may be cited as the "**Noise Control Bylaw.**"

**2. DEFINITIONS**

For the purposes of this Bylaw:

- a) "**Animal**" means any domestic pet, livestock, or other animal owned, kept or maintained by a person.
- b) "**Construction Activity**" means any activity involving hand or power tools, machinery, or equipment to build, repair, or modify a structure, including landscaping or demolition.
- c) "**Construction Noise**" means any noise resulting from Construction Activity.
- d) "**Disturbing Noise**" means any sound produced by a person that is clearly audible at the property line of any residential lot and, in the opinion of a Peace Officer, interferes with the reasonable comfort, repose, or peace of any person in the Village.
- e) "**Nighttime**" means the hours commencing at the stated time on the previous day, and continuing until the morning hour identified herein:

<b>Day</b>	<b>Nighttime Hours</b>
Monday – Friday (excluding Statutory Holidays)	From 10:00 p.m. on the previous day to 7:00 a.m. on the stated day.
Saturday, Sunday and Statutory Holidays	From 11:00 p.m. on the previous day to 9:00 a.m. on the stated day.
For clarity, Nighttime applies to the overnight period preceding the stated day.	

- f) "**Peace Officer**" means a member of the RCMP, a Community Peace Officer, or a Bylaw Enforcement Officer appointed by the Village.
- g) "**Power Equipment**" means lawnmowers, snowblowers, chainsaws, leaf blowers, tractors, skid steers or similar tools and equipment.

- h) **"Property Line"** means the legal boundary of a parcel of land.
- i) **"Residential District"** means an area designated as residential under the Village of Barnwell Land Use Bylaw.
- j) **"Sound Level (dBA)"** means the sound pressure level measured with a sound level meter according to standard procedures generally accepted in acoustical measurement, measured at the property line, 1.2–1.5 m above ground, under typical conditions.

### 3. GENERAL PROHIBITIONS

- 3.1 No person shall make, continue, or permit any disturbing noise, except as permitted by this Bylaw.
- 3.2 When determining whether a noise is disturbing, a Peace Officer may consider:
  - Time of day (daytime vs. nighttime),
  - Duration and frequency of the noise,
  - Nature of the area (residential, commercial, industrial), and
  - Whether the noise exceeds applicable dBA limits at the property line.
- 3.3 Any noise during Nighttime hours in a Residential District that:
  - exceeds 60 dBA at the property line for more than 10 minutes, or
  - exceeds 60 dBA at the property line in repeated episodes totalling more than 20 minutes within a one-hour period,

is deemed to be a disturbing noise unless otherwise exempt under this Bylaw.

### 4. DOMESTIC, CONSTRUCTION, AND ANIMAL NOISE

- 4.1 **Power Equipment:** Operation of Power Equipment is prohibited in a Residential District during Nighttime hours. Emergency repairs/maintenance for life, health, or property are exempt.
- 4.2 **Construction Activity:** Construction in Residential Districts may not occur during Nighttime hours. Noise audible beyond the property line during Nighttime hours is prohibited without prior written permission granted by the Village.
- 4.3 **Animal Noise:** Owners must prevent animals from making noise that:
  - Continues for more than 10 minutes at any time of the day, or
  - Occurs in repeated episodes totalling more than 20 minutes within a 1-hour period, and that is audible at the property line or disturbs the peace of other persons within the Village.

#### **Exemptions:**

- Normal domestic activity (e.g., occasional barking outside of Nighttime hours),
  - Emergency animal response, or
  - Animals responding to reasonable provocation, such as:
    - A person or animal entering their property,
    - Sudden loud noises or disturbances, or
    - Any immediate threat to the animal's safety.
- 4.4. Peace Officers may issue warnings or fines for violations that exceed these thresholds, considering the frequency, duration, and severity of the noise.

## 5. MOTOR VEHICLE AND EQUIPMENT NOISE

- 5.1** Motor vehicles and equipment shall not operate in a manner that creates unnecessary noise, including:
- Excessive revving, squealing tires, engine brakes ("Jake Brakes") in Village municipal limits.
- 5.2 Idling Limits:** Motor vehicles, including commercial and private vehicles, may not idle in Residential Districts for more than 20 minutes during Nighttime hours, except when necessary for:
- Extreme weather conditions,
  - Medical purposes, or
  - Emergency response.
- 5.3** Off-highway vehicles, motorcycles, and other motorized recreational vehicles must comply with all Noise limits in this Bylaw.

## 6. GENERAL EXEMPTIONS

This Bylaw does not apply to:

- Emergency vehicles responding to an emergency.
- Village-owned vehicles or contractors performing essential services such as snow removal, road maintenance, or utility work.
- Special events or festivals with a written Noise Waiver issued by the Village.
- Temporary construction or repairs necessary to protect life, health, or property.
- Agricultural activities conducted according to normal farm practices outside Residential Districts within the Village.

## 7. ENFORCEMENT

- 7.1** Peace Officers are authorized to:
- Investigate complaints.
  - Measure sound levels at the property line using a sound meter that is reasonably maintained and calibrated in accordance with manufacturer specifications.
  - Determine disturbing noise based on audibility at the property line and the effect on neighbouring residents when measurements are not feasible.
  - Issue warnings, violation tickets, or summons to Court.
- 7.2** Peace Officers may issue a written warning for first offences unless the violation is flagrant or repeated.

## 8. PENALTIES

- 8.1** Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable to a fine:

Offence	Fine
First Offence:	\$250.00

Second Offence (within 12 months of the first offence):	\$500.00
Third and Subsequent Offences (within 12 months of the most recent offence):	\$2,500.00 or a summons to appear in Court.

**8.2 Continuing Violations:** Each day that a contravention continues after the issuance of a warning or ticket shall constitute a separate offence.

**9. SEVERABILITY**

If any section of this Bylaw is found invalid or unenforceable, the remaining sections remain in effect.

**10. REPEAL AND EFFECTIVE DATE**

- 10.1** Bylaw 4-86 is hereby repealed.
  - 10.2** Any other bylaws, or parts thereof, that are inconsistent with the provisions of this Bylaw are hereby repealed, only to the extent of the inconsistency.
- This Bylaw shall come into force on the date of its third reading.

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READ A FIRST TIME THIS 26 DAY OF January, 2026.

READ A SECOND TIME THIS 9 DAY OF February, 2026.

READ A THIRD TIME THIS 9 DAY OF February, 2026.

Missy Foster  
Mayor

Angela Jones  
Chief Administrative Officer