

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 6063, 1992

A Bylaw to regulate or prohibit the making or causing of Construction Noises or Sounds in the City of New Westminster

THE CITY COUNCIL of the Corporation of the City of New Westminster in open meeting assembled HEREBY ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "New Westminster Construction Noise Bylaw No. 6063, 1992".

2. The Nuisance Prohibition Bylaw No. 3869, 1962 is hereby repealed

3. In the Bylaw:

"Construction" includes the erection, reconstruction, alteration, repair, relocation, demolition and removal of a building, structure, or thing, structural maintenance, painting, land clearing, earth moving, grading, excavating, the laying of pipe or conduit, street building, concreting and the installation, alternation or removal of Construction equipment, components and materials in any form or for any purpose and includes any work being done in connection therewith; and

"Permitted Hours" means the time periods between 7:00 a.m. and 8:00 p.m. on weekdays and Saturdays, but does not include Sundays or other holidays.

4. Construction which disturbs the quiet, peace, rest, enjoyment, comfort and convenience of the neighbourhood or persons in the vicinity is not permitted, except during Permitted Hours.

5. Construction during Permitted Hours is exempt from the provisions of the Noise Bylaw No. 5004, 1977.

6. In addition to the other provisions of this Bylaw, every person carrying out or causing Construction shall take all reasonable steps to minimize the noise from Construction sites.

7. A person may, in an emergency, perform Construction or cause or permit others to perform Construction for the preservation or protection of property, without regard for the provisions of this Bylaw, but shall not

- continue such Construction, nor cause such Construction to be continued after the emergency passes.
8. Notwithstanding Section 4, a person may carry out Construction on his or her residence on a Sunday or other holiday, between the hours of 9:00 a.m. and 6:00 p.m., provided that such Construction is not being carried out for profit or gain.
 9. The public health inspector and the bylaw enforcement officer may enter on any real property at all reasonable times to determine whether the provisions of the Bylaw are being complied with.
 10. Council, may by resolution, extend the Permitted Hours for the carrying out of Construction if it would be impractical or impossible to carry out the Construction during the Permitted Hours.
 11. Any person who violates or fails to comply with any provision of this Bylaw shall be deemed to have committed an offence and upon conviction is liable to the penalties that may be imposed pursuant to the Offence Act.

Adopted on October 19, 1992.