

**TOWNSITE OF REDWOOD MEADOWS
ADMINISTRATION SOCIETY**

NOISE CONTROL BYLAW

BYLAW #2026 - ??

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BYLAW NO. 2025 XX

BEING A BYLAW RESPECTING NOISE CONTROL WITHIN
THE TOWNSITE OF REDWOOD MEADOWS

WHEREAS:

- A. The Townsite of Redwood Meadows (Townsite), a community located within specifically designated lands within the Tsuut'ina Nation in the Province of Alberta, is governed by the Townsite of Redwood Meadows Administration Society (Society);
- B. The Society is a body incorporated under the Societies Act (Alberta) whose business and affairs are managed by a board of directors (Council);
- C. The Society, acting in a manner similar to a local municipal government incorporated under the Municipal Government Act (Alberta), has jurisdiction over the governance, administration, and operations of the Townsite pursuant to the rights and authorities delegated to the Society by the Tsuut'ina Nation through the Stewardship Agreement, the Lease Agreements, and the Tax Administration Agreement;
- D. The Society uses the provisions of the Tsuut'ina Agreements, the Lease Agreements, (and the provisions of the Municipal Government Act (Alberta) as far as may be practical in the circumstances), to define this Noise Control Bylaw for the Townsite; and
- E. The Society deems it necessary and expedient to pass this Bylaw for the purpose of providing for the effective Noise Control within the Townsite.

NOW THEREFORE the Townsite of Redwood Meadows Administration Society, in the province of Alberta, duly assembled, enacts as follows:

ADMINISTRATION

Short Title

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

Purpose

The purpose and intent of this Bylaw is to set reasonable standards for Noise Control.

Application

This Bylaw shall apply to all residential Lots within the Townsite of Redwood Meadows, and all public lands contained within its legal boundary.

The Sublease or Sub-Sublease holder is ultimately responsible for all Noise Control within the Townsite of Redwood Meadows.

Other Legislative Requirements

Nothing in this Bylaw relieves a Person from complying with any Federal, Provincial or Tsuut'ina Nation law or regulation, other bylaw or any requirements of any lawful permit, order or license.

Severability

Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

INTERPRETATION

Definitions

In this Bylaw, so far as the context does not otherwise require:

A Bylaw Officer, Peace Officer, RCMP, Tsuu Tina Police or Police Officer within the province of Alberta is hereby authorized and empowered to issue a Violation Ticket to any Person, who a Bylaw Officer, Peace Officer, RCMP, Tsuu Tina Police or Police Officer within the province of Alberta, has reasonable and probable grounds to believe has contravened a Bylaw of the Townsite of Redwood Meadows Administration Society.

"Bylaw Officer" means a person so designated, and includes any inspector designated by Council to perform the duties or a Peace Officer with respect to the enforcement of this Bylaw;

"Carry on" means to carry on, continue, operate, perform, keep, hold, occupy, or use a thing, object or practice;

"Council" means the Municipal Council of the Townsite of Redwood Meadows;

"Court" means the Provincial Court of Alberta;

"Daytime Residential" means the period:

Beginning at 0700hrs and ending at 22:00hrs Monday through Thursday;

Beginning 0700hrs and ending at 23:00hrs on Friday;

Beginning 0800hrs and ending at 23:00hrs on Saturday; and

Beginning 0800hrs and ending at 22:00hrs on Sunday and Holidays.

"Emergency Vehicle" has the same meaning as in the Traffic Safety Act;

"Holiday" has the same meaning as in the Interpretation Act, R.S.A. 2000, Chapter 1-8, s28 (x), as amended or replaced from time to time;

"Motorized Power Tool" means any tool or implement that is powered by an electric or internal combustion motor, or compressed air, including snowblowers, lawn mowers and motorized garden tools;

"Night Time" means anything that falls outside of Daytime Residential;

"Noise" means any sound that annoys, aggravates, endangers or disturbs humans or animals, or which detracts from the comfort, peace, or repose of humans, including loud music, shouting, banging, and other similarly disturbing activities;

"Person" means an individual or any business entity including a firm, partnership, association, corporation, company or society;

"Provincial Offences Procedure Act" means the Provincial Offences procedure Act, R.S.A. 2000, Chapter P-34 and the regulations thereof, as amended or replaced from time to time;

"Residential Building" means a structure used as a residence containing one or more dwellings units, including a house;

"Signaling Device" means any device that produces an audible sound used for the purpose of drawing a person's attention, including a horn, gong, bell, claxon or public address system;

"Speaker System" means any sound amplification device that converts electrical impulses into sound, whether the device is independent or incorporated into a radio, stereo, television, computer, or public address system, including any such device located in a residential building, vehicle, or portable self-contained unit;

"Townsite" means the Townsite of Redwood Meadows, or the area contained within the boundaries thereof, as the context required;

"Townsite Manager" means a Municipal official in the responsible role of Townsite Manager, and includes anyone designated and authorized to act on his behalf;

"Townsite Council" means the duly elected officers of the Townsite of Redwood Meadows Administration Society;

"Voluntary Payment Ticket" means a tag, notice/letter or similar document in a form approved by the Council and issued for any offence in which a penalty may be paid out of court.

Context

Where a word is used in the singular, such a word may also mean plural.

Where a masculine or impersonal pronoun or adjective is used, such a word may also mean the feminine or impersonal pronoun or adjective.

Where a word is used in the present tense, such a word may also mean the future tense.

The word "person" includes a corporation as well as an individual.

The words "shall" and "must" require mandatory compliance except where a variance or relaxation has been granted pursuant to this Bylaw. "May" means a choice is available, with no particular direction or guidance intended.

Words, phrases, and terms not defined in this Bylaw shall be given their usual and customary meaning.

Where a regulation involves two or more conditions or provisions connected by the conjunction "and" means all the connected items shall apply in combination; "or" indicates that the connected items may apply singly; and "and/or" indicates the items may apply singly or in combination.

Headings

The headings of this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this bylaw.

GENERAL PROHIBITION

3.1 General

Except by Townsite permit, no person shall in either the Daytime or the Night Time:

- (a) Make, continue, cause, or allow to be made or continued any excessive, unnecessary, or unusual noise of any type; or
- (b) Allow or permit any real or personal property that is owned, occupied or controlled by that person to be used in a way that allows excessive, unnecessary, or unusual noise of any type to emanate from such property; or
- (c) Operate, allow or permit the operation of a speaker system of any type at an unnecessarily loud volume, thereby creating excessive noise.

3.2 Criteria

- (a) Whether or not a particular sound complained of constitutes a noise, or is an "excessive, unnecessary or unusual noise" is a question of fact to be determined by a Bylaw Officer.
- (b) When making the determination as to whether a particular sound constitutes an "excessive, unnecessary or unusual noise" the Bylaw Officer shall consider any admissible evidence as to:
 - (i) The time of the disturbance complained of and whether it was during the daytime or the night time;
 - (ii) The location of the disturbance and whether or not the disturbance occurred in a residential development;
 - (iii) The duration and nature of the disturbance; and
 - (iv) Any other circumstances or factors relation to the disturbance which the Bylaw Officer deems are relevant to the said determination.

ARTICLE 4 - ACTIVITIES IN RESIDENTIAL DEVELOPMENTS

No person shall operate, allow or permit the operation of the following during night time:

- (a) A motorized power tool outside of any building or structure;
- (b) A model aircraft powered by an internal combustion engine or electric drone of any kind;
or
- (c) A signaling device of any kind, including a vehicle horn in a residential development.

ARTICLE 5 - VEHICLE NOISES

- (a) No person who owns, operates or controls a truck, concrete-mixer, tractor-trailer or garbage truck shall allow or permit such vehicle to be loaded or unloaded within a residential development or within one hundred and fifty (150) meters of a residential development during the night time.
- (b) No person who owns, operates or controls a vehicle equipped with an audible alarm system shall allow such system to be activated repeatedly or excessively whether such activation is due to system malfunction, improper installation or setting, or any other reason.
- (c) No person who owns, operates or controls a vehicle shall allow the engine of the vehicle to be raced or otherwise operated so as to cause excessive and unnecessary noise.

ARTICLE 6 - EXEMPTIONS AND EXCEPTIONS

- (a) The provisions of this Bylaw do not apply to:
 - (i) Emergency vehicles;
 - (ii) Construction activities and related noise during the daytime;
 - (iii) Work performed in relation to a highway or public utility by the owner or operator of a public utility, or its contractors;
 - (iv) Any activity within the sole jurisdiction of the Government of Canada or the Province of Alberta;
- (b) The provisions of the Bylaw must not be interpreted to prevent:
 - (i) The use of signaling devices on vehicles in their normal operation for the purpose of giving warnings to other drivers or pedestrians
 - (ii) The sounding of any alarm or warning to announce a fire or other emergency;
 - (iii) The playing of a band or other activities relating to a lawful parade or public demonstration.

ARTICLE 7 - REMEDIAL ORDER

7.1 Remedial Orders

- (a) A Remedial Order issued pursuant to this Bylaw may be served to the Owner or Occupant:
 - (i) by delivering it personally to the individual;
 - (ii) by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age; or
 - (iii) by delivering it by regular mail to the individual at their apparent place of residence.
- (b) Every Person who fails to comply with a Remedial Order issued pursuant to this Bylaw within the time set out in the Remedial Order commits an offence.

ARTICLE 8 - ENFORCEMENT

8.1 General Penalty Provision

- (a) Any Person who contravenes any provision of this Bylaw by:
 - (i) doing any act or thing which the Person is prohibited from doing; or
 - (ii) failing to do any act or thing the Person is required to do;
 - (iii) is deemed non-compliant.

8.2 Violation Tickets & Penalties

- (a) Where the Townsite believes that an Owner or Occupant has contravened any provision of this Bylaw, Townsite may commence proceedings against the Person by issuing a violation ticket pursuant to the Sub-Sublease Section 2.10:
 - (i) if this is a first incident, the Enforcement Officer may provide an informative notice to the Owner.
- (b) Where there is a specified penalty listed for an offence in the Enforcement and Fines Bylaw, that amount is the specified penalty for the offence.
- (c) Notwithstanding the specified penalties set out in Enforcement and Fines Bylaw:

If a Person is guilty of an offence twice of the same provision of this bylaw within a twenty-four (24) month period, the specified penalty for the second offence shall be twice the amount of the specified penalty as set out in the Enforcement and Fines Bylaw.

If a Person is guilty of an offence three or more times of the same provision of this Bylaw within a twenty-four (24) month period, the specified penalty for the third and subsequent offence shall be three times the amount of the specified penalty as set out in the Enforcement and Fines Bylaw.

- (d) In default of payment for any violation tickets, or any amount due and payable to the Townsite pursuant to this Bylaw, the amount of such sums in default shall be a fee against the Lot and become due and payable to the Townsite as Additional Rent. Balances outstanding after three (3) months will be transferred to the corresponding tax roll as Additional Rent and shall form part of the outstanding taxes for the lot.

8.3 Appeal Process

- (a) The appeal process is as stipulated in Section 2.10 (c) of the Sub-Sublease:

The Sub-Sublessee may, within ten (10) days of receipt of any Ticket, appeal any such Ticket by delivering a notice to the Sub-Sublessor setting out the reasons for the appeal. The Sub-Sublessor, or a representative thereof, will consider the reasons of the Sub-Sublessee set forth in any Appeal Notice and deliver a response in writing to the Sub-Sublessee setting out whether the Sub-Sublessor has repealed the applicable Ticket. The decision of the Sub-Sublessor, in any Response Notice, is final.
- (a) Legacy Sub-lease holders are subject to the same process as Section (a)

ARTICLE 9 - TRANSITION AND COMING INTO FORCE

9.1 Enactment/Transition

- (a) If any clause in this Bylaw is found to be invalid, it shall be severed from the remainder of the Bylaw and shall not invalidate the whole Bylaw.
- (b) This Bylaw comes into force on the date it is passed.

THIS BYLAW SHALL COME INTO FULL FORCE AND EFFECT ON THE DATE OF ITS FINAL READING. APPROVED AND PASSED BY THE COUNCIL FOR THE TOWNSITE OF REDWOOD MEADOWS.

THIS X DAY OF XX, 2026

Mayor – Sam Jackson

Townsite Manager – Gord Tate

1st Reading *PASSED 26/8/18 - MOVED BY COUNCILOR ARDLEY, 2ND BY COUNCILOR NICHOL - UNANIMOUS*

2nd Reading

3rd Reading