

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2001-35

BEING A BY-LAW TO AMEND NOISE BY-LAW NO. 142-76
TO CONTROL NOISE (PROHIBITION OF ENGINE
COMPRESSION BRAKES IN A RESIDENTIAL AREA OR
QUIET ZONE)

WHEREAS the *Municipal Act*, R.S.O. 1990, c. M-45 s.210 (138) authorizes the Council to pass by-laws for prohibiting within a municipality noises likely to disturb the inhabitants;

AND WHEREAS s. 320 of the *Municipal Act* authorizes the Council to pass by-laws making the contravention of any by-law passed by the Council in accordance with the *Municipal Act* an offence;

AND WHEREAS s. 178 of the *Environmental Protection Act* enables municipalities to pass by-laws to control the emission of noise with the approval of the Minister of the Environment;

AND WHEREAS the Council deems that the use of engine compression brakes in a residential area or quiet zone is likely to disturb the inhabitants of the municipality.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:


1. No person shall apply engine compression brakes at any time in a residential are or quiet zone.
2. That Schedule 1 of the By-law No. 142-76 be amended by adding to the General Prohibitions:

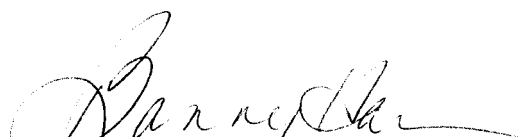
“8. The activity of applying engine compression brakes.”
3. This By-law comes into effect upon the approval of the Minister of the Environment or his delegate.

READ A FIRST TIME IN OPEN COUNCIL THE 17TH DAY OF APRIL, 2001.

READ A SECOND TIME IN OPEN COUNCIL THE 17TH DAY OF APRIL, 2001.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF APRIL, 2001.


MAYOR


CITY CLERK