

**THE CORPORATION OF THE TOWN OF SMOOTH ROCK FALLS**

**BY-LAW #2004-32**

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**Being a by-law to control noise (prohibition of engine compression  
Brakes in a residential area or quiet zone)**

**WHEREAS** the *Municipal Act 2001*, section 129 (1) authorizes the Council to pass a by-law prohibiting within a municipality noises likely to disturb the inhabitants;

**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 of the Corporation of the Town of Smooth Rock Falls 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 TOWN OF SMOOTH ROCK FALLS HEREBY ENACTS AS FOLLOWS:**

1. No person shall apply engine compression brakes at any time in a residential area or quiet zone.
2. Any person convicted of a breach any of these provisions of this by-law is liable to a fine of not more than one thousand five hundred dollars (\$1,500) and is recoverable under the terms of the Provincial Offences Act, 1990 Chapter 33, as amended.
3. That by-law #2000-07 be repealed.

READ AND PASSED THIS 13<sup>th</sup> DAY OF December 2004.

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MAYOR

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CLERK