



OAKVILLE

Consolidated Version to March 28, 2022 – Amended by By-law Nos: 2009-081, 2011-100, 2013-028, 2016-016, 2021-038, 2022-031

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2008-098

A by-law to prohibit and regulate noise

WHEREAS section 129 of the *Municipal Act, 2001*, S.O. 2001, c.25 authorizes municipalities to pass by-laws to prohibit and regulate noise;

WHEREAS excessive sound and inadequately controlled noise may impair public health, safety and welfare and may become a nuisance;

WHEREAS a recognized body of scientific and technological knowledge exists by which sound may be reasonably and accurately measured and can be substantially reduced;

THEREFORE COUNCIL OF THE CORPORATION OF THE TOWN OF OAKVILLE ENACTS AS FOLLOWS:

1. Interpretation

In this By-law, the following terms shall have the following meanings:

- (a.i) “Administrative Penalties for Non-Parking Violations and Orders By-law” means By-law 2021-038, or successor by-laws; **(By-law 2021-038)**
- (a) “Authorized Emergency Vehicle” includes any ambulance or hearse, any vehicle of the fire department, any vehicle of the local, provincial or federal police, any vehicle (including a snow plough) operated by or for the Town or a public utility company while actively engaged in the construction, maintenance or repair of any highway, or any equipment or facilities thereon, or a snow plough or other maintenance vehicle operated by or for the Ministry of Transportation or the Regional Municipality of Halton;
- (a.1) “Background Sound Level” is the sound level that is present in the environment, produced by noise sources other than the source under impact assessment. Highly intrusive short duration noise caused by a source such as an aircraft fly-over or a train pass-by is excluded from the determination of the background sound level. Background sound level may also be referred to as “ambient sound level;” **(By-law No. 2009-081)**



- (b) “Construction” includes erection, alteration, repair, dismantling, demolition, structural maintenance, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, application of concrete, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith;
- (c) “Construction Equipment” means any equipment or device designed and intended for use in construction, or material handling, including but not limited to: hammers, saws, drills, augers, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment;
- (d) “Controlled Area” means those areas of the Town designated C3R in the Zoning By-Law;
- (e) “Conveyance” includes a vehicle and any other device employed to transport a person or persons or goods from place to place but does not include any such device or vehicle if operated only within the premises of a person;
- (f) “Council” means the Council of the Corporation of the Town of Oakville;
- (g) “dBA” means the A-weighted sound pressure level;
- (h) “dBAI” means the A-weighted sound pressure level of an impulsive sound measured with a sound level meter set to "impulse" response;
- (i) “Designated Official” means the Clerk of the Town of Oakville, or any successor to this position, and the designate or designates of this individual;
- (j) “Highway” includes a common and public highway, street, avenue, parkway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles;
- (k) “Leq” means one hour equivalent sound level;
- (l) “LIm” means logarithmic mean impulse sound level;
- (m) “Motor Vehicle” includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-

propelled implement of husbandry or road-building machine within the meaning of the *Highway Traffic Act*,

- (n) “Motorized Conveyance” means a conveyance propelled or driven otherwise than by muscular, gravitational or wind power;
- (o) “Noise” means unwanted sound;
- (o.1) “Officer” means any person authorized by the Corporation of the Town of Oakville to enforce by-laws and includes Municipal Law Enforcement Officers, provincial offences officers and Halton Regional Police Officers; **(By-law 2021-038)**
- (o.2) “Penalty Notice” means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law; **(By-law 2021-038)**
- (o.3) “Person” includes an individual, a corporation, a partnership, and an association, and includes a licensee or an authorized representative thereof; **(By-law 2021-038)**
- (p) “Point of Reception” means any point on the premises of a person where sound originating from other than those premises is received;
- (q) “Residential Area” means those areas of the Town designated as residential in the Zoning By-Law, but for greater certainty excluding those areas which have been designated C3R;
- (r) “Residential Renovation” means work, other than work performed by a licensed contractor, consisting of construction at a residential property by a person residing at the property (with or without the assistance of other persons) that does not require any building permit;
- (r.1) “RPM” means revolutions per minute; **(By-law No. 2011-100)**
- (s) “Sound” means an oscillation in pressure, stress, particle displacement or particle velocity, in a medium with internal forces (e.g., elastic, viscous), or the superposition of such propagated oscillations, which may cause an auditory sensation;
- (s.1) “Sound Level” is the A-weighted sound pressure level; **(By-law No. 2009-081)**
- (s.2) “Sound Level Meter” is an instrument which is sensitive to and calibrated for the measurement of sound; **(By-law No. 2009-081)**

- (t) “Stationary source” means a source of sound, whether fixed or mobile, that exists or operates on the premises, property or facility, the combined sound levels of which are emitted beyond the property boundary of the premises, property or facility, unless the source is due to construction as defined in this By-law. Stationary source also includes the sound generated by back-up/reverse alarms mounted on vehicles when engaged in activities within a property, excluding those back-up/reverse alarms operated in connection with construction sites, road maintenance and emergency operations. Stationary source excludes noise sources addressed in a qualitative manner, that is clearly audible at a point of reception, such as dog barking, noisy parties, domestic power tools, radios, televisions, etc.; **(By-law No. 2009-081)**
- (u) “Town” means the Corporation of the Town of Oakville or the geographic area of the Town of Oakville as the context requires, and
- (v) “Zoning By-Law” means Town of Oakville Zoning By-law as amended from time to time.

1.1 This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law. **(By-law 2021-038)**

2. General Prohibitions

No person shall emit or cause or permit the emission of sound resulting from an act listed in Schedule 1 to this By-law and which sound is clearly audible at a point of reception.

2.1 No person shall operate a motorcycle on any highway if the motorcycle:

(a) Emits any sound exceeding 92 dBA from the exhaust outlet as measured at 50 centimetres by means of a sound level meter set to slow response while the motorcycle engine is at idle; or

(b) Is a one, two, five or six cylinder motorcycle and emits any sound exceeding 96 dBA from the exhaust outlet as measured at 50 centimetres by means of a sound level meter set to slow response when the motorcycle engine is at 2000 RPM; or

(c) Is a three or four cylinder motorcycle and emits any sound exceeding 100 dBA from the exhaust outlet as measured at 50 centimetres by means of a sound level meter set to slow response when the motorcycle engine is at 5000 RPM. **(By-law No. 2011-100)**

2.2 No person shall refuse to provide a motorcycle owned or operated by that person to an officer duly authorized to enforce the by-law under Section 9 of this by-law. **(By-law No. 2011-100)**



3. Prohibitions by Time and Place

(1) No person shall emit or cause or permit the emission of sound resulting from any act listed in Column 1 of Schedule 2 to this By-law if clearly audible at a point of reception located in an area of the Town within a prohibited period of time for such an area as set out in Column 2 to Schedule 2 to this By-law.

(2) Notwithstanding subsection (1), where there is a conflict between section 3(1) and section 4(1), the least restrictive standard, being the sound level limit specified in section 4(1), shall apply. However, the noises listed in #3, #12 and #15 of Column 1 of Schedule 2 shall be governed by the most restrictive means, being sound that is clearly audible at a point of reception for those times and places specified in Schedule 2.

4. General Limitations on Sound Levels

(1) No person shall emit or cause or permit the emission of sound from a stationary source such that the sound level from that source at a point of reception located in a Controlled Area or Residential Area, when measured with a sound level meter by a person empowered to enforce this By-law, exceeds both the background sound level and exceeds the maximum permitted sound level limit for that time specified in the following chart: **(By-law No. 2009-081)**

One Hour Leq (dBA) or LIm (dBAI)

<u>Time of Day</u>	
07:00 – 19:00	50
19:00 – 23:00	47
23:00 – 07:00	45

(2) Subsection (1) does not apply to specific sources that are governed by section 5.

5. Limitations Applicable to Specific Sources

(1) No person shall emit or cause or permit the emission of sound from the operation of a residential air conditioning device resulting in a sound level at a point of reception located in a Controlled Area or Residential Area, when measured with a sound level meter by a person empowered to enforce this By-law, in excess of both the background sound level and in excess of an Leq of 50 dBA. This subsection does not apply, however, to air conditioning units used in connection with institutional, commercial and industrial applications or multi-family dwellings sharing a common air conditioning device. **(By-law No. 2009-081)**

(2) No person shall emit, cause or permit the emission of any sound from any blasting operations without the approval of Council.



(3) No person shall operate or use or cause to be operated or used any sound reproduction device in any dwelling house, apartment house, hotel or other residence between 07:00 hours (09:00 hours on Sundays) and 17:00 hours (19:00 hours in a Controlled Area) of the same day, the noise from which sound reproduction device is clearly audible in another dwelling within the said residence, and when measured in another dwelling within the said residence with a sound level meter by a person empowered to enforce this By-law, has an Leq greater than both the background sound level and in excess of 45 dBA. **(By-law No. 2009-081)**

(4) No person shall operate or use or cause to be operated or used any sound reproduction device originating from or in connection with the operation of any commercial establishment between 07:00 hours (09:00 hours on Sundays) and 17:00 hours (19:00 hours in a Controlled Area) of the same day, the noise from which sound reproduction device, when measured within the said business with a sound level meter by a person empowered to enforce this By-law, has an Leq greater than both the background sound level and in excess of 45 dBA. **(By-law No. 2009-081)**

(5) No person shall operate or cause to be operated or used any sound reproduction device between 07:00 hours (09:00 hours on Sundays) and 17:00 hours (19:00 hours in a Controlled Area) of the same day, the noise from which sound reproduction device, when measured outside of the business, dwelling house, apartment house, hotel or other residence, at the property line or inside the property of another person with a sound level meter by a person empowered to enforce this By-law, has an Leq greater than both the background sound level and in excess of 55 dBA. **(By-law No. 2009-081)**

6. Exemptions

Notwithstanding any other provision of this By-law, it shall be lawful to emit or cause or permit the emission of sound in connection with:

(a) any of the activities listed in Schedule 3, or

(b) emergency measures undertaken for the immediate health, safety or welfare of the inhabitants of the Town, including emergency measures undertaken for the preservation or restoration of property.

7. Grant of Exemption by Designated Official

(1) Any person may make application to the Designated Official to be granted an exemption from any of the provisions of this By-law. The application shall be made in writing at least 30 days prior to the event or activity and shall contain:

- (a) the name and address of the applicant and contact information of at least one person who will supervise the event or activity to ensure compliance with the terms and conditions of the permit;
 - (b) a description of the source of sound in respect of which exemption is sought together with a site plan indicating the location and direction of any sound amplifying devices and a list of any equipment to be used;
 - (c) the date, any alternative date, time and location of the event or activity for which the permit is sought and, where applicable, the number of people expected to attend;
 - (d) the period of time, of a duration not in excess of six months, for which the exemption is sought;
 - (e) a statement of the particular provision or provisions of the By-law from which exemption is sought;
 - (f) the reasons why the exemption should be granted;
 - (g) a requirement for the applicant to provide notice of the exemption being sought to all residents within 120 metres of the location where the event or activity is proposed; and
 - (h) the permit fee as set out in the rates and fee schedule approved by Council as part of the annual budget approval process.
- (2) Pursuant to section 23.2 of the *Municipal Act, 2001*, S.O. 2001, c. 25, Council hereby delegates to the Designated Official the power to issue permits granting an exemption from any of the provisions of this By-law with respect to any source of sound for which the person might be prosecuted.
- (3) The delegation of power in subsection (2) may be revoked by Council at any time without notice.
- (4) The Designated Official may refuse to grant any exemption or may grant the exemption or any exemption of lesser effect, and any exemption granted shall specify the time period, not in excess of six months, during which it is effective and may contain such terms and conditions as the Designated Official sees fit.
- (5) In determining whether to grant an exemption in subsection (4), the Designated Official shall consider the following, if applicable:

- (a) whether there are any objections from the residents where the event or activity for which the exemption is sought is to be held;
 - (b) whether approval of the exemption would be contrary to the general intent and purpose of this By-law;
 - (c) whether the applicant has complied with all terms and conditions of approval of any previous permit issued to the applicant under this section, if any, and
 - (d) whether the applicant has provided all of the information required by subsection (1).
- (6) A permit issued under subsection (4) shall be, at minimum, subject to the following terms and conditions:
- (a) the sound emitted from any equipment shall not exceed an Leq of 85 dBA when measured 20 metres from the source over a five-minute period;
 - (b) where the sound level exceeds 85 dBA, the applicant shall comply with any request from any person empowered under section 9 of this By-law with respect to the volume of sound from the equipment to ensure compliance with clause (a);
 - (c) no sound or construction equipment other than the equipment approved under the permit shall be used by the applicant;
 - (d) the event or activity shall be restricted to the approved location set out in the permit;
 - (e) the permission granted is only for the date(s) and time(s) for the event or activity as set out in the permit, and
 - (f) a permit issued to the applicant is not transferable.
- (7) Where the Designated Official refuses to grant a permit under subsection (4), the Designated Official shall notify the applicant in writing advising the applicant that they may appeal the Designated Official's decision to the Appeals Committee within 21 days of the date of the notice. The applicant shall provide notice of the appeal to all residents within 120 metres of the location where the event or activity is proposed.

(8) Breach by the applicant of any of the terms or conditions of the exemption shall render the exemption null and void.

(9) The Designated Official shall provide an annual report to Council summarizing the noise exemption permits issued. **(By-law No. 2016-016)**

8. Exemption of Traditional, Festive or Religious Activities

Notwithstanding any other provision of the this By-law, this By-law does not apply to a person who emits or causes or permits the emission of sound in connection with any religious or charitable activities, including without limitation the following:

- (a) the Oakville Waterfront Festival;
- (b) the Oakville Santa Claus Parade;
- (c) the Remembrance Day Parade;
- (d) any parade activity authorized by Council;
- (e) the Oakville Jazz Festival;
- (f) Oakville Midnight Madness;
- (g) any fair, exhibition, celebration, concert, or event authorized by Council, and
- (h) any Business Improvement Area activity or event approved by its Board of Directors, unless Council determines that the activity would not be in the greater public interest.

8.1 Administrative Penalties (By-law 2021-038)

- (1) An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
- (2) Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town's rates and fees schedule.
- (3) If an Officer has issued a penalty notice under subsection 8.1(1) of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.



- (4) Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
- (5) If an Officer has issued a penalty notice under subsection 8.1(3) of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
- (6) Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
- (7) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law. **(By-law 2022-031)**

8.2 Orders (By-law 2021-038)

- (1) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
- (2) Any person who contravenes an order under this By-law is guilty of an offence.

8.3 Service and Notice (By-law 2021-038)

- (1) Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.

9. Enforcement and Administration

- (1) The Designated Official shall administer and enforce this By-law.
- (2) Municipal law enforcement officers employed by the Town and police constables who are members of the Halton Regional Police Services are hereby authorized to enforce this By-law.

10. Penalty

- (1) Every person who contravenes any of the provisions of this By-law is guilty of an offence and pursuant to section 429(2)(a) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, all contraventions of this by-law are designated as continuing offences.



- (2) Every person who is convicted of an offence is liable to a maximum fine of \$25,000 for a first offence and a maximum fine of \$50,000 for a subsequent offence.
- (3) Every corporation who is convicted of an offence is liable to a maximum fine of \$50,000 for a first offence and a maximum fine of \$100,000 for a subsequent offence.
- (4) In addition to the fine amounts set out in (2) and (3), for each day or part of a day that an offence continues, the maximum fine shall be \$10,000. The total of all daily fines for the offence is not limited to \$100,000. **(By-law No. 2013-028)**

11. Alternative Response

Where the Designated Official or other person authorized by Council to enforce this By-law issues a notice of violation to any person, the person who is alleged to have violated this By-law may respond to the notice within 45 days of the issuance of the notice with the submission to the Town of a noise study report by a professionally licensed engineer with extensive experience in acoustics and noise, which must include, but is not limited to, the following information:

- (a) the description of the equipment/facility/operation and operating hours;
- (b) land use zoning designation of the surrounding area;
- (c) location and distance to points of reception;
- (d) relevant architectural and mechanical drawings, and
- (e) details of proposed noise and vibration control measures.

Where the noise study report proposes a solution to the alleged violation of this By-law which is acceptable to the Town in the absolute discretion of Council, then the person who is alleged to have violated this By-law may implement the proposal contemplated in the noise study report in resolution of the alleged violation and if the person does so implement the proposed solution, then no prosecution under this By-law will be pursued as a result of the alleged violation. If, however, the noise study report does not propose a solution to the alleged violation which is acceptable to the Town in the absolute discretion of the Council, or if the person does not implement the proposed solution within the timeframe specified within the noise study report, or if the proposed solution when implemented continues to result in violations of this By-law, then the person who is alleged to have violated this By-law will remain subject to the penalty or penalties under section 10 if convicted of the offence.



12. Severability

If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law and the remainder of the By-law shall be valid and shall remain in force.

13. Title

This By-law may be cited as the "Noise By-law".

14. Repeal

By-law 2006-001 is hereby repealed.

15. The prohibitions set out in Sections 2.1 and 2.2 shall take effect on July 1, 2012.
(By-law No. 2011-100)

PASSED this 7th day of July, 2008.

MAYOR

CLERK

SCHEDULE 1
PROHIBITIONS

1. The operation of any combustion engine or pneumatic device without an effective exhaust or intake muffling device in good working order and in constant operation.
2. The operation of any item of construction equipment in a Controlled Area or Residential Area without effective muffling devices in good working order and in constant operation.

SCHEDULE 2

PROHIBITIONS BY TIME AND PLACE

Column 1	Column 2 - Prohibited	
	Residential Area	Period of Time Controlled Area
1. The detonation of fireworks or explosive device not used in construction.	At all times other than those permitted by other Town By-laws	At all times other than those permitted by other Town By-laws
2. The discharge of firearms (except by police).	At all times	At all times
3. The operation of a combustion engine which, (i) is, or (ii) is used in, or (iii) is intended for use in, a toy or a model or replica of any device, which model or replica has no function other than amusement and which is not a conveyance.	1900 hrs one day to 0900 hrs next day	1900 hrs one day to 0900 hrs next day
4. The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound.	1700 hrs one day to 0700 hrs next day (0900 hrs on Sundays)	1900 hrs one day to 0700 hrs next day (0900 hrs on Sundays)
5. The operation of any auditory signaling device, including but not limited to the ringing of bells or gongs and the blowing of horns or sirens or whistles, or the production, reproduction or amplification of any similar sounds by electronic means except where required or authorized by law or in accordance with good safety practices.	All day Sundays and Statutory Holidays. 1900 hrs one day to 0700 hrs next day otherwise	All day Sundays and Statutory Holidays. 1900 hrs one day to 0700 hrs next day otherwise
6. The operation of any powered rail car including but not limited to refrigeration cars, locomotives or self-propelled passenger cars, while stationary on property not owned or controlled by a railway governed by the <i>Canada Railway Act</i> .	1900 hrs one day to 0700 hrs next day (0900 hrs on Sundays)	1900 hrs one day to 0700 hrs next day (0900 hrs on Sundays)
7. The operation of any motorized conveyance other than on a highway or other place intended for its operation.	1900 hrs one day to 0700 hrs next day (0900 hrs on Sundays)	1900 hrs one day to 0700 hrs next day (0900 hrs on Sundays)
8. Persistent barking, calling or whining or other similar persistent noise making by any domestic pet or any other animal kept or used for any purpose other than agriculture.	At all times	At all times
9. Persistent or repetitive yelling, shouting, hooting, whistling or singing.	At all times	At all times
10. Yelling, shouting, hooting, whistling, or singing. (By-law No. 2009-081)	23:00 one day to 07:00 next day (09:00 hrs on Sundays)	23:00 one day to 07:00 next day (09:00 hrs on Sundays)



Column 1	Column 2 - Prohibited	
	Residential Area	Period of Time Controlled Area
11. All selling or advertising by shouting or outcry or amplified sound.	All day Sundays and Statutory Holidays. 1900 hrs one day to 0700 hrs next day otherwise	1900 hrs one day to 0700 hrs next day (0900 hrs on Sundays)
12. Loading, unloading, delivering, packing, unpacking, or otherwise handling any equipment, containers, products, materials, or refuse (other than as contemplated by 15 below), whatsoever, unless necessary for the maintenance of essential services or the moving of private household effects.	All day Sundays and Statutory Holidays. 1900 hrs one day to 0700 hrs next day otherwise	All day Sundays and Statutory Holidays. 1900 hrs one day to 0700 hrs next day otherwise
13. The operation of any construction equipment other than in connection with Residential Renovation.	All day Sundays and Statutory Holidays. 1900 hrs one day to 0700 hrs next day otherwise	All day Sundays and Statutory Holidays. 1900 hrs one day to 0700 hrs next day otherwise
14. The operation or use of any tool for domestic purposes other than snow removal.	2100 hrs one day to 0700 hrs next day (0900 hrs on Sundays)	2100 hrs one day to 0700 hrs next day (0900 hrs on Sundays)
15. The operation of solid waste bulk lift or refuse compacting equipment.	2100 hrs one day to 0700 hrs next day (0900 hrs on Sundays)	2100 hrs one day to 0700 hrs next day (0900 hrs on Sundays)
16. The operation of any construction equipment in connection with Residential Renovation.	2100 hrs one day to 0700 hrs next day (0900 hrs on Sundays)	2100 hrs one day to 0700 hrs next day (0900 hrs on Sundays)
17. Unamplified playing of musical instruments. (By-law No. 2009-081)	21:00 one day to 07:00 next day (09:00 on Sundays)	21:00 one day to 07:00 next day (09:00 on Sundays)

SCHEDULE 3

EXEMPT ACTIVITIES

1. Operation of authorized emergency vehicles.
2. Operation of bells or other alarms utilized as traffic control devices, including the following:
 - (a) bells and other devices at traffic signal locations, and
 - (b) bells at railway crossings
3. Operation of machines and equipment by or on behalf of the Town, including the following:
 - (a) painting machines for crosswalks and highways;
 - (b) tree and shrub pruning and mulching equipment;
 - (c) grass cutting or field maintenance equipment;
 - (d) Town owned or contracted street cleaners and flushers; and
 - (e) construction equipment and machinery, including snow removal equipment, used by or on behalf of the Town while carrying on or engaged in the performance of public works, including but not limited the following, capital projects and maintenance operations.
4. Operation of bells, chimes, carillons and clocks in religious or public buildings.
5. Operation of machinery by or on behalf of a public utility where the work needs to be done on week-ends or overnight to minimize service interruptions.
6. Operation of construction equipment where the Town has issued a road use permit and in issuing such permit the Town mandates that the work be done on week-ends or overnight to minimize traffic impacts.
7. Noises normally incidental to activities taking place pursuant to a Town issued permit for outdoor recreational facilities, subject to any conditions applicable to such permit.