



By-law No. 1977-064

“A By-law to License, Regulate and Govern the Owners
and Operators of Mobile Sound Equipment”

Originally Passed and Enacted June 13, 1977

Amended By By-law:	Passed On:
1989-191	November 6, 1989
2014-150	September 9, 2014
2014-151	September 9, 2014

Consolidated Version

Revised and Verified September 10, 2014

Consolidated for Convenience Only

This is a consolidation copy of a City of Owen Sound By-law for convenience and information. While every effort is made to ensure the accuracies of these by-laws, they are not official versions or legal documents. The original by-laws should be consulted for all interpretations and applications on this subject. For more information or original signed copies of by-laws please contact the City Clerk's Department.

BY-LAW NO. 1977-064

THE CORPORATION OF THE CITY OF OWEN SOUND

BEING A BY-LAW TO LICENSE, REGULATE AND GOVERN THE OWNERS AND OPERATORS OF MOBILE SOUND EQUIPMENT

WHEREAS the Municipal Act R.S.O. 1970. c. 284 s. 354 (1) provides that by-laws may be passed by councils of municipalities to license, regulate and govern the owners or operators of public address systems, and sound equipment, loudspeakers or similar devices when used on a highway, public lands or lands adjacent thereto, when emitting sound thereto; and,

WHEREAS it is deemed expedient to pass such a by-law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND ENACTS AS FOLLOWS:

Definitions

1. In this By-law,
 - (a) "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles;
 - (b) "motor vehicle" includes an automobile, motorcycle, motor assisted bicycle, 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;
 - (c) "person" includes a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law;
 - (d) "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or the cars of electric or steam railways running only upon rails.

Licence Required

Amended by By-law 2014-151

2. *No person shall operate or allow the operation of a public address system, loudspeaker or similar device from a vehicle on a highway or upon public lands without a Business Licence issued under the Business Licencing By-law of the City of Owen Sound.*
3. *Repealed.*
4. *Repealed.*
5. *Repealed.*
6. *Repealed.*

Mobile Sound Equipment – Operating Restrictions

Amended by By-law 2014-151

7. *No person shall operate or allow the operation of any equipment regulated under this By-law, except on the following highways or parts of highways between 9:00 a.m. and 9:00 p.m.:*

<u>Highway</u>	<u>From</u>	<u>To</u>
1st Avenue East	7th Street East	13th Street East
2nd Avenue East	7th Street East	17th Street East
3rd Avenue East	8th Street East	11th Street East
7th Street East	1st Avenue East	2nd Avenue East
8th Street East	Bridge over the Sydenham River	3rd Avenue East
9th Street East	Bridge over the Sydenham River	3rd Avenue East
11th Street East	1st Avenue East	3rd Avenue East

Mobile Sound Equipment

Amended by By-law 2014-151

8. *No person shall operate or allow the operation of any equipment regulated under this By-law while the vehicle where the equipment is installed is stationary or stopped.*

Volume

Amended by By-law 2014-151

9. *No person shall operate or allow the operation of any equipment regulated under this By-law at a volume in excess of ten (10) watts of audio output at the speaker nor shall the sound emitted from such equipment be other than plain language, speech or music.*

Licence Revoked

10. In addition to the penalties hereinafter provided, the licence of any licensee under this By-law may be revoked by the Council for any infraction of any of the provisions of this By-law.

Application

Amended by By-law 2014-151

11. *Repealed.*

Fees

Amended by By-law 2014-151

12. *Repealed.*

Exceptions

13. This By-law shall not apply to a public address system of the Corporation of the City of Owen Sound or police, fire and emergency vehicles.

Penalty

Amended by By-law 1989-191

14. Any person who contravenes and of the provisions of this By-law is guilty of an offence and is liable to a fine of not more than \$2,000.00 exclusive of costs and the said fine shall be recoverable pursuant to the provisions of the Provincial Offences Act.

PASSED this 13th day of June, 1977.

1st reading June 13, 1977.

2nd reading June 13, 1977.

3rd reading June 13, 1977.

Signature on file

Mayor

Signature on file

Clerk

