

CITY OF HAMILTON

BY-LAW NO. 21-

To Amend Noise Control By-law No. 11-285, a By-law to Regulate Noise

WHEREAS section 129 of the *Municipal Act, 2001* authorizes the City of Hamilton to prohibit and regulate with respect to noise;

WHEREAS Council enacted a by-law to prohibit and regulate noise, being the City of Hamilton By-law No.11-285; and,

WHEREAS section 130 of the *Municipal Act, 2001* was amended and proclaimed in force on September 19, 2021 that a municipality does not have the power to prohibit and regulate with respect to noise made in connection with the delivery of goods to retail business establishments, restaurants, cafes, bars, hotels, motels, and goods distribution facilities.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. That By-law No. 11-285 be amended by adding the following section under Short Title:

APPLICATION OF BY-LAW

1a. This By-law does not apply with respect to noise made in connection with the delivery of goods to any of the following, except as otherwise authorized by regulation under the *Municipal Act, 2001*:

- (a) Retail business establishments;
- (b) Restaurants, including cafes and bars;
- (c) Hotels and motels; and,
- (d) Goods distribution facilities.

3. That in all other respects, By-law No. 11-285 is confirmed.
4. That the provisions of this by-law shall take full force and effect on its day of passing.

PASSED this 27th day of October, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk