

Halifax County Municipality By-law 08 - Mischiefs & Nuisances - Halifax Regional Municipality

Halifax County Municipality By-law 08

Halifax County Municipality By-Laws

City of Dartmouth By-Laws

City of Halifax Ordinances

HRM By-Laws

Town of Bedford by-Laws

Administrative Orders

BE IT RESOLVED that the following be and the same is hereby adopted and enacted as a By-law of Halifax County Municipality when and if the same has received the approval of the Minister of Municipal Affairs and has been published in accordance with the requirements of the Halifax County Charter.

1992 SECOND NOVEMBER SESSION

BY-LAW NO. 8

A BY-LAW RESPECTING MISCHIEFS AND NUISANCES

Short Title

1. This By-law shall be known and may be cited as the "Mischiefs and Nuisances By-Law".

Definitions

2. In this By-Law, the following terms shall have the meanings assigned below:

(a) "construction" includes erection, alteration, repair, dismantling and demolition of structures and includes structural maintenance, hammering, land clearing, moving of earth, rock or felled trees, rock breaking, grading, excavating, the laying of pipe or conduit whether above or below ground level, working with concrete, alteration or installation of any equipment, the structural installation of construction components or materials in any form whatsoever, the placing or removing of any construction related materials and includes any work in connection therewith, but does not include blasting;

(b) "construction equipment" means any equipment or device designed and intended for use in construction or material handling, including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bull dozers, 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;

(c) "dwelling unit" means living quarters accessible from a private entrance either outside a building or in a common area within a

building that are occupied for, or if unoccupied, are reasonably fit for occupation and that contain kitchen and toilet facilities that are not shared with the occupants of other dwelling units;

(d) "public address system" means one or more of any of the following, in any combination: loudspeaker, amplifier, microphone, turntable, reducer, receiver or tuner, used in the reproduction or amplification of music, speech, or other sound;

(e) "Municipality" means Halifax County Municipality;

(f) "waste-handling equipment" includes any waste bulk lift, refuse compacting equipment or hydraulic dumpster, and any associated vehicle.

#### Noises

3. Repealed by HRM N-200

#### Loitering

4. No person shall loiter on or around the steps or entrances of buildings, or on roads, streets or sidewalks.

#### Air Guns and Sling Shots

5. No person shall buy, sell or keep any air rifle, air gun or sling shot.

5A. Section 5 shall not apply to

- (i) the keeping of an air rifle or air gun for the sole purpose of being used on a firing range approved by the Minister of Justice;
- (ii) the keeping of CO2 powered paint marking devices in and the transporting of same to those areas of the Municipality identified and described in Schedule "B".

(Passed May 2, 1995; Approved May 25, 1995, Passed October 17, 1995; Approved November 17, 1995)

#### Firearms

6. No person shall without due regard to the safety of others discharge any gun or other firearm in or near any public place or way, or in or near any dwelling, store or other building, or in any cultivated field, or in any enclosure.

#### Animals

7. No person shall establish or maintain or cause to be established or maintained any kennel, or animal farm or other similar establishment which by reason of smell, noise, pests or escaping animals, causes annoyance to the public or to the occupants of neighbouring properties.

#### Pigsties

8. No person shall establish or maintain or cause to be established

or maintained a pigsty or permit a pigsty to be established or maintained on property owned by him within fifty feet of any public place, way or building, or so as to cause annoyance to the public or to the occupants of neighbouring properties.

#### Speedboats

9. No person shall drive or operate a motorboat on any lake or river over which the Legislature of the Province of Nova Scotia has authority at a speed greater than is reasonable in the circumstances or in a manner so as to endanger the safety of or to incommode others.

10. Repealed by HRM N-200

11. (1) In this section,

(i) "pawn broker" means a person, firm, corporation or partnership whose business it is to lend money on goods left, pledged or deposited with him as security for the loan;

(ii) "second hand dealer" means a person, firm, corporation or partnership engaged in the business of buying or selling second hand goods.

(2) Every pawn broker and second hand dealer shall obtain a license from the Municipality prior to carrying on the business of lending money on the security of goods and or before buying or selling second hand goods.

(3) Every pawn broker or second hand dealer shall keep a written record of the following:

(a) the name and address of every person from whom he purchases second hand goods or who pawns goods with him;

(b) the date of purchase and description of second hand goods purchased or the description of the goods pawned.

(4) the fee for a pawn broker license or a second hand dealer license shall be two hundred and fifty dollars (\$250).

(5) Every person who contravenes a provision of this Section is guilty of an offence, and shall, upon summary conviction, be liable to a penalty of not less than one hundred dollars (\$100) and not more than two thousand dollars (\$2,000) and, in default of payment, to a period of imprisonment not exceeding sixty (60) days. (Passed September 20, 1994)

#### Penalty

12. Every person who contravenes a provision of this By-Law, except Section 10, shall be liable to a penalty of one hundred dollars (\$100.00) and in default of payment to imprisonment not exceeding two months.

13. This By-Law shall apply to the whole of the Municipality, with the exception of Section 10 which shall apply to the whole of the

Municipality excluding those areas of the Municipality which, after June 23, 1994, were included in Polling Districts 3 and that portion of District 14 consisting of the communities of Gays River, Carroll's Corner, Dutch Settlement, Devon, Antrim and East Milford which are more particularly shown on Schedule 'A' attached hereto. Passed March 21, 1995; Approved May 25, 1995, Passed October 17, 1995; Approved November 17, 1995)

14. All former Mischiefs and Nuisances By-Laws passed by the Council are hereby repealed and this By-Law substituted therefor.

THIS IS TO CERTIFY that the By-law of which the foregoing is a true copy was duly passed by the Council of Halifax County Municipality in accordance with the requirements of the Halifax County Charter, as follows:

Notice of Motion to Introduce: September 15, 1992

First Reading: October 20, 1992

Public Notice of Intent: November 9, 1992

Second Reading: November 17, 1992

Third Reading: November 17, 1992

GIVEN under the hands of the Mayor and the Municipal Clerk and under the corporate seal of Halifax County Municipality this 9th day of June, A.D., 1993.

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Mayor

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Municipal Clerk

Approval of Minister of Municipal Affairs: May 14, 1993

Public Notice of Enactment: June 12, 1993

In Force: June 12, 1993

#### HRM BY-LAW N-200

Notice of Motion: June 22, 1999

First Reading: July 6, 1999

"Notice of Intent" Publication: July 31, 1999

Second Reading: September 14, 1999

Approval of Minister of Housing and Municipal Affairs N/A

Effective Date: September 18, 1999

#### HRM BY-LAW V-101

Notice of Motion: August 19, 2003

First Reading: August 26, 2003

“Notice of Public Hearing” Publication: September 6, 2003

Second Reading: September 23, 2003

Approval of Service Nova Scotia and Municipal Relations: N/A

Effective Date: September 27, 2003