



**Purpose:**

The purpose of this hearing is to receive verbal and written submissions regarding the Draft Noise By-law.

**Background:**

At Council's November 14, 2023 meeting, the following motion was passed after receiving a recommendation from the Policy & Strategy Committee.

THAT Council direct staff to develop a new draft Noise Bylaw.

The Committee received the draft Noise Bylaw at their May 27, 2024 meeting and made a recommendation to Council. Council received that recommendation at their June 11, 2024 meeting and passed the following motion:

THAT Council direct staff to amend the Noise Bylaw as discussed to be presented to Council for First Reading at the June 27, 2024 meeting.

At Council's June 27, 2024 meeting Council passed the following motion:

THAT Council provide first reading to and direct staff to schedule a Public Hearing for the new Noise Bylaw, as amended to replace the word car in section 5v with the words motor vehicle.

Staff made the requested change and a Public Hearing was set for today, July 17<sup>th</sup> at 7:00pm

**Notification:**

Public Hearing: Progress Bulletin July 3<sup>rd</sup>  
Town website, Town Facebook page,  
Mayor's Newsletter July 2024

**Submissions Received:**

Prior to this hearing, comments were received from:

- Joelle Gogol
- Peter MacPherson
- Iain & Yvonne Cocks

- Andreu family
- Mahone Bay Tourism and Chamber of Commerce

And forwarded to Council on July 17, 2024.

Respectfully submitted,

A handwritten signature in blue ink that reads "Kelly Munroe". The signature is written in a cursive style with a large initial 'K' and 'M'.

Kelly Munroe,  
Town Clerk

## Kelly Munroe

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**From:** Town of Mahone Bay Clerk  
**Subject:** RE: Proposed Noise Bylaw Public Hearing

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**From:** Cathy Andreu  
**Sent:** Tuesday, July 16, 2024 5:45 PM  
**To:** Town of Mahone Bay Clerk <clerk@townofmahonebay.ca>  
**Cc:** David Devenne <David.Devenne@TownofMahoneBay.ca>; Francis Kangata <Francis.Kangata@townofmahonebay.ca>; Penny Carver <Penny.Carver@townofmahonebay.ca>; Joseph Feeney <Joseph.Feeney@TownofMahoneBay.ca>; Suzanne Lohnes-Croft <suzanne.lohnes-croft@townofmahonebay.ca>; Richard Nowe <Richard.nowe@townofmahonebay.ca>; Kelly Wilson <kelly.wilson@townofmahonebay.ca>  
**Subject:** Proposed Noise Bylaw Public Hearing

**CAUTION:** This email originated from an external sender.

Good afternoon,

I am writing to provide our support for the proposed noise bylaw. The Town of Mahone Bay currently doesn't have anything meaningful in the old bylaws to address excessive noise. When excessive noise does happen, townspeople have no way to deal with it. The people who most oppose this bylaw, are the very people who have a history of making excessive noise. Most businesses in town close by 5 pm. Most restaurants are closed by 8 or 9 pm. Therefore, it is abundantly clear that this bylaw will not negatively affect local businesses.

As a family who has been impacted by excessive noise, we hope that this bylaw will be passed.

The Andreu Family  
309 Main Street  
Mahone Bay

**Kelly Munroe**

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**Subject:** FW: Noise bylaw.

----- Original message -----

From: iainandyvonne

Date: 2024-07-10 1:07 p.m. (GMT-04:00)

To: Suzanne Lohnes-Croft <[Suzanne.Lohnes-Croft@townofmahonebay.ca](mailto:Suzanne.Lohnes-Croft@townofmahonebay.ca)>

Subject: Noise bylaw.

Welcome to the wild west. That is what Main Street has become. All the cowboys now realize that there is no police to worry about 90 percent of the time. When you have to pause your conversation inside your house to allow the deafening exhaust noise from passing vehicles to go by, something is wrong with this picture. I watched a dirt bike motorcycle roar by my house the other day at excessive speed while doing a wheelie. These offenders do not live in our town . They just drive through to get our attention realizing there are no repercussions for the excessive noise. We need this noise bylaw. We have lost control of our streets. The tranquility of the rural town of Mahone Bay is no more.

Cheers Iain Cocks  
327 Main Street

Sent from my Galaxy

## Kelly Munroe

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**From:** kelly.munroe@townofmahonebay.ca  
**Subject:** FW: Subject: Request to Reconsider 55dBA Limit - An Equivalent to an Electric Toothbrush

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**From:** Joelle Gogol  
**Sent:** Tuesday, July 9, 2024 5:20 PM  
**To:** Dylan Heide <dylan.heide@townofmahonebay.ca>; Town of Mahone Bay Inquiries <inquiries@townofmahonebay.ca>; Susan Beck <susan.beck@townofmahonebay.ca>; Kim Boutilier <Kim.Boutilier@townofmahonebay.ca>; Lauren Clark <lauren.clark@townofmahonebay.ca>; Roger Eisenhauer <roger.eisenhauer@townofmahonebay.ca>; Eric Levy <eric.levy@townofmahonebay.ca>; Alan McMullin <alan.mcmullin@townofmahonebay.ca>; Kelly Munroe <kelly.munroe@townofmahonebay.ca>; David Devenne <david.devenne@townofmahonebay.ca>; Francis Kangata <francis.kangata@townofmahonebay.ca>; Penny Carver <Penny.Carver@townofmahonebay.ca>; Joseph Feeney <joseph.feeney@townofmahonebay.ca>; Suzanne Lohnes-Croft <suzanne.lohnes-croft@townofmahonebay.ca>; Richard Nowe <richard.nowe@townofmahonebay.ca>; Kelly Wilson <Kelly.Wilson@townofmahonebay.ca>  
**Subject:** Fwd: Subject: Request to Reconsider 55dBA Limit - An Equivalent to an Electric Toothbrush

Some people who received this message don't often get email from [joellegogol@gmail.com](mailto:joellegogol@gmail.com). [Learn why this is important](#)

**CAUTION: This email originated from an external sender.**

Good evening,

I sat down tonight with the intention of re-writing my entire email and speech for the upcoming second reading of the drafted noise by-law but it turns out all my original points still stand and the only thing I had to change in my email was turning my 10 to an 11 for how many years I have lived in Mahone Bay in my speech (attached).

See you on the 17th.

Subject: Request to Reconsider 55dBA Limit - An Equivalent to an Electric Toothbrush

Dear Dylan Heide, Chief Administrative Officer;

I hope this email finds you well. I am writing to express my deep concerns regarding the new noise by-law, specifically the imposition of a 55dBA limit, which has been equated to the sound level of an electric toothbrush. While I understand the town's intention to maintain a peaceful environment, I firmly believe that this limit is unreasonably low and lacks consideration for the realities of everyday life in Mahone Bay.

Allow me to address my concerns regarding the 55dBA limit in greater detail:

**Insignificant and Everyday Noise:** A noise level of 55dBA is well within the range of common, everyday sounds that are unavoidable in any residential area. Equating this to the sound of an electric toothbrush

implies that ordinary activities like talking, footsteps, or closing doors could be deemed excessive, leading to unnecessary complaints and conflicts among neighbours.

**Unfair Burden on Residents:** The 55dBA limit imposes an undue burden on residents who, despite their best efforts, might inadvertently exceed this level during normal household activities. It is crucial to recognize that residents have the right to enjoy their homes without constant worry about violating noise regulations.

**Limitation on Community Engagement:** Social gatherings, community events, and other activities that bring people together often generate noise levels slightly above 55dBA. Implementing such a strict limit could discourage community engagement and diminish the vibrant atmosphere that Mahone Bay has always been known for.

We sincerely request that the town council reevaluates the 55dBA limit and works collaboratively with the community to develop a noise by-law that strikes a balance between maintaining peace and respecting the rights and needs of residents.

Thank you for considering our concerns. We look forward to a constructive dialogue and a fair resolution to this matter.

Sincerely,

Joelle Gogol  
97 Pleasant Street

----- Forwarded message -----

From: **Joelle Gogol** <

Date: Tue, Jul 25, 2023 at 2:17 PM

Subject: Subject: Request to Reconsider 55dBA Limit - An Equivalent to an Electric Toothbrush

To: <[dylan.heide@townofmahonebay.ca](mailto:dylan.heide@townofmahonebay.ca)>

Subject: Request to Reconsider 55dBA Limit - An Equivalent to an Electric Toothbrush

Dear Dylan Heide, Chief Administrative Officer;

I hope this email finds you well. I am writing to express my deep concerns regarding the new noise by-law, specifically the imposition of a 55dBA limit, which has been equated to the sound level of an electric toothbrush. While I understand the town's intention to maintain a peaceful environment, I firmly believe that this limit is unreasonably low and lacks consideration for the realities of everyday life in Mahone Bay.

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We sincerely request that the town council reevaluates the 55dBA limit and works collaboratively with the community to develop a noise by-law that strikes a balance between maintaining peace and respecting the rights and needs of residents.

Thank you for considering our concerns. We look forward to a constructive dialogue and a fair resolution to this matter.

Sincerely,

Joelle Gogol  
97 Pleasant Street

**Kelly Munroe**

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**From:** Peter MacPherson [REDACTED]  
**Sent:** July 15, 2024 10:27 PM  
**To:** Town of Mahone Bay Clerk  
**Subject:** RE: Proposed Noise Bylaw

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

CAUTION: This email originated from an external sender.

I am writing in regards to the proposed Noise Bylaw for the Town.

I have lived in Mahone Bay for the vast majority of my life and for the most part have enjoyed living here.

However in recent years the amount of unnecessary and annoying noise is becoming a problem for me.

We live very close to the trail and the racket from there some days, and nights, is disruptive in the extreme with the dirt bikes with very loud exhaust systems and some ATV's travelling the trail after 11 pm which is the time these vehicles are supposed to be off the trail.

I understand the trail is very difficult to control as the noisemakers usually are long gone by the time anyone can respond. I don't know what, if anything, this by law will do to curtail this.

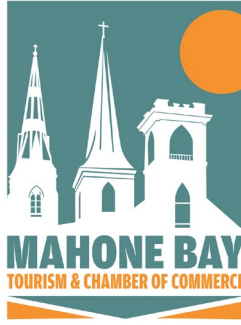
There is also a business venue which is open late in a residential area and the music and partying from this establishment is even more annoying than the trail noise.

Hopefully the passage of the noise bylaw will be able curtail this.

I strongly urge Council to pass this important piece of legislation.

Sincerely  
Peter MacPherson  
46 Wye St  
Mahone Bay, NS





July 16, 2024

**Michael Broley**  
**Vice Chair, Mahone Bay Chamber of Commerce**

**Council Members**  
**Town of Mahone Bay**  
**493 Main St, Mahone Bay, NS B0J 2E0**

Dear Council Members,

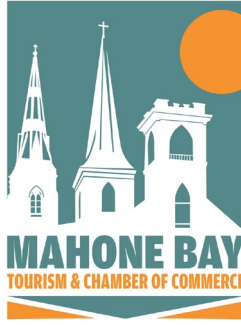
On behalf of the Mahone Bay Chamber of Commerce, I am writing to express our concerns regarding the recently proposed Noise By-law. While we understand and support the intent to maintain a peaceful and harmonious environment in our town, we believe that certain aspects of the by-law need reconsideration.

**dB Level Limits:** The current noise limits set at 70 dBA during the day and 55 dBA at night may be overly restrictive for various local events and businesses, which are crucial for our vibrant tourism industry. These limits could potentially hinder activities that contribute significantly to the town's economic well-being. We recommend a review of these limits to ensure they balance the need for tranquility with the economic and social benefits of community events and businesses.

**Penalties:** The penalties ranging from \$250 to \$1,000 per day for noise violations seem disproportionately high, particularly for minor infractions. Such penalties could impose an undue burden on small businesses and local events, potentially discouraging community engagement and economic activities. We suggest implementing a tiered penalty system that considers the severity and frequency of the violations, providing a fairer approach.

**Additional Concerns:**

- **Section 5(a) and 5(d):** The broad language used in these sections could be weaponized to target specific businesses or events. The clause about any continuous noise exceeding the set limits and sound systems heard in other dwellings may result in selective enforcement.



- **Section 9 and 10:** The process for granting exemptions, although detailed, may lead to inconsistencies in application. There should be clear guidelines to ensure fairness and prevent targeting specific businesses or events.

We believe that adjusting these aspects of the by-law will better serve the interests of both residents and businesses, fostering a more supportive environment for economic and social activities while maintaining the peaceful nature of our town.

Thank you for considering our concerns. We are eager to work together to find a balanced solution that benefits all members of our community.

Sincerely,

A handwritten signature in black ink, appearing to read "M Broley".

Michael Broley  
Vice Chair  
Mahone Bay Chamber of Commerce

Good Evening,

Thank you for giving me time to speak tonight.

My name is Joelle Gogol.

Today, I stand before you as a concerned homeowner, former business owner, and citizen of 11 years of this town to express my deep opposition to the newly proposed draft for a noise by-law. While I understand the importance of maintaining peace and harmony within our community, I **firmly** believe that this draft is inherently flawed and carries unjust implications.

Let's start with item's 3a and 3b of the draft. Noise shall not be in excess of 65 dBA during the hours of 7:00am to 9:00pm and no noise shall be in excess of 55 dBA during the hours of 9:00pm to 7:00am.

To put that in perspective, 65dBA can be defined as normal conversation and 55dBA is the equivalent to a fan or electric toothbrush. Last night I held my decibel checker up in my yard and the ambient noise of the heat pump, the trees, and birds registered at 52dba and a car passing by registered at 64.

To counter argue that also in item 3a and b that "point of reception" means any point where sound, originating from other premises, including other dwelling units, is received **could mean** from one distant property to another is an **inherently classist statement**. If you are imagining trying to enjoy your backyard (*which many people do not own*) surrounded by your trees (*that not every property has*) and still being disturbed while sitting on your deck is **classist beyond the pale**. Multi-dwelling units, townhouses, apartments above garages, and other arranged living is the reality of many citizens of Mahone Bay. To dismiss the restrictions on noise by stating that it will only be monitored from the Point of Reception is **misleading** and does not apply to many of us.

Back in 2021 when the campaign trail was blazing for potential candidates for Town Council, would-be counselors were knocking on my door asking for my vote. Many of them had the same platform. Candidates were promising to do everything in their power to foster a community where young families and entrepreneurs could thrive. Now the drafted by-law would essentially outlaw both – in essence children would not be able to be themselves in playgrounds, as playgrounds are not listed in the exemptions, and future entrepreneurs would be discouraged from the restrictions fearing fines and penalties.

Peaceful protest and demonstration will almost certainly be **restricted and potentially prohibited** if this by-law were to pass. If an organized group of protestors were to be required to gain written permission of exemption what is to stop the town from denying the exemption **especialy** if the protest were against the town?

Let's turn our attention to article 4.2. d. In the exemptions: Noises in connection with organized athletic or recreational activities in municipal or public park areas, arenas or community centres. This is an **ableist and classist exemption to make**. This exemption is telling families and youths that you **must pay and** be able bodied enough to play in organized sports in order to be compliant with the drafted by-law. What is to stop a neighbour from shutting down children in their yard playing soccer or pond hockey because from their point of reception the noise is above 55dba? The sun is still up and shining after 9pm in the late spring and early summer. Shall we tell the children to go inside and play video games? What happened to sending the children out during summer and telling them to only come home when the street lights come on? This drafted by-law **promises** to inhibit this behaviour and cultural experience.

There are also asinine and seemingly throw-away points in the draft like exclusions being electric lawn mowers. I'd like to see a single lawn care service provider that uses electric and it is **unreasonable** to assume that homeowners and renters will suddenly make the switch from gas to electric in these trying economic times **just** to be within the guidelines of the proposed by-law as to **not** accumulate fines and penalties. What about household snow blowers? How many times over the years have my lovely neighbours asked if we needed our driveway cleared after a storm. These are gas powered machines. How will the elderly and disabled go about clearing their walks and driveways without this sort of neighbourly kindness. Not everyone can afford to pay for these services from an organization. Yet another way this draft is **classist and ableist**.

I don't for one minute believe that anyone here thinks these are reasonable parameters. I believe this draft is the same as a child begging for a pony, and settling for a puppy, when really a puppy is what the child had their sights set on. I believe that whomever proposed this draft is childishly hoping that we the concerned citizens will eventually settle on a different scope of limitations. I'm here to say that I am neither the child nor the parent in this situation. I'm not asking for anything unreasonable hoping to get what I want in the end to only serve myself, and I will not be happy with any compromise.

In **no world, today or in the future**, when an inevitable by-law is agreed upon will I be submitting a personal application for an exemption from the by-law to be approved by the town. Spontaneous get-togethers, after parties, fish fries, garden parties, lawn games, campfires, and jam circles are what makes things so special for us in town. This drafted by-law seeks to take **everything** worth living in this town away from us.

As a final word I'd like to take a little inspiration from the Beastie Boys and say you gotta fight for your right to party. Thank you

## **BY EMAIL**

July 17, 2024

The Mayor and Town Council  
Town of Mahone Bay  
493 Main Street  
Mahone Bay, NS B0J 2E0  
clerk@townofmahonebay.ca

Dear Mayor Devenne and Members of Council:

### **Re: Submissions on proposed Noise By-law**

Please accept this letter as my submissions on the proposed Noise By-law.

To begin, I am not opposed to a noise by-law for the Town of Mahone Bay in principle. However, I am opposed to this noise by-law in its current form. As drafted, this by-law suffers from serious problems, namely vagueness, arbitrariness and issues with enforceability.

### **Vagueness**

Vagueness is a legal term of art. When a law suffers from vagueness, it is incomprehensible. To break a law, one must be capable of understanding it. Accordingly, a law must be clear enough to be understood by the those who are bound by it and precise enough that it only captures those activities connected to its purpose. This is not the case here.

There are numerous key terms used throughout the by-law that are not defined, which makes the by-law imprecise and vague. These include, but are not limited to:

- “Evidence” (section 4) – What constitutes evidence is vague. In section 5(a) it appears that evidence would be a measurement of sound levels and a vaguely defined distance from the source. But in the other sections containing prohibitions (i.e. 5(b-e)), it is not clear.
- “Neighbourhood” (section 4) – The by-law does not contain any description of or geographic restrictions on what constitutes a “neighbourhood” in the context of Mahone Bay. This could lead to absurd results. It does not necessarily follow that because one person or household is disturbed by a noise that the entire street or block is similarly disturbed due to how sound travels, where other people are and what they are doing.
- “Unreasonably disturbed by the noise” (section 4) – Unreasonable disturbance or interference is a legal term of art. The law does not deal with trifles and not all disturbances are automatically deemed “unreasonable.” A disturbance must meet the threshold of “unreasonable” in order to be punishable. This threshold is not defined.

- “Noise” (section 4) – “Noise” is used throughout the by-law to create enforceable prohibitions but is not defined. Noise is subjective, sound is measurable. The by-law erroneously and problematically uses the two terms interchangeably.
- “Continuous noise” (section 5(a)) – How long is too long is not defined.
- “Activity or combination of activities” (section 5(a)) – This could mean anything, from amplified sound to a child’s birthday party to conversation around a dinner table. This language is far too vague to be enforceable or, if enforced, would lead to absurd and arbitrary results.

In addition, this by-law is missing definitions and terms that are typically included in noise by-laws. These include, but are not limited to:

- “Point of reception” – This is a key concept – it is the location at which the sound originating from another location is received. Absolute measurements of sound levels at random distances (e.g. “not less than 15.25 m from the sound source or noise” in section 5(a)) are not relevant and are arbitrary. Similarly, the use of “dwelling unit” and/or “property” to define prohibitions in sections 5(d) and (e) are too vague and are disconnected from the concept of “unreasonable noise.” This should be a by-law to regulate unreasonable noise, not sound levels writ large. Accordingly, objective sound levels only become subjective and unreasonable noise when measured *where a person hears it* and, for some prohibitions, *in relation to the reasonable activities of that person at the point of reception*. For example, if someone is inside their home with the windows closed, the measurement of sound in their outdoor living area or the fact that sound can be heard at their property line is irrelevant to whether that sound is “unreasonable noise.” Likewise, a sound that exceeds the prescribed level at any distance greater than 15.25 m is not “unreasonable noise” if it does not do so at the point of reception.
- “Power device” – This would include any equipment powered by anything other than muscular power. Presumably this is partially what is referred to in section 5(c). As it currently reads, this section is unnecessarily complicated and confusing. In addition, there is a blanket exemption for landscaping equipment (section 6(k)) which appears to conflict with both this section and the purpose of the by-law (see comments on “arbitrariness” below). For example, it is unclear whether a gas-powered mower is exempted under section 6(k) as “landscaping equipment,” or is restricted under section 5(c). Also, when read together, section 5(c) and section 6(k) arbitrarily distinguish between gas-powered and electric tools. A simplified definition of “power device” would reduce confusion.
- “Construction” and “Construction Equipment” – Again, this could be partly what is being referred to in section 5(c). If so, it is not clear whether all or some construction activities and/or construction equipment are restricted by section 5(c) or if some are exempted under section 6(k) (“electric tools”). The fact that this is not clear renders this section incomprehensible and, as stated above, for the purposes of “noise” the distinction between something powered by combustion and an electric tool is arbitrary.

As drafted, this by-law is too vague to provide fair notice to persons of what is prohibited, which makes it difficult to comply with the law.

### **Arbitrariness**

It is my understanding that this noise by-law is largely, if not exclusively, intended to respond to an ongoing issue between one household and one business.<sup>1</sup> To my reading, virtually all existing activities in Town, except the use of the patio at Betty's at the Kitch, are either explicitly or *de facto* exempted from the by-law. To the extent that this is the case, this is arbitrary and inconsistent with the rule of law.

In addition, many of the prescribed exemptions within the by-law are arbitrary and inconsistent with the purported purpose of the by-law. For example, there is no principled reason why landscaping equipment or electric tools should receive a blanket exemption under this by-law. This leads to the absurd situation where a landscaping company could lawfully use an electric whipper snipper at 6:00 am on a Sunday (section 6(k)) but an "unorganized" group of children playing at the playground at 4:00 pm on a Tuesday could be a prohibited activity (section 5(a)). As another example, some construction activities might be prohibited after 10:00 pm (e.g. those using heavy machinery such as excavators) but others using "electric tools," such as circular saws or electric drills, would not. These absurd results are exacerbated by the vague language and lack of key definitions in this by-law (see section on "vagueness" above).

Moreover, there are both reasonable exemptions and reasonable prohibitions that have been omitted. For example, most noise by-laws would specifically state that the sound of people engaging in conversation and children playing are not considered "unreasonable noise." Similarly, many noise by-laws include prohibitions on persistent noise from animals, including dogs. Again, these omissions appear arbitrary and lead to absurd results: children playing in their backyard in the afternoon might be prohibited, while a dog consistently barking all night would not.

As I read this by-law, some of the prohibitions and exemptions are unprincipled, arbitrary and inconsistent with its purported purpose of a "tranquil and peaceful atmosphere" and "harmonious environment." A noise by-law should set out clear standards and restrictions and apply them to all activities, with reasonable and *principled* exemptions, as well as articulate a clear and transparent process of both obtaining an exemption and *appealing a refusal*. Otherwise, there should be no noise by-law.

### **Enforceability**

It is difficult to envision how this by-law will be effectively and fairly enforced given the Town's current human resources and existing levels of policing. For example, how would this by-law be enforced against the owner of a car that regularly drives through town with a modified muffler?

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<sup>1</sup> I am also aware that a petition was circulated in town regarding noisy motor vehicles. I recognize that this by-law tries to address this concern in section 5(b); however, it is not clear to me that this is within the municipality's jurisdiction to regulate. Indeed, these prohibitions seem to fall under the *Motor Vehicles Act* and outside of municipal jurisdiction. Including them in this by-law is arguably misleading.

Presumably, modifying a muffler is already prohibited and enforceable under the *Motor Vehicles Act*, so this by-law does nothing further to address that mischief. By way of another example, how will evidence of unreasonable noise realistically be gathered at 1:00 am? By-law officers would not be present and if the police do not respond, is the word of the affected person sufficient “evidence” of a breach of the by-law?

More importantly, the vagueness outlined in the section above make this by-law difficult to enforce adequately and fairly. It is not clear what activities are prohibited in the by-law, which means that this by-law cannot be consistently enforced by enforcement officers, which is a serious deficiency.

### **Other comments**

I have two additional comments on the noise by-law as drafted:

- (1) Section 3(a) – this definition of an “approved sound meter” conflates how a thing is used and by whom with the thing itself. It seems to suggest that any instrument that measures sound is approved, as long as it is wielded by a police officer or duly authorized employee of the Town. This is highly problematic. If an instrument is going to be used to gather evidence of a breach of this by-law, a breach that is punishable by fine, there should be specifications to what types, models and brands of instruments are approved for this purpose.
- (2) Section 4 – this section serves no purpose. Not only does it make no logical sense, there are no relevant prohibitions in section 5 related to disturbing a neighbourhood with noise. This section could be removed entirely and not affect the by-law at all.

### **Conclusion**

As stated at the outset, I am not opposed to the principle of a noise by-law or reasonable restrictions on sound. Rather, as a resident of Mahone Bay and as a lawyer, I am very concerned by the vagueness and arbitrariness of the prohibitions and exemptions in this by-law. This could lead to absurd results and also to arbitrary enforcement, both of which are not consistent with the by-law’s purported purpose.

Accordingly, until these problems are suitably rectified, I do not support this by-law and respectfully request that Council not pass it in its current form.

Sincerely,



Amanda Montgomery  
447 Main Street





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**Purpose:**

The purpose of this hearing is to receive verbal and written submissions regarding the Draft Parking By-law.

**Background:**

At Council's April 8, 2024 meeting, council received a recommendation from the Town's Policy & Strategy Committee and passed the following motion:

THAT Council direct staff to develop a draft Parking Bylaw based on "maximum time free parking" signage option, for consideration by the Policy and Strategy Committee.

The Committee received the draft Parking Bylaw at their May 27, 2024 meeting and made a recommendation to Council. Council received that recommendation at their June 11, 2024 meeting and passed the following motion:

THAT Council direct staff to amend the Parking Bylaw as discussed to be presented to Council for First Reading at the June 27, 2024 meeting.

At Council's June 27, 2024 meeting, the following motion was passed:

THAT Council provide first reading to and direct staff to schedule a Public Hearing for the new Parking Bylaw, as presented.

The Public Hearing was set for today July 17<sup>th</sup> at 7:00pm

**Notification:**

Public Hearing:                   Progress Bulletin July 3rd  
Town website, Town Facebook page,  
Mayor's Newsletter July 2023

**Submissions Received:**

Prior to this hearing, no public comments were received:

Respectfully submitted,

A handwritten signature in blue ink that reads "Kelly Munroe". The signature is written in a cursive style with a large, looped "K" and "M".

Kelly Munroe

Town Clerk

## **Submission to Mahone Bay Town Council on Draft Parking By-Law**

I understand that the need for this parking by law is related to the Main Street parking exemption for businesses that has been created under the Municipal Planning Strategy and Land Use By-law. The exemption is expected to result in greater street parking pressures in the core business district with the streets in the rest of Town serving as a pressure valve. The draft by-law proposes to empower Council to deal with problems that are anticipated or that arise by granting the Council power to put up signs with terms and conditions to control parking.

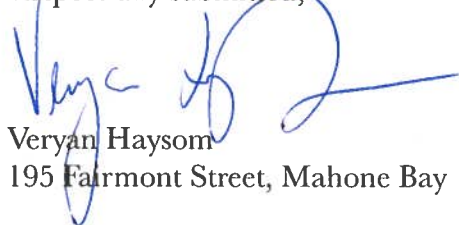
As a resident I would like to know what is being proposed in the way of parking terms and conditions. I think more transparency about what may be proposed and a greater opportunity for citizens to voice any concerns are necessary.

I would like to propose an amendment to the draft By-law, which would, I think, provide more transparency and a chance to influence decisions.

Section 4 should be amended by re-numbering it as subsection 4(1) and two new subsections should be added as follows:

- 4(2) Sixty days written notice shall be given to the public of a motion proposed under section 3 of this By-law.
- 4(3) The notice referred to in subsection 4(2) of this By-law shall describe with precision the placement and design of the proposed signs and set out in detail the terms or conditions for parking of vehicles that will be established pursuant to the signs.

Respectfully submitted,



Veryan Haysom  
195 Fairmont Street, Mahone Bay

17 July 2024