

Chapter 2 - Neighbourhood Nuisance By-law

Whereas section 172(1)(d) of the Municipal Government Act empowers Municipalities to make by-laws respecting “nuisances, activities, and things that, in the opinion of Council, may be or may cause nuisances.” and,

Whereas it is the wish of Council to use that power to prevent the unreasonable interference with the enjoyment of property;

1. Title

This By-Law is entitled the “Neighbourhood Nuisance By-Law”.

2. Preamble

Residents of the Municipality of Colchester are encouraged to be good neighbours by exercising courtesy, consideration, and tolerance. Anyone that engages in behavior that does not demonstrate common courtesy or consideration of others and causes a frequent or persistent annoyance to the neighbourhood may be in contravention of this By-law.

3. Definitions

- a) “Council” means the Council for the Municipality of the County of Colchester;
- b) “Municipality” means the Municipality of the County of Colchester;
- c) “Appropriate” means as being reasonable in the circumstances taking into account the intensity, frequency, duration, and timing of the activity.

4. Prohibitions

No person shall engage in activity that by frequency or intensity unreasonably interferes with the enjoyment of the neighbourhood, including but not limited to any one or more resident.

5. Fixed Exemption

This By-Law does not apply to:

- a) Disturbances that may result from a response to an emergency.
- b) Businesses operating lawfully and in a manner that is appropriate to the nature of the business enterprise.
- c) Recreation activity carried out lawfully and in a manner that is appropriate to the nature of the activity.
- d) Community events carried out lawfully and in a manner that is appropriate to the nature of the event.

Penalty

Any person who violates any of the provisions of this By-law may be guilty of an offence and may, on summary conviction, be liable

- a) for the first offence to a penalty of not less than Three Hundred Dollars (\$300.00) and of not more than ten thousand dollars (\$10,000.00) or imprisonment for a period of not more than one year or both, including the imposition of the minimum fine;
- b) for the second offence to a penalty of not less than Seven Hundred Dollars (\$700.00) and of not more than ten thousand dollars (\$10,000.00) or imprisonment for a period of not more than one year or both, including the imposition of a minimum fine;
- c) for the third offence or any subsequent offence to a penalty of not less than One Thousand Dollars (\$1,000.00) and of not more than ten thousand dollars (\$10,000.00) or imprisonment for a period of not more than one year or both, including the imposition of a minimum fine.

THIS IS TO CERTIFY, that amendments to Chapter 2 – Neighbourhood Nuisance By-law was duly approved at a duly called meeting of the Municipal Council of the Municipality of the County of Colchester, duly convened and held on the 26th day of August, A.D., 2021.

GIVEN under the hand of the Municipal Clerk and under the corporate seal of said Municipality this 15th day of September, A.D., 2021.

[Rob Simonds](#)

Municipal Clerk



NOTICE OF APPROVAL CHAPTER 2 NEIGHBOURHOOD NUISANCE BY-LAW

TAKE NOTICE that at their regularly scheduled meeting held on Thursday, August 26, 2021, Council of the Municipality of Colchester adopted, by way of Second Reading, Chapter 2 - Neighbourhood Nuisance By-law.

The Neighbourhood Nuisance By-law creates a mechanism to deal with excessive conduct or activity that unreasonably interferes with the enjoyment of property.

The By-law is available on the County website at www.colchester.ca, or can be obtained from the Administration Office, 1 Church Street, Truro.

Dated September 9, 2021

Rob Simonds
Chief Administrative Officer

I, Rob Simonds, Municipal Clerk of the Municipality of the County of Colchester, do hereby certify that the adjacent Notice of Approval is a true copy of the Notice of Approval of Chapter 2 – Neighbourhood Nuisance By-law, duly advertised in the Thursday, September 9, 2021, issue to the Truro News.

Given under the hand of the Municipal Clerk and under the corporate seal of said Municipality this 15th day of September, 2021.

[Rob Simonds](#)

Municipal Clerk

*First Reading: June 24, 2021
Notice of Intent: August 5 and 18, 2021
Second Reading: August 26, 2021
Notice of Approval: September 9, 2021*