



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-46

A BY-LAW TO PROVIDE AN EXEMPTION TO BY-LAW 2004-94, AS AMENDED, BEING A BY-LAW TO PROHIBIT AND REGULATE UNUSUAL NOISES OR NOISES LIKELY TO DISTURB THE INHABITANTS OF THE TOWN OF NEWMARKET.

WHEREAS Section 129 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, authorizes a municipality to pass a by-law to prohibit and regulate noise in the municipality;

AND WHEREAS Council enacted By-law 2004-94, being a By-law to Prohibit and Regulate Unusual Noises or Noises Likely to Disturb the Inhabitants of the Town of Newmarket, on July 19, 2004;

AND WHEREAS Council amended Schedule "A" to By-law 2004-94 with the enactment of By-law 2005-158 on November 28, 2005;

AND WHEREAS the Council of the Town of Newmarket deems it advisable to provide an exemption to By-law 2004-94, as amended, to facilitate the necessary work for the vivaNext D1 project;

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

THAT Kiewit-EllisDon, A Partnership (KED), be exempted from the Noise By-law 2004-04, as amended, from 10:00 p.m. to 7:00 a.m. from December 25, 2015 until December 25, 2016, excluding statutory holidays, to perform necessary work for the vivaNext D1 project.

ENACTED THIS 5TH DAY OF OCTOBER, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk