

1974

c 125 The Environmental Protection Amendment Act, 1974 (No. 2)

Ontario

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CHAPTER 125

**An Act to amend
The Environmental Protection Act, 1971***Assented to February 6th, 1975*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 1 of *The Environmental Protection Act, 1971*, being chapter 86, as amended by the Statutes of Ontario, 1972, chapter 1, section 69 and 1972, chapter 106, section 1, is further amended by adding thereto the following clause:

(fa) "local municipality" means a city, town, village or township.

2. Subsection 1 of section 95 of the said Act is repealed and the following substituted therefor:

(1) Any regulation may be general or particular in its application, may be limited as to time or place or both and may exclude any place from the application of the regulation.

3. The said Act is amended by adding thereto the following section:

95a.—(1) The councils of local municipalities may, subject to the approval of the Minister, pass by-laws,

(a) regulating or prohibiting the emission of sounds or vibrations;

(b) providing for the licensing of persons, equipment and premises, or any of them, with respect to the emission of sounds or vibrations;

(c) prescribing maximum permissible levels of sounds or vibrations that may be emitted;

- (d) prescribing procedures for determining the levels of sounds or vibrations that are emitted,

and such a by-law may make different provisions for different areas of a local municipality and may make provision for exempting any person, equipment or premises from any provision of the by-law for such period of time and subject to such terms and conditions as may be set out or provided for in the by-law.

Adoption
of codes in
by-laws

(2) A by-law passed by the council of a local municipality pursuant to subsection 1 may adopt by reference, in whole or in part, with such changes as the council considers necessary, any code, formula, standard or procedure, and may require compliance with any code, standard or procedure so adopted.

Application
of
R.S.O. 1970,
c. 284

(3) Part XXI of *The Municipal Act* applies to by-laws passed under this section.

s. 96,
amended

4. Section 96 of the said Act is amended by adding thereto the following subsection:

Idem

(2) Subsection 1 does not apply in respect of section 95a and the enactment of section 95a or a by-law pursuant to section 95a does not affect the validity of an Act that is in force immediately before the coming into force of section 95a.

Commence-
ment

5. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

6. This Act may be cited as *The Environmental Protection Amendment Act, 1974 (No. 2)*.