



TOWN OF  
**GANDER**

# COMMUNITY STANDARDS BY-LAW

Effective the 15 day April, of 2026.  
Motion #26-070

# COMMUNITY STANDARDS BY-LAW

## 1.0 Title

1.1 This by-law shall be cited as the *Community Standards By-Law*.

## 2.0 Purpose

2.1 The purpose of this by-law is to (a) mitigate disputes between neighbours; (b) set standards for property maintenance and use; (c) protect public spaces; and (d) promote community safety.

## 3.0 Application and Authority

3.1 **WHEREAS** the Town of Gander ("the Town") wishes to promote the quiet enjoyment of property, protect public safety and community wellbeing, and maintain community standards respecting nuisances, noise, unsightly premises and general property maintenance;

3.2 **AND WHEREAS** Council has the authority under provincial legislation to make, amend and enforce by-laws respecting the peace, order and good government of the Town, including matters relating to nuisances, noise, property conditions, public spaces and other municipal purposes;

3.3 **AND WHEREAS** it is in the public interest that all land and buildings within the Town be maintained so as not to create or contribute to unsafe, unhealthy, unsanitary or unsightly conditions.

3.4 **AND WHEREAS** Council recognizes the need for clear standards governing:  
(a) property maintenance and the remediation of unsightly premises;  
(b) control and abatement of rodents, vermin and other pests on residential property;  
(c) prevention of littering and nuisances in public space;  
(d) reasonable control of noise with a permitting process for special events; and  
(e) timely removal or mitigation of hazards such as stagnant water, open excavations, and accumulations of refuse;

3.5 **NOW THEREFORE** the Council of the Town of Gander enacts the following *Community Standards By-Law*, which applies to all land and buildings within the municipal boundaries unless otherwise expressly stated herein.

## 4.0 Definitions

4.1 In this by-law, unless the context otherwise requires:

- (a) **"Adult Materials"** means printed matter, films, recordings or other media whose dominant characteristic is the depiction of explicit sexual activity or nudity intended for persons 18 years or older.
- (b) **"Airgun"** means a device that discharges a projectile by means of compressed air, compressed gas, a spring, or similar means, and includes an air rifle, air pistol, pellet gun, and BB gun. Rendered inoperable, in relation to an airgun, means secured or disabled so that it is not capable of discharging a projectile.
- (c) **"By-law" enforcement officer** means an individual appointed or authorized by the Town to enforce Town by-laws, and may be referred to as an "Officer" in this by-law.
- (d) **"Exterior" lighting** means illumination produced by a luminaire located outdoors or directed outdoors.

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- (e) **"Full cutoff (fully shielded) fixture"** means a luminaire constructed and installed so that no light is emitted above a horizontal plane passing through the lowest point of the fixture lens or opening.
- (f) **"Glare"** means brightness within the field of view that causes visual discomfort, disability, or a safety hazard.
- (g) **"Light trespass"** means exterior lighting that shines across a property line onto another property so as to unreasonably disturb the use or enjoyment of that other property.
- (h) **"Litter"** includes refuse or waste of any kind deposited contrary to this by-law.
- (i) **"Noise"** means any sound that Council determines, acting reasonably, unreasonably disturbs a person's comfort, repose, health, peace or safety, having regard to the circumstances and any inspection report.
- (j) **"Nuisance"** means a condition, activity, thing or conduct on or arising from property that unreasonably interferes with the use or enjoyment of property, negatively affects the amenity of an area, or creates or may create a risk to health or safety, and includes any condition declared by this by-law to be a nuisance.
- (k) **"Originating property"** means the parcel of land on which the exterior lighting or luminaire is installed, or from which the light is directed.
- (l) **"Owner"** includes a person in lawful possession or control of property.
- (m) **"Point of reception"** means the location at the property boundary of the land where the sound is received, at the nearest point to the source on the complainant's property.
- (n) **"Principal business"** means more than 50% of gross floor area is used for the sale or display of the relevant goods.
- (o) **"Proprietor"** includes an owner, manager, operator, or person in charge of a shop.
- (p) **"Shop"** means a premises where goods are offered for sale to the public.
- (q) **"Unightly premises"** means a property that, due to the existence of one or more of the conditions set out in the *Nuisance, Unightly Premises & Property Maintenance* section of this by-law, detrimentally affects the amenity of, or reasonable enjoyment of, nearby properties or the surrounding area.
- (r) **"Water supplied"** *by the Town* means water provided through the Town's municipal water system.

## 5.0 Noise

- 5.1 A person shall not cause or permit noise that unreasonably disturbs any person's comfort, repose, health, peace or safety, having regard to the time of day and nature of the activity.
- 5.2 Where an activity creates sound that may become a noise, it must be carried out so as to create as little sound as practicable under the circumstances.
- 5.3 Sections 5.1 and 5.2 do not apply to noise that is reasonable and necessary for the following activities, provided the activity is carried out in compliance with this by-law and any applicable permit conditions:
  - 5.3.1 construction, repair or demolition work carried out during the hours permitted by the Town or by applicable law;
  - 5.3.2 work carried out by or on behalf of the Town, including maintenance and emergency operations;

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- 5.3.3 the operation of ordinary domestic equipment on residential property between 7:00 a.m. and 11:00 p.m., provided it is used in a reasonable manner;
  - 5.3.4 the normal operation of a properly maintained air-conditioning unit or similar building equipment, provided it is not emitting unusual noise due to defect or disrepair; and
  - 5.3.5 an activity or event authorized by the Town, including a one-time event, where the activity or event is conducted in accordance with any approval or permit conditions.
- 5.4 Nothing in section 5.3 exempts noise that Council determines to be unnecessary, avoidable, or inconsistent with any permit conditions, based on an inspection report and supporting evidence.
- 5.5 Council or a by-law enforcement officer may, in their discretion, measure sound at the point of reception using A-weighting (dBA), slow response, with a calibrated sound level meter used in accordance with the manufacturer's instructions.
- 5.6 Without limiting the generality of sections 5.1 and 5.2, where Council or a by-law enforcement officer measures sound under this Part, noise is deemed to unreasonably disturb a person's comfort, repose, health, peace or safety where it exceeds:
- 5.6.1 65 dBA between 7:00 a.m. and 11:00 p.m.; or
  - 5.6.2 55 dBA between 11:00 p.m. and 7:00 a.m., as measured at the point of reception.
- 5.7 In determining whether noise unreasonably disturbs a person's comfort, repose, health, peace or safety, Council or a by-law enforcement officer may rely on sound measurements, observations, witness statements, inspection reports and any other relevant evidence, having regard to the circumstances.

## 6.0 Exterior Lighting (Light Trespass & Glare)

- 6.1 A person shall not cause, permit or allow exterior lighting to constitute a nuisance through light trespass, glare, or sky glow that unreasonably interferes with a person's comfort, repose, health, peace or safety, or the quiet enjoyment of nearby property.
- 6.2 Shielding and aiming.
- 6.2.1 A person shall ensure that exterior luminaires exceeding 1,000 lumens are full cutoff (fully shielded) and aimed downward so that light is contained on the originating property.
  - 6.2.2 A person shall ensure that floodlights are aimed at least 60° below horizontal and are not directed toward adjacent lots, roads or windows.
- 6.3 Brightness at property line.
- 6.3.1 Where Council or a by-law enforcement officer measures illumination for the purposes of this Part, spill light at a residential property line shall not exceed 10 lux.
  - 6.3.2 Illumination shall be measured in lux using a calibrated meter at the property line, at a height of approximately 1.5 metres above grade, with the sensor oriented horizontally at the point of maximum reading.
  - 6.3.3 Where illumination measured under this section exceeds the limits set out above at a residential property line, the exterior lighting is deemed to constitute a nuisance through light trespass.
- 6.4 A person who uses security lighting with a motion sensor shall ensure that the light extinguishes within 5 minutes of activation and does not activate for motion beyond the originating property.
- 6.5 Prohibited lighting.

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**6.5.1** A person shall not use or permit the use of searchlights, aerial beams or other attention-attracting skyward lighting that is visible beyond the originating property.

**6.5.2** A person shall not use or permit the use of rapidly flashing or strobing exterior lighting, except for temporary festive displays.

## **6.6 Exemptions.**

**6.6.1** This Part does not apply to:

(a) lighting required by law or applicable safety standards;

(b) lighting used for emergency response;

(c) lighting used for municipal operations; and

(d) active sports field lighting operated under Town approval, subject to any hours or conditions imposed by the Town.

**6.7** Council or a by-law enforcement officer may, in their discretion, measure illumination for the purposes of this Part using a calibrated meter.

## **7.0 Nuisance, Unsightly Premises & Property Maintenance**

### **7.1 General prohibition of nuisance**

**7.1.1** No owner or occupier shall cause, permit or allow a nuisance on any property.

**7.2** A property may be determined by Council or a by-law enforcement officer, acting reasonably, to be an unsightly premises where one or more of the following conditions exists on the land or on the exterior of a building, and the condition detrimentally affects the amenity of, or reasonable enjoyment of, nearby properties or the surrounding area:

**7.2.1** Accumulations of refuse, rubble, construction or demolition debris, scrap metal or wood, discarded appliances, furniture, tires, vehicle parts or similar materials;

**7.2.2** Inoperative, abandoned, derelict or unregistered vehicles, trailers, recreational vehicles or machinery stored outdoors;

**7.2.3** Dilapidated, partially demolished, structurally unsound, fire-damaged or unsecured structures, fences or accessory buildings;

**7.2.4** Excessive growth of grass, brush or noxious weeds, or vegetation obstructing visibility at corners;

**7.2.5** Stagnant water, open excavations or other conditions that may attract pests or pose a hazard;

**7.2.6** Exterior finishes (including siding, paint or roofing) in a state of advanced peeling, rot, rust, holes or missing components resulting in a poor state of repair and appearance.

**7.3** An owner shall not cause or allow a property to constitute a nuisance, be an unsightly premises, or be unsafe or a danger to public safety.

**7.4** An owner shall not allow refuse to accumulate on the property or on adjoining public property, except as lawfully stored for collection or disposal.

**7.5** An owner shall maintain buildings, fences, yards and accessory structures so the property does not adversely affect the amenity or reasonable enjoyment of neighbouring properties.

**7.6** Vacant buildings shall be secured against unauthorized entry and maintained to avoid hazards and unsafe conditions, including those described in this Part and in section 10.0.

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**7.7** Where construction occurs, the owner shall provide and use waste containers designed to prevent debris from leaving the site.

**7.8** This section does not prohibit the temporary placement of materials that are:

**7.8.1** neatly stored,

**7.8.2** reasonably required for an active and lawfully permitted construction or repair project, and

**7.8.3** do not create a hazard or nuisance.

**7.9** Collection schedules, set-out requirements, container specifications, and materials accepted or prohibited for collection are governed by the Town's Garbage & Refuse Regulations.

## **8.0 Pest & Vermin Control**

**8.1** No owner or occupier shall cause, permit or allow a property to contain conditions that, in the opinion of Council or a by-law enforcement officer acting reasonably, attract, harbour or may attract or harbour pests or vermin, including accumulations of refuse, garbage, food waste, animal feces, standing water, debris, or overgrown vegetation.

## **9.0 Public Spaces**

**9.1** No person shall affix or post a notice, sign, handbill or other material on a utility pole, traffic control device, street furniture or other infrastructure in the Town, except as authorized by the Town.

**9.1.1** For greater certainty, this section does not apply to election signage where placement is authorized under applicable election legislation and any Town policy or by-law governing election signs.

**9.2** A person shall not cause or permit a notice, sign, handbill or other material to be affixed or posted contrary to this section, and a person or business that benefits from the posting is deemed to have caused or permitted it unless the person or business establishes otherwise.

**9.3** A person shall not cut, remove, damage or prune a tree or shrub on land owned or managed by the Town except under a written permit of the Town. Any salvage, if permitted, shall be subject to conditions set by the Town.

**9.4** No person shall dispose of litter in a public space or on town property except in provided containers or through the Town's collection service.

**9.5** Collection schedules, set-out requirements, container specifications, and materials accepted or prohibited for collection are governed by the Town's Garbage & Refuse Regulations.

**9.6** A person shall not permit an animal to create a nuisance, including persistent noise disturbing others or defecation without immediate removal and sanitary disposal on town property including sidewalks, parks or other public spaces. For licensing, at-large, impound, trapping, fees and related procedures, see the Town's Animal Control Regulations.

## **10.0 Water Conservation**

**10.1** No person shall use or permit the use of water supplied by the Town in a manner that unreasonably wastes water.

**10.2** Without limiting section 10.1, a person shall not use or permit the use of a sprinkler, hose, irrigation system or other outdoor watering device in a manner that results in excessive or unnecessary water consumption.

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## 10.3 Excessive or unnecessary water consumption includes:

- 10.3.1 operating a sprinkler, hose or irrigation system for a longer time than is reasonably required for the watering of lawns, trees, shrubs or gardens;
- 10.3.2 allowing water to run off a lawn, garden, driveway, sidewalk or other surface onto a street, curb, or adjoining property;
- 10.3.3 operating a sprinkler, hose or irrigation system during or immediately following rainfall so that watering is not reasonably necessary;
- 10.3.4 watering in a manner that causes pooling, ponding or runoff; or
- 10.3.5 failing to repair or discontinue the use of a sprinkler, hose, irrigation system or fixture that is leaking, broken or malfunctioning.

10.4 Where the Town has imposed temporary or seasonal water conservation measures, including restrictions on the days, times, duration or manner of outdoor watering, every person shall comply with those measures.

## 10.5 This section does not apply to:

- 10.5.1 watering reasonably required for newly installed sod, seed, trees, shrubs or landscaping during an establishment period of not more than thirty (30) days;
- 10.5.2 the use of water for firefighting, emergency response, public works or municipal operations;
- 10.5.3 the use of water reasonably necessary for health, safety or sanitation; or
- 10.5.4 any other use expressly authorized in writing by the Town.

10.6 Where a by-law enforcement officer observes a contravention of this section, the officer may document the contravention and recommend that an Order be issued requiring the person to cease the excessive use of water and to take any corrective action necessary to prevent recurrence.

## 11.0 Airguns

- 11.1 No person shall fire or discharge an airgun within the Town, except where prior written approval has been issued by the Town or at a range approved by the Town for that use.
- 11.2 No person shall transport an airgun from private property on or across Town-owned or Town-managed property, including parks, trails, recreation facilities and municipal buildings, unless the airgun is rendered inoperable, fully encased in a case made for that purpose with no part exposed, and all ammunition and compressed gas cylinders are kept entirely separate from the case.
- 11.3 Nothing in this section authorizes conduct contrary to other applicable laws.

## 12.0 Business Conduct – Adult Materials Display

- 12.1 A proprietor shall not permit a person under 18 years of age to enter a room or area of a shop where adult materials are displayed.
- 12.2 A proprietor shall post and maintain signage at each entrance to the room or area stating that persons under 18 years of age are not permitted to enter.
- 12.3 Adult materials shall not be displayed so as to be visible from outside the shop, including through windows or doors.

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12.4 Adult materials shall be displayed behind an opaque barrier or in sealed, opaque packaging that prevents viewing of images or explicit text from outside the package.

12.5 Where selling adult materials is not the principal business, the proprietor shall ensure such materials are kept together in a segregated area meeting subsections 12.2-12.3.

12.6 Nothing in this section authorizes conduct contrary to applicable provincial or federal law.

## 13.0 Sidewalks, Streets and Public Spaces – Snow and Ice Depositing

13.1 A person shall not push, plow, blow, shovel or otherwise deposit snow or ice from private property onto a highway, street, sidewalk, walkway, trail, curb, ditch, catch basin, or any other public space.

13.2 A person shall not pile or place snow or ice from private property so as to obstruct or interfere with the use of a highway, sidewalk, walkway, trail, driveway access, fire hydrant, or catch basin.

13.3 For the purposes of this section, where snow or ice is deposited from private property, the owner and occupier of that private property are each responsible for ensuring compliance, unless they establish that the contravention occurred without their knowledge and despite reasonable steps to prevent it.

## 14.0 General

14.1 The headings in this by-law are for convenience of reference only and do not form part of this by-law.

14.2 A reference in this by-law to an enactment includes that enactment as amended, replaced or re-enacted from time to time.

14.3 If any provision of this by-law is held to be invalid or unenforceable, in whole or in part, that provision shall be severed and the remainder of the by-law shall continue in force.

14.4 Nothing in this by-law relieves a person from complying with any other applicable law, by-law, permit, licence, approval or order.

## 15.0 Transitional, Repeal and Coming into Force

15.1 Prior actions, licences, permits or proceedings under predecessor by-laws continue unaffected.

15.2 Upon this by-law coming into force, the following are repealed: (a) *Airgun By-Law* (1994); (b) *Nuisance Regulations* (2020); and (c) *Adult Materials Display Regulations* (2018).

15.3 This by-law comes into force in accordance with law.

## 16.0 Effective Date

16.1 This by-law shall become effective upon the 15<sup>th</sup> day of April, 2026 by Motion #26-070.

## 17.0 Publication

17.1 This by-law shall be posted to the Town's Website following adoption by Council.