

CANADA
PROVINCE OF QUEBEC

MUNICIPALITY OF
PONTIAC

BY-LAW NO. 12-03

MODIFYING BY-LAW NO. 09-02 (TOLERANCE ROADS)

WHEREAS, on the territory of the Municipality of Pontiac, certain lots or rights of way occupied as roads, are so, simply by tolerance from the owner or the occupant and, as such, are municipal roads, according to article 736 of the municipal code;

WHEREAS the majority of interested ratepayers, owning property on these roads, presented a request to the municipality to take charge of the maintenance of said road as per article 801 of the municipal code;

WHEREAS this Council deems appropriate to follow up on the ratepayers' request;

WHEREAS a motion of the present by-law was given at a previous council meeting held on *November 11, 2003*;

It is

Moved by Pierre Lafrance
Seconded by Jim Coyle

AND RESOLVED that this Council adopt the present by-law which orders and decrees the following:

ARTICLE 1

The preamble and appendix « A » are an integral part of the present by-law.

ARTICLE 2

Article 5 of by-law no. 09-02 is modified as follows:

According to article 4, 50% of the sum granted to each sector will be collected by the municipality by billing each property of the concerned sector and shared equally between each of the said properties.

Affected property owners may be billed as soon as the total sum is paid to each sector by the municipality.

ARTICLE 3

Article 7 of by-law no. 09-02 is modified as follows:

Notwithstanding article 6, sectors having produced all of the pertinent proof, may receive all sums payable to them upon reception of said proof.

ARTICLE 4

For the road maintenance cited in article 3, each sector having the majority (50% + 1) of the owners requesting that the municipality take charge of the roads will receive a sum not exceeding \$2,000.00 per kilometre.

ARTICLE 5

Article 5 of by-law no. 09-02 is modified as follows:

According to article 4, 50% of the sum granted to each sector will be collected by the municipality by billing each property owner of the concerned sector and split equally between said properties.

Affected property owners may be billed as soon as the total sum is paid to each sector by the municipality.

ARTICLE 6

Each sector will receive the sums established in article 5 as follows:

- 50% payable between January 15 and 30 of the current year;
- 50% payable on December 15 of the current year upon reception of supporting documents and a final expense report if necessary.

ARTICLE 7

The municipality reserves the right to refuse the request if the number of involved property owners does not justify the required maintenance. The notion of « tolerance road » must be applied word for word.


ARTICLE 8

The present by-law abrogates by-law no. 09-02.

ARTICLE 9

The present by-law comes into effect according to law.

GIVEN IN PONTIAC this 10th day of December, two thousand three.


R. Bruce Campbell
Mayor


Sylvain Bertrand
Secretary-treasurer