

PROVINCE OF QUEBEC
MRC DES COLLINES-DE-L'OUTAOUAIS
MUNICIPALITY OF PONTIAC

BY-LAW NUMBER 173-01

By-law to proceed to the nomination of persons able to deliver notices of offence

WHEREAS following the coming into force of the provisions in the Penal Code (L.R.Q., c. C-25.1) regarding notices of offence, which procedure becomes the one and only procedure of introductory instance;

WHEREAS article 147 of the Penal Code (L.R.Q., c. C-25.1) stipulates that a person must be authorized, in writing, by the plaintiff to issue a notice of offence;

WHEREAS the Municipality of Pontiac institutes proceedings before the Regional Municipal Court of the MRC des Collines-de-l'Outaouais for the punishment of an offence against a provision of a by-law, a resolution or a Council ruling, a decree in the Traffic Code (L.R.Q., c. C24.2) or a by-law adopted under its authority;

WHEREAS it is necessary to efficiently and legally ensure these legal proceedings before the municipal Court to immediately authorize persons to deliver notices of offence in the name of the Municipality of Pontiac;

WHEREAS notice of motion of the present by-law was given at a council meeting on September 11, 2001;

CONSEQUENTLY, it is

Moved by: Pierre Sauvageau

Seconded by: Bruno Alary

AND RESOLVED to approve by-law 172-01, entitled "Nomination of persons able to issue notices of offence" and that the following be ordered and stated by said by-law:

ARTICLE 1

All peace officers, management of the Public Security Service of the MRC des Collines-de-l'Outaouais including volunteer police officers hired by a resolution of the MRC des Collines-de-l'Outaouais Council, are authorized to deliver notices of offence for:

- the enforcement of all municipal by-laws that the municipalities governed by the MRC des Collines-de-l'Outaouais have put in common and standardized, particularly those that deal with:
 - peace and order 00-rM-04;
 - alarms 00-RM-01;
 - traffic and parking 00-RM-03;
 - animals 00-RM-02.
- the enforcement of the Traffic Code (L.R.Q., c. C-24.2) regarding any offence committed on the territory of the Municipality of Pontiac
- the enforcement of any other law or by-law adopted by any qualified municipal authority, provincial or other, that he may be asked to enforce.

ARTICLE 2

Persons performing the duties hereafter listed are authorized to deliver notices of offence for the enforcement of the Municipality of Pontiac's municipal by-laws that fall within their respective domain or any other law or by-law adopted by any municipal, provincial or other concerned authority that may be asked to enforce them:

- the urban renewal inspector
- the public works inspector
- the environment department inspector
- the building inspector
- the inspector for the fire protection service
- the animal control officer

ARTICLE 3

The Municipality of Pontiac's legal advisor, designated by a resolution of the municipal council, is authorized to deliver, in the name of the Municipality of Pontiac, notices of offence for any offence against the provisions of a by-law, a resolution or a council or the Public Security Code ruling or a by-law adopted under its authority.

ARTICLE 4

The present by-law becomes in force on the day of its publication in accordance with the Law.

Adopted in Pontiac on

MAYOR

SECRETARY-TREASURER

Date of notice of motion : September 11, 2001

Date of adoption of the by-law : November 13, 2001

Date of publication of the notice of motion : November 22, 2001

Date of approval by the Q.M.C. : _____