

**PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC**

MINUTES of the regular municipal council meeting held on Tuesday, August 14th, 2012 at 8:00 p.m. at the Lion's Club Hall, situated at 2, Ferry road, Pontiac.
Those who were present:

Edward McCann, mayor, Dr. Jean Amyotte, pro-mayor and councillors, Roger Larose, Lynne Beaton, Tom Howard, Inès Pontiroli and Brian Middlemiss.

Also present the Director General and several ratepayers.

The meeting began at 8:00 p.m.

FLOOR TO THE PUBLIC AND QUESTION PERIOD

- | | |
|------------------------------|--|
| Jean-Claude Carisse | - Changing the Pontiac sign (Quyon) on Clarendon |
| Leonard Llyod | - Information request about 19 Egan |
| Alain Larose | - Follow-up property on Dion road |
| Bruce Campbell | - The importance of fire protection- Priority in Quyon |
| Madeleine Carpentier | - Follow up on pick-ups for the eco center |
| Jane Gardner | - Braun road- Technicalities for borrowing by-law - Preparation work |
| Nancy Maxsom | - Follow-up on the purchase of the Anglican Church |
| Marie-France Corriveau | - Danger- speed- on chemin de la Montagne, cause by speed limit |
| James Eggleton | - Follow-up on Tolerance roads - Publication of the agenda on the Web site - Possibility of having the meeting at an earlier time |
| Bill Twolan along the 148 | - Process for the adoption for commerce - Fees for business permits- sale of lemonade - List of vacant lots and zoning - Link to the MRC's site - Dust Elm & Terry-Fox |
| Ricky Knox | - Access to the bills paid by the Municipality - Tabling of his correspondence regarding the law for access to documents - |

**12-08-1188
ADOPTION OF THE AGENDA**

- 1. Opening of the meeting**
- 2. Floor open to public**
- 3. Adoption of the agenda**
- 4. Adoption of the minutes of previous meetings**
 - 4.1 Minutes of the regular meeting held on July 10th 2012.
- 5. Administration**
 - 5.1 Budgetary transfers
 - 5.2 List of invoices to pay
 - 5.3 List of fixed expenses
 - 5.4 List of incurred expenses for the month of August
 - 5.5 Reimbursement of incurred expenses- Hurdman & Elm roads-Bill Twolan
 - 5.6 Staffing- Assistant Director General
 - 5.7 Borrowing by-law 05-12 regarding paving Braun road
- 6. Public security**
 - 6.1 Service offer « Enquêtes Incendie des Collines 24/7 »
 - 6.2 Hiring volunteer firefighters
- 7. Public works**
 - 7.1 Purchase of backhoe
 - 7.2 Association of Propriétaires du chemin des Lilas
 - 7.3 Tolerance roads special projects
 - 7.4 Tolerance roads – Strike-off of associations
 - 7.5 10 wheeler truck – Jason Jones Marine
- 8. Public hygiene**
 - 8.1 Environmental investigation- 19 Egan
 - 8.2 Leakage searches
 - 8.3 Program to save drinkable water
 - 8.4 Housing development Village of Quyon area
- 9. Urban renewal and zoning**
 - 9.1 Land purchase Dion road
 - 9.2 Subdivision – 31 de la Rivière road- Luc Cayer
 - 9.3 Request to the CPTAQ- 1697 Hammond road-Huguette Hallé
 - 9.4 Subdivision- 1 Chamberland road- Jeanne D’Arc Éthier
 - 9.5 By-law 06-12 repealing all previous by-laws concerning public nuisances on the territory of the municipality of Pontiac
 - 9.6 Transaction signature for land transfert – Côte McKay (ref. resolution 09-09-309).
 - 9.7 Policy and procedures for implementing by-law 06-12
 - 9.8 By-law no. 04-12 concerning the speed limit on various municipal roads
- 10. Recreation and culture**
 - 10.1
- 11. Divers – Miscellaneous**
- 12. Various reports and correspondence**
 - 12.1 Tabling of various municipal reports: a) animals;
- 13. Tabling of the registre of correspondence**
 - 13.1 Register of the correspondence received in July 2012
- 14. Période de questions – Question period**
- 15. Levée de la séance – Closing of meeting**

Moved by : Dr. Jean Amyotte
 Seconded by : Inès Pontiroli

AND RESOLVED to adopt the agenda with the following modifications:

- Additions :**
- 5.8 Responsibles for committee
 - 7.6 Tenders- Paving of Terry-Fox road
 - 8.5 Notice of motion- Borrowing by-law infrastructures
 - 8.6 Notice of motion- Parking of trailers

Carried

12-08-1189

**ADOPTION OF THE MINUTES OF THE REGULAR MEETING HELD
ON JULY 10, 2012**

Moved by Thomas Howard
Seconded by Inès Potiroli

AND RESOLVED to adopt the minutes of the regular meeting held on July 10th, 2012.

Carried

12-08-1190

BUDGETARY TRANSFERS (août 2012)

It is

Moved by Dr. Jean Amyotte
Seconded by Brian Middlemiss

AND RESOLVED THAT the municipality carry out the budgetary transfers as described on the attached list in the amount of \$ **7 274.00**

Carried

12-08-1191

LIST OF INVOICES TO PAY

Moved by Brian Middlemiss
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT this Council authorizes the payment of invoices amounting to \$**79 484.52** (see appendix in file no.102-102) for the period ending August 1st 2012 and to debit budget posts related to the expenses mentioned on said list.

Carried

12-08-1192

LIST OF FIXED EXPENSES

Moved by: Lynne Beaton
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT this Council approves the list of expenses from the history of cheques which includes:

- fixed expenses;
- payments via Internet;
- the true amount of invoices paid following approval by incurring expenses or by resolution;

all for a total of \$ **299 347.75** (see appendix) for the period ending August 1st 2012 and to debit related budget accounts for the expenses mentioned on said list.

Carried

12-08-1193

LIST OF INCURRED EXPENSES FOR THE MONTH OF AUGUST 2012

Moved by: Inès Pontiroli
Seconded by Brian Middlemiss

AND UNANIMOUSLY RESOLVED to accept the incurring expenses that appear in appendix A (see file 102-102), for a total amount of \$17 432.73 taxes included.

Carried

12-08-1194

REIMBURSEMENT OF THE EXPENSES INCURRED FOR HURDMAN AND ELM ROADS – BILL TWOLAN

WHEREAS the request for reimbursement for the expenses incurred for the research for the Hurdman road file;

WHEREAS these researches were initiated by Mr. Twolan himself for his own benefice without the permission of the Municipality;

It is

Moved by:
Seconded by

AND RESOLVED THAT the Municipality refuses to pay the expenses incurred by Mr. William Twolan for the researches regarding the Hurdman road file.

AMENDMENT

It is

Moved by: Brian Middlemiss
Seconded by: Inès Pontiroli

AND RESOLVED to pay half of Mr. Twolan's claim, that is \$ 2 280.09

For: Brian Middlemiss
Inès Pontiroli

Against: Roger Larose
Lynne Beaton
Thomas Howard
Edward McCann
Dr. Jean Amyotte

COUNTEROFFER

Councillor Roger Larose
Seconded by: Brian Middlemiss

MOVED TO pay the amount of \$ 4 560.18 to Mr. Twolan for his claim regarding Hurdman road.

For: Roger Larose
Brian Middlemiss
Thomas Howard
Inès Pontiroli

Against: Dr. Jean Amyotte
Edward McCann
Lynne Beaton

The counteroffer is:

Carried on a divided vote

The Mayor advises that he exercise his right of veto power.

12-08-1195

STAFFING- ASSISTANT DIRECTOR GENERAL

WHEREAS selection work for the replacement for the position of assistant Director General;

WHEREAS the unanimous recommendation of the selection committee;

WHEREAS it is necessary to proceed as soon as possible;

It is

Moved by Inès Pontiroli
Seconded by Roger Larose

AND RESOLVED THAT this Council approves the recommendation of the selection committee presided by Mrs. Marjolaine Hébert of GRH Solutions at the conditions listed in the letter of prior agreement signed by the candidate, Mr. Benedikt Kuhn.

Carried

12-08-1196

BORROWING BY-LAW No 05-12 – REGARDING PAVING BRAUN ROAD

By-law number 05-12 which decrees an expense of **\$165 000.00** and a loan of **\$165 000.00** for paving Braun road.

WHEREAS the notice of motion for the present by-law was duly given at a council meeting held on July 10th 2012;

It is

Moved by Brian Middlemiss
Seconded by Inès Pontiroli

AND RESOLVED THAT council decrees the following :

ARTICLE 1. Council is authorized to have the work done in regards to paving Braun road according to the specifications no. 12 prepared by the public works department dated July 30th 2012, including fees, taxes and contingencies, as it is shown in the detailed estimate prepared by Mr. Sylvain Bertrand, Director General, on July 30th 2012, which are an integral part of the present by-law as appendices « A » .

ARTICLE 2. Council is authorized to spend the sum of **\$165 000.00** for the purpose of the present by-law.

ARTICLE 3. To pay the foreseen expenses generated by the present by-law, council is authorized to borrow the sum of **\$165 000.00** on a 20-year term.

ARTICLE 4. To provide for 50% of the incurred expenses related to interests and the reimbursement in capital of the loan's annual term, it is obliged by the present by-law and it will be debited annually during the term of the loan, on all

taxable immovable property situated on the municipality's territory, a special tax at a sufficient rate according to their worth, as shown in the assessment roll in effect each year.

ARTICLE 5. To provide for 50% of the incurred expenses related to interests and the reimbursement in capital of the loan's annual term, it is obliged by the present by-law and it will be debited annually during the term of the loan, on immovable property situated on Braun road, a special tax at a sufficient rate according to their worth as shown in the enclosed document and identified as appendix « B » and is an integral part of the present by-law.

ARTICLE 6. If it happens that the amount of an allocation authorized by the present by-law is greater than the amount actually spent with respect to this allocation, council is authorized to use this surplus to pay any other expense decreed by the present by-law and to which the allocation would prove to be insufficient.

ARTICLE 7. Council allocates any contribution or subsidy that is could receive to the reduction of the loan, in payment of part of, or the total of the expense decreed by the present by-law.

Council equally allocates any subsidy payable over several years, to the payment of part of, or the total of the expense decreed by the present by-law. The terms for reimbursing the loan corresponding to the amount of the subsidy, will be adjusted automatically at the time set for the reimbursement of the subsidy.

ARTICLE 8. The present by-law will come into effect according to the Law.

Carried

12-08-1197

RESPONSIBLE OF COMMITTEES

It is

Moved by : Edward McCann
Seconded by : Dr. Jean Amyotte

AND RESOLVED THAT the committees be formed as follow:

Eddie McCann, Mayor :
- Public Works (roads)

Jean Amyotte, Pro-mayor :
- Urbanism
- Regional path

Lynne Beaton:
-Recreation and Culture
-OMH

Roger Larose:
- Environment
- Water
-Docks

Ines Pontiroli:
- Public Security

Brian Middlemiss:
- Publicity / Web Site
- Public information

Tom Howard :
- Public Works (Equipment)
- Tolerance Roads

Councillor Brian Middlemiss votes against the resolution because the committees should be formed by more than one councillor.

Carried on a divided vote

12-08-1198
ENQUÊTES INCENDIE DES COLLINES 24/7

It is

Moved by : Thomas Howard
Seconded by : Roger Larose

AND RESOLVED THAT the Municipality of Pontiac authorizes the Director of the Fire Services to call upon the firm « Enquêtes Incendie des Collines 24/7 », if needed, for the research regarding the cause of a disaster, as provided in the risk cover plan and by the law, this at the offered rate.

Carried

12-08-1199
HIRING OF VOLONTEER FIREFIGHTERS

It is

Moved by : Thomas Howard
Seconded by : Brian Middlemiss

AND RESOLVED THAT the Municipality proceed to the hiring of the following people as volunteer firefighters :

- | | |
|----------------------|------------------------|
| 1- Kurt Fraser | 6- Carson Tharris |
| 2- Daniel Belley | 7- Christopher Tharris |
| 3- Alexander Buttler | 8- Anick Bigras |
| 4- Brennen Smith | 9- Pierre Henselmann |
| 5- David Scully | |

All subject to a 1 year probation period and under the conditions of the association of the Pontiac firefighters agreement.

Carried

12-08-1200
PURCHASE OF A BACKHOE

WHEREAS the tenders produced by the Municipality ;

WHEREAS the answers received ;

It is

Moved by : Roger Larose
Seconded by : Inès Pontiroli

AND RESOLVED THAT the Municipality purchase a 2012 John Deer backhoe at the cost of **\$84 300.00** (before taxes) from Nortrax. An amount of \$50 000.00 from the operation budget will be allocated to that expenditure and the sum of **\$34 300.00** plus non-recoverable taxes will come from working capital repayable over 5 years.

Carried

12-08-1201

**TOLERANCE ROADS – ASSOCIATION OF PROPRIETAIRES
DU CHEMIN DES LILAS**

WHEREAS the chemin des Lilas is part of a larger property that was purchased by Saravan Properties and subjected to a residential development project;

WHEREAS the chemin des Lilas has now been paved and the developer is preparing to transfer the management of the road to the municipality;

It is

Moved by: Inès Pontiroli
Seconded by: Dr. Jean Amyotte

AND RESOLVED THAT the municipality strikes from its records the Association of Propriétaires du chemin des Lilas as of today, and, if required, initiate the necessary steps in finalizing the subsidies previously given.

Carried

12-08-1202

TOLERANCE ROADS SPECIAL PROJECTS

It is

Moved by: Inès Pontiroli
Seconded by: Dr. Jean Amyotte

AND RESOLVED THAT council approves the following special projects from the 2012 tolerance road budget of \$28,000:

| | | |
|---|----|-----------|
| Association des Propriétaires du Héron Bleu | \$ | 4,500.00 |
| Association Pointe aux Roches | \$ | 2,051.00 |
| Association Chemin Sumac | \$ | 10,603.00 |
| Total | \$ | 17,154.00 |

Carried

12-08-1203

TOLERANCE ROADS – STRIKE-OFF OF ASSOCIATIONS

WHEREAS these associations no longer exist or its registration was stricken off the Registre des Entreprises du Québec;

WHEREAS many attempts on behalf of the Municipality were made to resolve the issue around their non-compliance to articles: 5 and/or 9 and/or 13 of the municipal bylaw 03-10 on Tolerance Roads;

WHEREAS letters were sent to all the residents of these associations, informing them of the situation and its financial implications;

It is

Moved by: Inès Pontiroli
Seconded by: Thomas Howard

AND RESOLVED THAT the municipality cancels the registration of the following associations and, if required, initiate the necessary steps in recovering any monies previously paid to these associations and for which we have not received any supporting documents.

- Association du Chemin Breckenridge
- Association des Propriétaires de la Baie Noire
- Association de la Plage Pierre Tremblay

Carried

12-08-1204

10 WHEELER TRUCK JASON JONES MARINE

It is

Moved by : Inès Pontiroli
 Seconded by : Dr. Jean Amyotte

AND RESOLVED THAT the Municipality purchases the 10 wheeler Ford Sterling 2000 truck, at the cost of \$ 19 000.00 plus applicable taxes, from Jason Jones Marine.

Councillor Roger Larose votes against the decision because the cost of the location paid by the insurer should appear at the purchase cost.

Carried on a divided vote.

12-08-1205

TENDERS- PAVING OF TERRY-FOX

It is

Moved by: Dr. Jean Amyotte
 Seconded by: Inès Pontiroli

AND RESOLVED THAT the Municipality accepts the lowers tender for the paving of Terry-Fox road, that is Jason Hynes Construction Inc., for the cost of \$ 48 640.00, plus taxes.

Carried

12-08-1206

ENVIRONMENTAL INVESTIGATION – 19 EGAN

WHEREAS the events that took place during winter 2012 at 19 Egan ;

WHEREAS the complaints of the citizens are in relation with the environment ;

WHEREAS this Council agrees that there is cause for investigation ;

It is

Moved by : Roger Larose
 Seconded by : Inès Pontiroli

AND RESOLVED THAT the Municipality ask the MDDEP to investigate the alleged events that occurred during the winter of 2012 at 19 Egan.

It is also RESOLVED THAT if the MDDEP refuses to investigate, the Director General will delegate a competent third party to investigate on the subject. A budget of \$1 500.00 will be granted for these purposes.

Carried

12-08-1207

LEAKAGE SEARCHES

WHEREAS the overconsumption of drinkable water in the village of Quyon ;

WHEREAS it is appropriate to establish a program to search for leakage ;

It is

Moved by :

Seconded by :

AND RESOLVED THAT the Municipality give the mandate to establish a program to search for leakage to EXP as soon as possible. A budget of \$ _____ is granted for these purposes.

The resolution, not being proposed by anyone, is withdrawn.

12-08-1208

PROGRAM TO SAVE DRINKABLE WATER

It is

Moved by: Roger Larose

Seconded by: Thomas Howard

AND RESOLVED THAT the Municipality implement a program of awareness and conservation of drinking water for the village of Quyon. The Director of Technical Services will have to present a document to that effect as soon as possible.

Carried

12-08-1209

HOUSING DEVELOPMENT VILLAGE OF QUYON AREA

WHEREAS a developer is interested in doing a housing project in the area of the village of Quyon ;

WHEREAS the Municipality is manifesting an strong interest for the project;

WHEREAS improvement work to the sewers and potable water structures could be necessary and represent a considerable amount ;

WHEREAS it is necessary to study the sharing of such future costs ;

WHEREAS the regulation on development and urban planning states that a by-law regarding agreements on municipal work can be carried ;

It is

Moved by: Roger Larose

Seconded by : Lynne Beaton

AND RESOLVED THAT the municipality manifests to the developer its interest in the housing project in the Village of Quyon and agrees to negotiate an agreement with the sponsor to share costs for municipal infrastructure improvements, according to the law.

Carried

NOTICE OF MOTION

Notice of motion is hereby given by the Mayor Mr. Edward McCann, that at a subsequent council meeting he intends to present a draft borrowing by-law to pay for the necessary improvements for the sewer and water infrastructures in the village of Quyon.

NOTICE OF MOTION

Notice of motion is hereby given by the Mayor Mr. Edward McCann, that at a subsequent council meeting he intends to present a draft by-law to modify the dispositions regarding the parking of trailers.

12-08-1210

LAND PURCHASE DION ROAD

WHEREAS the request of Mr. Alain Larose regarding the land at 115 Dion ;

WHEREAS from the presentation of Mr. Larose, he was not made aware that this land could not be used for a camp;

It is

Moved by: Thomas Howard

Seconded by

AND RESOLVED THAT the Municipality buys back from Mr. Larose the land of 115 Dion for the sum of \$ 1 600.00.

The resolution having no one to second it is rejected.

12-08-1211

SUBDIVISION – 31 de la Rivière road – Luc Cayer

WHEREAS the applicant wishes to subdivided lot 2 683 485 and create six (6) new lots to build on with a private road;

WHEREAS the request is in conformity with the zoning by-law 177-01;

WHEREAS the request is in conformity with the subdivision by-law 178-01;

CONSEQUENTLY, it is

Motioned by: Inès Pontiroli

Seconded by: Roger Larose

AND RESOLVED that council supports the applicant's request, to subdivide lot 2 683 485 in order to create lots 5 098 022 to 5 098 027 and 5 098 029 for the private road as shown in the plan prepared by land surveyor Mathieu Fortin, under his minutes 142, dated July 4, 2012.

Carried.

12-08-1212

REQUEST TO THE C.P.T.A.Q – 1697 HAMMOND ROAD – HUGUETTE HALLÉ

WHEREAS the request remains an authorization for the subdivision and for a usage other than agricultural purposes on part of lot 16A, Range 5, County of Onslow;

WHEREAS a residential development already exist on the North side of the property;

WHEREAS the lot is uncultivated for more than 35 years and the quality of the soil is not fertile for agriculture;

WHEREAS there is a part of the lot that is already occupied by big electric pylons from Hydro-Québec;

WHEREAS the limited number of residential lots available;

WHEREAS the request is in conformity with zoning by-law 177-01;

WHEREAS the request is in conformity with subdivision by-law 178-01;

CONSEQUENTLY, it is

Motioned by: Inès Pontiroli
Seconded by: Roger Larose

AND RESOLVED that this council supports the applicant's request remaining an authorization for the subdivision and for a usage other than agricultural purposes on part of lot 16A, Range 5, County of Onslow.

Carried

12-08-1213

SUBDIVISION – 1 Chamberland road – Jeanne D'arc Ethier (Gaétan Chamberland)

WHEREAS the applicant wishes to subdivided lot 2 683 488 and create one (1) new lot to build on;

WHEREAS the request is in conformity with the zoning by-law 177-01;

WHEREAS the request is in conformity with the subdivision by-law 178-01;

CONSEQUENTLY, it is

Motioned by: Brian Middlemiss
Seconded by: Roger Larose

AND RESOLVED that council supports the applicant's request, to subdivide lot 2 683 488 in order to create lot 5 114 302 as shown in the plan prepared by land surveyor Richard Fortin, under his minutes 9196, dated July 20, 2012.

Carried.

12-08-1214

BY-LAW No. 06-12 ENTITLED: «BY-LAW REPEALING ALL PREVIOUS BY-LAWS CONCERNING PUBLIC NUISANCES ON THE TERRITORY OF THE MUNICIPALITY OF PONTIAC »

WHEREAS this council judges it appropriate and to be of public interest to adopt a new By-law in order to insure peace and order within the Municipality of Pontiac and to keep it clean.

WHEREAS provisions of Municipal Powers Act (2005, c.6) articles 59, 60, 61;

WHEREAS article 96 of the same Act;

WHEREAS a notice of motion was given at a regular Council meeting held on June 12th 2012 to the effect that the present by-law would be submitted for approval;

CONSEQUENTLY, it is

Moved by: Roger Larose

Seconded by: Inès Pontiroli

AND RESOLVED THAT council decrees the following:

ARTICLE 1:

Definitions

Municipality

Municipality of Pontiac

Vehicle

Includes all vehicle according to the Code de la sécurité routière du Québec (Road Safety Code) (LRQ, Chapter C-24.2)

The term “vehicle” includes all kind of vehicles, motorized, non-motorized and, without restriction, all land and marine vehicles, aircraft, trailer and semi-trailer.

Nuisance

Material and/or object which, by its nature or its illegal or abusive use, cause serious inconveniences or that can endanger public safety and/or security, the well-being of the community or the aesthetic of the building.

Officer

A person designated by the urban planning department.

ARTICLE 2:

Property maintenance

- 2.1. a) An owner, a tenant or any person occupying a property shall not throw, leave or store materials and/or objects representing a nuisance on said property.

For information purposes and considered as in a non-restrictive way:

Household appliances

Vehicle carcasses or parts of

Rubbish

Scrap metal / iron

Furniture

2.1. b) Also considered a nuisance, a building left in a dilapidated state in which it loses 50% of its original value on the assessment roll or which constitutes a danger to anyone who is in the area around it or presents a high risk fire hazard, or unfit for habitation.

2.2 The use of a vehicle or parts of a vehicle for storage is prohibited to any owner, tenant or person occupying a property.

2.3 It is forbidden for an owner, tenant or anyone occupying a property to set up a tent.

The person may however fill out a request for a permit which may be authorized only for special events of short duration, such as a wedding, anniversary, civic holiday, etc.

2.4 It is forbidden for an owner, tenant or anyone occupying a property, to install a temporary structure/shelter and to use it for storing such things as garbage or other environmental nuisances, or to leave it in a dilapidated state.

2.5. a) It is forbidden for an owner, tenant or anyone to use a vacant lot for storage purposes.

b) Notwithstanding article 2.5 a), it is possible to use a lot for storing purposes when it is owned by the same owner of an adjoining lot, or reputed adjoining lot, where there is an existing main building (i.e. lot located immediately beside or separated from the residential lot by a road or a water course).

c) Storage must be accessory to the property temporarily and cannot exceed 5% of the total area of the property on which it is situated, for a maximum of 500 square meters.

The maximum height of items stored is 1.5 metres.

The items stored must not represent a source of danger with respect to the health and safety of people and must not constitute a risk of polluting or creating insalubrious conditions or a fire hazard.

2.6 The storage of a vehicle, not registered (plated) for the current year or that is not in working order is prohibited to any owner, tenant or person occupying a property.

A vehicle having a “storage” plate may be stored and kept outside for one (1) year.

2.7 Grasses

a) It is forbidden for an owner, tenant or any person occupying a property to tolerate the presence of the following on said property:

- Poison ivy
- Poison oak
- Giant hogweed (*Heracleum mantegazzianum*)

Where appropriate, the owner must proceed with their eradication, or at the very least, cut them down in order to prevent them from flowering.

- b) The upkeep of lawns (max. 15 cm) is mandatory. It should not be invasive or unsightly so as to look shocking in its environment.

Shoreline protection zones of lakes and water courses are however excluded from the implementation of article 2.7 b) and are subject to applicable rules in virtue of the current regulations.

2.8 It is prohibited to have an excavation done or to leave an accumulation of earth, stones or other similar materials that cannot be reasonably recognized as forming an integral part of the landscape of the said lot.

2.9 It is prohibited to leave any product recognized as being a pollutant in the environment, such as acid hydrocarbons, chemical products or smoke emitted from anything other than burning wood, branches and other products recognized for heating purposes.

ARTICLE 3

Upon a written request from the property owner and with his/her acceptance to take on the expenses, the municipality, by way of a resolution, may have any nuisance, that is identified within the present by-law, removed and may invoke article 96 of the “Municipal Powers Act” and consider the costs related to the work done as a property tax.

ARTICLE 4

The fact that any property owner, tenant or any other person discharges a firearm on municipal territory outside of the recognized hunting seasons, including a 15-day period preceding the said seasons on approved shooting ranges, is viewed as a nuisance. The municipality may however grant permission for these purposes for a special activity, in accordance with the applicable regulations.

ARTICLE 5

The fact that any property owner, tenant or any other person uses or allows the use of an all-terrain vehicle in an abusive fashion is viewed as a nuisance.

ARTICLE 6

Penalties

Any person or entity who commits an offence is liable to the following minimum and maximum fines:

| Offence | Person | | Entity | |
|--|---------------|-------------|---------------|-------------|
| | Min. | Max. | Min. | Max. |
| 1 st offence | \$250 | \$1,000 | \$300 | \$2,000 |
| 2 nd offence within a 6 month period of the 1 st offence | \$400 | \$2,000 | \$400 | \$3,000 |
| For any subsequent offence within a 12 month period of the same offence | \$550 | \$2,000 | \$500 | \$3,000 |

ARTICLE 7

Effective Date

This By-law will be in force according to the law.

Carried

12-08-1215

TRANSACTION SIGNATURE FOR LAND TRANSFERT – COTE MCKAY (REF. RESOLUTION 09-09-309).

It is

Moved by : Dr. Jean Amyotte

Seconded by : Inès Pontiroli

AND RESOLVED THAT the Municipality authorizes the Director General and the mayor to sign all documents relative to this transaction.

Carried

12-08-1216

POLICY AND PROCEDURES FOR IMPLEMENTING BY-LAW 06-12 CONCERNING NUISANCES ON THE TERRITORY OF THE MUNICIPALITY OF PONTIAC

It is

Moved by: Roger Larose

Seconded by: Inès Pontiroli

AND RESOLVED THAT this Council adopts the document entitled: “*Policy and procedures for implementing by-law 06-12 concerning nuisances on the territory of the municipality of Pontiac*” and to have the concerned municipal employees apply it in the best delays, as follow:

1. PROCEDURES FOR INSPECTIONS

a) The normal schedule for inspections varies between 9:00 a.m. and 3:00 p.m.

b) The inspector can schedule appointments a little earlier or a little later in the day, with the citizen who requests it.

c) Upon his arrival on a property, the inspector must:

- 1) Firstly, introduce himself to the occupant of the property and give him/her his business card.
- 2) Explain the reason for his inspection.
- 3) Ask the occupant’s for his cooperation.

In the case where the inspector cannot obtain the occupant’s cooperation, he must leave the premises.

d) In the case where the owner or occupant of the premises is absent, the inspector leaves a notice specifying the reason for his visit, as well as his coordinates and the time at which he may be reached, and proceed with a first summary inspection.

e) A letter shall be sent if there is no collaboration from the owner or the occupant or in his/her absence (c).

2. COMPLAINTS/REQUESTS

a) Any inspection related to a nuisance must be noted in the computer system and in the register with a reference number.

b) The inspector and urban planning department's personnel never discloses the origin of a complaint/request, in order to respect confidentiality and to avoid creating or accentuate eventual conflicts in the neighbourhood.

c) The inspector shall deal with complaints/requests received from the citizens or from the Council members.

d) The inspector himself will open a new file if he deems that a situation represents a risk to the health and safety of people or a risk to the environment, or, if the situation causes visual or other prejudices in the neighbourhood.

3. NONCOMPLIANCE

When the inspector notices an irregularity with the current nuisance by-law, he must inform the property owner, tenant or occupant as soon as possible. This may be done verbally, followed by a written notice.

4. NOTICE TO THE CITIZEN

a) A letter is sent to the citizen, with a duplicate given to the members of council, *clearly* informing him/her of the nature of the violation, the measures needed to correct the situation and the delay to do so. Whenever possible, photos must be attached to the letter. These photos must also be submitted to the members of council.

b) A copy of the article which is non-compliant with the by-law must also always be submitted.

5. COURSE OF THE PROCEDURES IN CASE OF NONCOMPLIANCE WITH THE GRANTED DELAY AS MENTIONNED AT ARTICLE 4

a) A first notice of violation is sent to the citizen giving a delay of 10 working days to conform to the inspector's request

b) If there is no follow up after the 1st notice, a second notice of violation is sent to the citizen giving a delay of 5 working days to comply.

c) If there is no follow up after the 2nd notice, a third notice of violation is sent to the citizen giving a delay of 3 working days to comply.

d) If there is not follow up after the 3rd notice, a letter is sent to the citizen to inform him/her that he/she could be subjected to a fine in the amount of \$250.

e) After these steps, a copy of the resolution, if adopted by the Municipal council, authorizing the chief of the urban planning department to transmit this file to our legal advisors, is sent to the citizen.

6. COOPERATION WITH THE CITIZEN

a) Once the situation is deemed compliant, if a letter was sent to the citizen, a written confirmation will be sent informing him/her that the file relating to the violations noted is closed. We also thank him/her for his/her cooperation.

b) The citizen can request a copy of his file once it is closed.

7. ADDITIONAL DELAY GRANTED

a) Any delay deemed reasonable could be granted to a citizen who requests it. He/she must, at the very least, give a justifiable cause and show good faith. (reasons : health, job, travel, work, weather conditions, etc.).

b) Any additional delay granted shall be confirmed to the citizen in writing.

c) The councillor in the ward affected will also receive a copy of this confirmation.

8. STORAGE OF CONSTRUCTION MATERIAL

a) If need be, the duration of the storage may vary according to the duration of the permit or certificate.

b) In the case where the work does not call for an authorization, the storage will not extend over the *normal* duration of the work of the same nature.

9. CONTAINER

a) A container (eg. trailer type) used to store items or construction material will be tolerated during the construction/renovation or demolition work, for the said « normal » duration of work of the same nature. The said container must not cause any prejudice in its neighbouring environment.

10. HOUSEHOLD APPLIANCES

a) Household appliances, such as a refrigerator, freezer or others, will be tolerated when placed on a balcony, porch, terrace, etc. if they are in functioning order and used for their sole purpose.

b) Notwithstanding article 9 a), these must not be visually shocking in their environment and must not represent a source of danger.

c) They must not be the object of any complaint, request or comment from neighbours or passers-by if they are visible to the public.

Carried

12-08-1217

BY-LAW No. 04-12 CONCERNING THE SPEED LIMIT ON VARIOUS MUNICIPAL ROADS

WHEREAS council considers it is appropriate and of public interest to regulate on the subject of traffic pertaining to roads and public safety;

WHEREAS by the very fact, council wishes to rationalize the existing rules and make them compatible with the “*Road Safety Act*”, and wish to complement the rules set in the said Act;

WHEREAS the notice of motion for the actual by-law was duly given at a regular council meeting held on June 12th 2012.

CONSEQUENTLY, it is

Moved by: Dr. Jean Amyotte
Seconded by: Thomas Howard

AND RESOLVED THAT council decrees and rules the following:

RULES OF INTERPRETATION

ARTICLE 1: The present by-law complements and completes the rules set within the « *Road Safety Act* » (L.R.Q., c. C-24-2), and in many respects, provides for rules of driving and immobilizing road vehicles on the Municipality of Pontiac's territory.

ARTICLE 2: Provisions of the present by-law that apply to owners of road vehicles also apply to anyone who acquires or possesses a road vehicle, and in virtue of various titles, conditions or terms, gives them the right to own a vehicle, or in virtue of a title, gives them the right to benefit from it as the responsible owner. These provisions also apply to anyone who rents a road vehicle.

ARTICLE 3: In virtue of the present by-law, the person whose road vehicle is registered with the S.A.A.Q. "*Quebec automobile insurance*" is responsible for any offence that is being charged to the driver of the said vehicle.

ARTICLE 4: The present by-law however does not annul any resolution that may have been adopted by the municipality and that may decree the installation of street signs as well as the obligation to respect them.

ARTICLE 5: Certain provisions being replaced by the present by-law do not affect the procedures intended by the authority of past resolutions, nor do they affect the offences for which procedures have not yet been intended, which provisions will continue under the authority of the said replaced by-laws, thus until final judgment and execution.

DEFINITIONS

ARTICLE 6: The wording in the present by-law has the same meaning as in the "*Road Safety Act*" (L.R.Q., c.C-24-2 as amended) and unless the context indicates a different meaning, we understand by the following:

“Bicycle”: refers to bicycles, tricycles and scooters;

“Public road”: The surface of land or a civil engineering structure to which the maintenance is the responsibility of the municipality, of a government or one of its organizations, and a part of which is for public use of motor vehicles and where appropriate, one more bicycle paths with the exception of:

- 1) Roads being constructed or repaired, but only for vehicles affected by the said construction or repairs.

“Municipalities”: refers to the Municipality of Pontiac;

“Director or public works”: refers to the person responsible for the public works department of the municipality;

“Motor vehicle”: a motorized road vehicle that is essentially adapted for the transportation of people or goods;

“Road vehicle”: a motorized vehicle that can be driven on a road. Those excluded are vehicles that run only on rails and electric wheel chairs. Trailers, semi-trailers, removable semi-trailers and axles are considered to be in the same category as road vehicles;

“Emergency vehicle”: police department road vehicles, according to the *Police Act* (L.R.Q., c. P-13); road vehicles used as an ambulance, according to the “*Act respecting the protection public health*” (L.E.Q., c. P-35); and a fire department road vehicle;

“Public route”: a public road, sidewalk, space or parking belonging to the municipality, or any property owned by the municipality.

TRAFFIC RULES

SPEED LIMIT

ARTICLE 7 : No one can drive a road vehicle at a speed exceeding 50km/hour on the following roads and for a distance of

| Roads (meters) | Distance |
|---|-----------------|
| Pères-Dominicains (From the intersection of 148 to Papineau)..... | 2630 |
| La Baie (from Damas-Perrier to the South extremity)..... | 4340 |

ARTICLE 8 : No one can drive a road vehicle at a speed exceeding 40km/hour on the following roads and for a distance of:

| Roads (meters) | Distance |
|------------------------------|-----------------|
| Marquis (all the way)..... | 1 025 |
| Cedarvale (all the way)..... | 1 725 |
| Omkar (all the way) | 405 |
| Panorama (all the way)..... | 890 |
| Lavigne (all the way)..... | 1 060 |
| McCaffrey (all the way)..... | 90 |
| Seliner (all the way)..... | 395 |
| Asaret (all the way)..... | 1 565 |
| Fortin (all the way)..... | 568 |
| Plante (all the way)..... | 255 |
| Kawartha (all the way)..... | 325 |
| McKay (all the way)..... | 814 |
| Rose (all the way)..... | 175 |
| Dubois (all the way)..... | 975 |
| Lelièvre (all the way)..... | 825 |
| Davis (all the way)..... | 1 195 |

| | |
|--|-------|
| Croissant Soulière (all the way)..... | 730 |
| Kennedy (from 148 to the South extremity)..... | 2 500 |
| Taber (all the way)..... | 1 490 |
| Terry-Fox (South of Cedarvale)..... | 300 |

OFFENCES AND PENALTIES

ARTICLE 9 The municipality authorizes the Director of public works to replace the existing road signs with appropriate signage, in conformity with present by-law.

ARTICLE 10: To contravene the present by-law constitutes an offence.

ARTICLE 11: The owner of a road vehicle whose name is registered with the “*Quebec automobile insurance*” in virtue of the article on the “*Road Safety Act*”, may be declared guilty of any offence to the present by-law, if the said vehicle was, without his consent, in the possession of another person, provided the exceptions described in the second paragraph of article 592 of the “*Road Safety Act*”.

ARTICLE 12: In general, council authorizes any police officer to take criminal proceedings against offenders concerning any of the provisions of the present by-law and in as a result, generally authorizes them to issue a ticket to this end. The MRC des Collines-de-l’Outaouais Police are in charge of implementing the present by-law.

FINAL PROVISIONS

ARTICLE 13: In the present by-law, the singular is also meant to include the plural.

Appendix A being an integral part of this by-law, includes the signage plan.

Appendix B being an integral part of this by-law, includes the information plan.

The present by-law cancels and replaces any other municipal by-law, part of a by-law or article of a by-law to be of the same subject.

The present by-law will come into force in accordance with the law.

Carried

PUBLIC QUESTION PERIOD

- | | | |
|----------------------|---|---------------------|
| Madeleine Carpentier | - Chief or urban services - Fire ban | - Multipurpose - |
| Center Floading | | |
| Joan Belsher | - Anglican Church | |

| | |
|--------------|---|
| Ricky Knox | - Notice of motion – Braun road - Janitorial services - Preliminary plans – Multipurpose Center |
| Nancy Maxsom | - Mill |
| Bill Twolan | - Mill - Trailers and R.V's - Prioritization of complaints - Trailers in Quyon |
| Bruno Alary | - Municipal Inspector |
| Alain Larose | - Lands – Dion road |

12-08-1218
CLOSING OF THE MEETING

Moved by: Dr. Jean Amyotte
Seconded by: Thomas Howard

AND RESOLVED to close the meeting 10:08 p.m. having gone through the agenda.

Carried

MAYOR

DIRECTOR GENERAL

« I, mayor Edward McCann, hereby certify that the signature on the present minutes is equivalent to the my signature on each and every resolution herein, as specified in article 142 (2) of the Municipal Code».

*“However, my signature is not valid on resolution number **12-08-1194** to which I exercise the right of veto power, provided for in article 142 (3) of the Municipal Code”.*