

**PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC**

MINUTES of the regular municipal council meeting held on Tuesday, December 11th, 2012 at 8:00 p.m. at the Community Center, situated at 2024, route 148, Pontiac. Those who were present:

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

Also present the Director General, the assistant to the Director General and several ratepayers.

The meeting began at 8:00 p.m.

FLOOR TO THE PUBLIC AND QUESTION PERIOD

- | | |
|----------------------|--|
| Diane Deschamps | - Ambulance files
- Bilingual tax bill |
| Madeleine Carpentier | - Mayor's budget report
- Amount of the snow removal contract - Additional costs
- Eco center – hours of operation
- Drainage between 1998 and 2000 route 148 |
| Charles Éthier | - Presentation on the Pontiac Advisory Committee |
| Richard Simour | - Transparency in the discussions and decision of the Council. Has questions regarding the Mayor's and councillor Amyotte's reaction in relation with the letter sent to the newspapers. |
| BarrieMarfleet | - Changing RCM – Advantages and inconvenient
- Issues discussed for the strategic planning |
| Carl Hager | - In his opinion, there is no relation between the Charbonneau Commission and the Municipality of Pontiac |
| Bill Twolan | - Commercial zoning along the 148
- Industrial park
- Awarding contract to companies in agricultural zoning. |
| Joan Belsher | - Why having sent a letter from a lawyer- Why not have called |
| Nancy Maxsom | - Hours of operation of the eco center
- Web site- Translation of zoning by-law |
| Ricky Knox | - Newspaper article
- Lawyer's letter |

12-12-1366

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 November 13th and that of the special meetings on November 20th and 27th, 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 December
 - 5.5 Schedule of the Municipal Council's meetings
 - 5.6 Adoption of by-law 09-12 – Code of ethics municipal employees
 - 5.7 Renewal of the agreement for the gymnasium – Groupe Action Jeunesse
 - 5.8 Remittance Eardley recreative association
 - 5.9 Contribution-Meal-Gifts-Employees
 - 5.10 2012 O.M.H. financial statements
 - 5.11 Notice of motion – Adoption of 2013 budget
 - 5.12 Notice of motion – By-law cost of permits and certificates
 - 5.13 Presentation of by-law 12-12 – Cost of permits and certificates
 - 5.14 Request for grant– Bicycle path
 - 5.15 Service agreement – Municipality of La Pêche
- 6. Public security**
 - 6.1 Stéphane Tremblay – End of probation
- 7. Public works**
 - 7.1 Contract renewal – Public Works Director
 - 7.2 Additions to the snow removal contract - Sector G
 - 7.3 Passing on de la Montagne road
 - 7.4 Notice of motion – Loan for paving Lusk project
 - 7.5 Notice of motion – Loan for paving Braun road
 - 7.6 Parking on de la Montagne road
 - 7.7 Installation street lights
- 8. Public hygiene**
- 9. Urban renewal and zoning**
 - 9.1 Adoption of by-law 12-RM-03
 - 9.2 Adoption of by-law 12-RM-04
 - 9.3 Notice of motion –speed limit by-law in school zones
 - 9.4 Tabling of by-law 12-10
 - 9.5 Notice of motion – By-law regarding the circulation of O.R.V. on municipal roads.
 - 9.6 Renewal of mandate – Ms. Marie-Claude Pineault
 - 9.7 Renewal of mandate – Mr. David Birt
 - 9.8 Subdivision – 3281 route 148 – Roy Nugent
 - 9.9 Subdivision – 36 Asaret – Mike Clemann
 - 9.10 Subdivision – 3153 route 148 – Benoit Giroux
- 10 Recreation and culture**
 - 10.1 Request – Use of the library – M. Dany Girard.
- 11. Miscellaneous**
 - 11.1
- 12. Various reports and correspondence**
 - 12.1 Tabling of various municipal reports: a) animals;b) Construction permit report
- 13. Tabling of the registre of correspondence**
 - 13.1 Register of the correspondence received in November 2012
- 14. Question period**
- 15. Closing of meeting**

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

AND RESOLVED to adopt the agenda with the following modifications:

Additions : 5.16 Pontiac Advisory Committee

Carried

12-12-1367

ADOPTION OF THE MINUTES OF THE REGULAR MEETING HELD ON NOVEMBER 13TH, 2012 AND THOSE OF THE SPECIAL MEETINGS HELD ON NOVEMBER 20 AND 27TH, 2012

Moved by: Roger Larose
Seconded by: Inès Pontiroli

AND RESOLVED to adopt the minutes of the regular meeting held on November 13th, 2012 and those of the special meetings held on November 20 and 27th, 2012.

Carried

12-12-1368

BUDGETARY TRANSFERS (December 2012)

It is

Moved by: Brian Middlemiss
Seconded by: Inès Pontiroli

AND RESOLVED THAT the municipality carry out the budgetary transfers as described on the attached list in the amount of **\$ 58 430.00**

Carried

12-12-1369

LIST OF INVOICES TO PAY

Moved by: Inès Pontiroli
Seconded by: Brian Middlemiss

AND RESOLVED THAT this Council authorizes the payment of invoices amounting to **\$ 150 111.17** (see appendix in file no.102-102) for the period ending November 30th 2012 and to debit budget posts related to the expenses mentioned on said list.

Carried

12-12-1370

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 **\$ 449 336.56** (see appendix) for the period ending November 29th, 2012 and to debit related budget accounts for the expenses mentioned on said list.

Carried

12-12-1371

LIST OF INCURRED EXPENSES FOR THE MONTH OF DECEMBER 2012

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

AND UNANIMOUSLY RESOLVED to accept the incurring expenses that appear in appendix A (see file 102-102), for a total amount of \$ **24 199.90** taxes included.

Carried

12-12-1372

CALENDAR OF THE MUNICIPAL COUNCIL MEETINGS

WHEREAS article 148 of the Quebec Municipal Code (or 319 of the *Act respecting towns and cities*) provides that council must establish, before the beginning of each calendar year, the calendar of the regular meetings for the next year, setting the date and time at which they shall begin;

CONSEQUENTLY, it is

Moved by Thomas Howard
Seconded by Inès Pontiroli

AND RESOLVED THAT the calendar herein be adopted as the regular municipal council meetings for 2013, to be held on Tuesdays, beginning at 8:00 p.m.:

15 janvier	14 mai	10 septembre
12 février	11 juin	8 octobre
12 mars	9 juillet	12 novembre
9 avril	13 août	10 décembre

IT IS FURTHER RESOLVED to hold the meetings of May in Breckenridge and that of August in Quyon.

Carried

12-12-1373

ADOPTION OF BY-LAW 09-12 – CODE OF ETHICS MUNICIPAL EMPLOYEES

CODE OF ETHICS AND PROFESSIONAL CONDUCT FOR THE MUNICIPAL EMPLOYEES OF THE MUNICIPALITY OF PONTIAC

Whereas the *Municipal Ethics and Good Conduct Act*, which came into effect on December 2, 2010, obliges local and regional municipalities to adopt a code of ethics and professional conduct for municipal employees;

Whereas the council of any municipality that does not have such a code that meets the requirements of the *Municipal Ethics and Good Conduct Act* must adopt one by by-law no later than December 2, 2012;

Whereas the formalities set out under the *Municipal Ethics and Good Conduct Act* have been upheld;

Whereas a notice of motion has been given on November 13th 2012.

It is

Moved by: Inès Pontiroli
Seconded by: Roger Larose

AND RESOLVED THAT the Municipality adopts the following code of ethics and professional conduct:

SECTION 1: TITLE

The title of this code is: Code of Ethics and Professional Conduct of the Employees of the Municipality of Pontiac.

SECTION 2: APPLICATION OF THE CODE

This code applies to every employee of the Municipality of Pontiac.

SECTION 3: OBJECTIVES OF THE CODE

The objectives of the code are as follows:

- 1) Give priority to the municipality's values;
- 2) Institute standards of conduct that foster the adoption of these values;
- 3) Prevent ethical conflicts and, should any arise, resolve them effectively and with good judgment;
- 4) Apply control measures to breaches of ethics.

SECTION 4: VALUES OF THE MUNICIPALITY

The following values shall serve as a guide for the conduct of municipal employees, especially when the situations encountered are not explicitly set out in this code or by the various policies of the municipality.

1) Integrity

All employees shall uphold honesty, rigour and justice.

2) Prudence in the pursuit of the public interest

All employees shall assume the responsibilities related to their mission of public interest. In the accomplishment of this mission, the employees shall act with professionalism, vigilance and good judgment.

3) Respect toward other municipal employees, council members and citizens

All employees shall foster respect in interpersonal relations. They have a right to respect and shall act with respect toward all people they deal with in the pursuit of their duties.

4) Loyalty to the municipality

All employees shall protect the interests of the municipality by upholding its laws and by-laws.

5) Quest for equity

All employees shall treat everyone fairly, in accordance with laws and by-laws.

6) Honour attached to the office of municipal employee

All employees shall safeguard the honour attached to their office, which presupposes the constant practice of the five preceding values: integrity, prudence, respect, loyalty and equity.

SECTION 5: RULES OF CONDUCT

5.1 Application

The rules set out in this section shall guide the conduct of municipal employees.

5.2 Objectives

These rules aim, in particular, to prevent:

any situation where the private interest of an employee might impair his or her independence of judgment in carrying out the duties of office;

any situation that would run counter to any provision of a government law or by-law or a municipal council by-law or an employee guideline;

favouritism, embezzlement, breach of trust or other misconduct.

5.3 Conflicts of interest

5.3.1 It is forbidden for employees to act or attempt to act, or omit to act, in any way, in carrying out their duties, so as to further their private interests or improperly further those of another person.

5.3.2 It is forbidden for employees to use their position to influence or attempt to influence another person's decision so as to further their private interests or improperly further those of another person.

5.3.3 It is forbidden for employees to solicit, elicit, accept or receive any benefit, for themselves or for another person, in exchange for taking a position.

5.3.4 It is forbidden for employees to accept any gift, hospitality or other benefit, whatever its value, that may impair their independence of judgment in carrying out their duties or risk compromising their integrity.

5.3.5 *(If the municipality wishes to specify the conditions for accepting gifts, tokens of hospitality or other benefits that are not purely of a private nature or not covered in section 5.3.4 (e.g., promotional gift, maximum amount, keeping of a register, declaration to immediate supervisor), those conditions should be specified in this section rather than in a guideline or policy that has not been adopted through a regulatory procedure.)*

5.4 Use of municipal resources

It is forbidden for employees to use municipal resources for personal purposes or for any purpose other than activities related to their duties, subject to a specific policy controlling that use.

This ban does not apply when an employee uses, under non-preferential conditions, a resource placed at the disposition of the citizens.

5.5 Use or communication of confidential information

Employees must not make use of confidential information they obtain in or in connection with the execution of their duties. These obligations continue for a reasonable time after the cessation of employment and continue indefinitely when the information relates to the reputation or private life of others.

5.6 Breach of trust and embezzlement

It is forbidden for employees to misappropriate municipal property for their own use or the use of another person.

SECTION 6: PREVENTION MECHANISM

Employees who feel they have been placed directly or indirectly in a situation of real, potential or apparent conflict of interest, or who are likely to otherwise contravene this code of ethics and professional conduct, shall advise their immediate supervisor.

In the case of the general manager, he or she must advise the mayor.

SECTION 7: BREACH AND DISCIPLINARY MEASURES

A violation by an employee of a rule set out in this code of ethics and professional conduct may, on the decision of the municipality and subject to any employment contract, lead to the application of disciplinary measures appropriate to the nature and severity of the violation.

SECTION 8: OTHER CODE OF ETHICS AND PROFESSIONAL CONDUCT

This code shall not be interpreted to restrict the obligations imposed on municipal employees by laws, by-laws, codes of professional conduct, work contracts including collective agreements, policies or municipal guidelines.

SECTION 9: ENTRY INTO FORCE

This by-law shall come into force in accordance with the law.

Carried

12-12-1374

PROTOCOL OF AGREEMENT GROUPE ACTION JEUNESSE

WHEREAS THE protocol of agreement for the access to the Notre-Dame-de-la-Joie school's gymnasium between the Municipality and the Groupe Action Jeunesse is expired on January 1st 2013;

WHEREAS it is appropriate to renew the protocol;

It is

Moved by: Inès Pontiroli
Seconded by: Brian Middlemiss

AND RESOLVED THAT the Municipality accepts to renew the protocol of agreement with the Groupe Action Jeunesse for the access to the Notre-Dame-de-la-Joie school's gymnasium.

Carried

12-12-1375

REMITTANCE EARDLEY RECREATION ASSOCIATION

WHEREAS the organisation "Eardley Recreation Association" has stopped its operations;

WHEREAS this recreational organisation was funded and has given the sum of \$ 3 893.99 to the Municipality;

It is

Moved by: Dr. Jean Amyotte
Seconded by: Lynne Beaton

AND RESOLVED THAT the Municipality puts the sums received from Eardley Recreation Association in the amount of \$ 3 893.99 in the account # 59-131-00-018, reserved for recreation, for future use.

FURTHERMORE, IT IS RESOLVED THAT a letter of appreciation be published for the volunteers who have worked during these years in this organisation. A personalised letter of appreciation will be send to Mrs. Doreen Sigouin.

Carried

12-12-1376

CONTRIBUTION – MEAL – GIFTS - EMPLOYEES

WHEREAS the council of the Municipality of Pontiac wishes to encourage relations between the various departments of the municipality;

WHEREAS the members of council and management will personally contribute towards the cost of a meal and/or a gift to employees;

WHEREAS members of the municipal organization will assist to this meal;

It is

Moved by
Seconded by

AND RESOLVED THAT the municipality grant a budget of \$500.00 maximum towards a meal where the white and blue collar employees and the members of the municipal fire department will be invited, and/or towards a gift to employees who are unable to attend, with justifiable cause.

AMENDMENT :

Councillor Roger Larose suggests that the municipality ask for the contribution of the Union and the firefighter's association for the meal and to increase the contribution of the elected members to pay for the difference.

Moved by : Roger Larose
Seconded by :

Having no seconder, the Mayor request the vote on the first motion.

Moved by: Edward McCann
Seconded by: Inès Pontiroli

AND RESOLVED THAT the municipality grant a budget of \$500.00 maximum towards a meal where the white and blue collar employees and the members of the municipal fire department will be invited, and/or towards a gift to employees who are unable to attend, with justifiable cause.

For :	Lynne Beaton Inès Pontiroli Thomas Howard Dr. Jean Amyotte	Against:	Roger Larose Brian Middlemiss
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Carried on a divided vote

12-12-1377

2012 O.M.H. FINANCIAL STATEMENTS

It is

Moved by: Lynne Beaton
Seconded by: Inès Pontiroli

AND RESOLVED THAT the municipality agrees with the 2012 O.M.H. budget as presented showing a deficit of \$55 548,00 and the municipality's share of 10%, that is of \$ 5 555.00

Carried

NOTICE OF MOTION

I, the undersigned **Edward McCann, Mayor** of the Municipality of Pontiac, gives notice of the presentation of a by-law for adoption of the 2013 budget for the Municipality of Pontiac.

NOTICE OF MOTION

I, the undersigned **Edward McCann, Mayor** of the Municipality of Pontiac, gives notice of the presentation of a by-law for a special disposition for the daycare in the Municipality of Pontiac.

The reading of the by-law is not necessary since the request for waiving the reading is done at the same time as the notice of motion and that a copy of the by-law has been immediately given to all present Council members and to the others two juridical days before the meeting at which it will be carried and if, during this meeting, all present members of the Municipal Council declare having read it and waive to its reading (art. 445 C.M.)

BY-LAW NUMBER 12-12

ABROGATING BY-LAW # 03-12 ON THE PRICE SETTING OF MUNICIPAL PERMITS AND CERTIFICATES

WHEREAS the Municipality of Pontiac is governed by the *Municipal code*, the *Act respecting land use, planning and development* and the *Municipal Powers Act*;

WHEREAS the municipality has the legal capacity to govern cases where a permit is required, to stipulate the cost, the conditions and methods for issuing the permit, as well as the rules for suspending or revoking it;

WHEREAS Council wishes to adopt the present by-law no. 12-12 pertaining to the price setting of municipal permits and certificates;

WHEREAS a notice of motion for the present by-law was duly given at a Council meeting held on December 11th, 2012.

It is

Moved by
Seconded by

CONSEQUENTLY, RESOLVED THAT THE PRESENT BY-LAW NO. 12-12 OF THE MUNICIPALITY OF PONTIAC DECREES AND ORDERS THE FOLLOWING:

ARTICLE 1 The above-noted preamble is an integral part of the present by-law.

ARTICLE 2 DECLARATORY AND INTERPRETATIVE PROVISIONS

2.1 Object and range of application

The present by-law no. 12-12, titled “*By-law abrogating by-law # 03-12 on the price setting of municipal permits and certificates*” stipulates the fees applicable to all permits issued and the certificates that are required by the various municipal by-laws including by-law no. 176-01, titled *By-law on the administration and interpretation of urban by-laws*, as well as by-law no. 03-12 titled *By-law pertaining to business permits*.

2.2 Regulation similarities

The present by-law applies concurrently with other municipal by-laws. In case of incompatibility between the applicable provisions of one or various municipal by-laws, the following rules apply:

the special provision prevails over the general provision.
the provision that is the most demanding or restrictive prevails on the least demanding or least restrictive one.

2.3 Rules of interpretation

For interpretation purposes of the present by-law, titles and symbols used are an integral part of the by-law, for all legal purposes. In the case of contradiction between a title, a symbol and the text, in the strict sense of the word, the text prevails.

Whatever tense of the verb is used in the present by-law, any provision is in effect at all times and under any circumstance it may apply to.

The plural includes the singular and vice-versa, unless stated otherwise. The same goes for the masculine and the feminine.

If necessary, any reference to a law or a by-law of federal, provincial or municipal jurisdiction also includes any amendment to the said law or by-law.

ARTICLE 3 ADMINISTRATION AND IMPLEMENTATION OF THE BY-LAW

3.1 Designated municipal officers

The administration and implementation of the present by-law are confided by Council to the designated municipal officer(s) for these purposes, hereinafter named “the designated municipal officer”. In the designated municipal officer’s absence or inability to act, the director general assures the interim; for these purposes, he is invested with all powers associated with its duties.

3.2 Duties of a designated municipal officer

Within his duties, any designated municipal officer must notably:

- enforce the provisions of the present by-law;
- before issuing any permit or certificate required by municipal by-laws,
- obtain payment of the fees set in the present by-law;
- keep a register of sums received;

ARTICLE 4 FEES FOR ISSUING PERMITS AND CERTIFICATES

The fees for issuing municipal permits and certificates are described in the following chart:

Type	Cost	Remarks
Wastewater treatment		
wastewater treatment system	\$250	Refund of \$100 upon reception of the certificate of compliance
sealed tank	\$250	
replacement/repairs of septic tank	\$250	Refund of \$100 upon reception of the certificate of compliance
Tapping of ground water		
	\$250	Refund of \$100 upon reception of the drill log
Subdivision – first and second lot		
	\$100 ea.	
Additional lots		
	\$50 ea.	
Main building – residential, commercial, industrial, community		
	\$0.35/sq.ft. or \$3.77/sq.m.	
extension of liveable space / addition of a unit	\$100	
Accessory building (gazebo, garage, shed, etc.)		
	\$25 if less than 10’ X 10’	\$50 if larger than 10’ X 10’
agricultural building (hay, farming equipment, vehicle)	\$50	
agricultural building (winter shelter for animals)	\$150	
renovation, modification, extension, etc.	\$50	
Certificates of authorization		
change of usage	\$50	
work within riverfront areas	\$100	
commercial tree cutting	\$150	
business permit	\$50	annually, from January 1 st to December 31
Permits		
Daycare	No charge	

Sign	\$50	
fence	\$25	
minor derogation	\$750	including publication fees
demolition / moving	\$50	
balcony, patio, terrace	\$25	
pool (including the fence and deck)	\$50	
dock	\$25	
veranda / solarium	\$50	
Mobile cantine		
	\$400	annual
	\$200	seasonal (6 months)
	\$25	daily
Renewal of permit for new construction,		
main building	0.20\$/sq.ft. or 2.15\$/sq.m.	
Cancellation of a request for a permit or certificate	\$25	non-refundable – in the event of a cancellation

ARTICLE 5 OTHER FEES: DISPOSAL OF OBJECTS AT THE ECOCENTRE

Cumbersome objects	Free	
Metal	Free	
Car, van and truck tires (smaller than 48 in.) rims taken off	Free	
Car, van and truck tires (smaller than 48 in.) rims still on	\$15.00	
Construction material (dry)	\$140.00 / tonne	
Contaminated garbage	\$140.00 / tonne	
Wood	\$140.00 / tonne	
Concrete	\$140.00 / tonne	
Tires 48 in. and over, up to a maximum 70 in.(exterior diameter)	\$2.00 / inch Maximum \$100.00	
Minimum fee	\$25.00 for 250 kg or less	

ARTICLE 6 ABROGATION AND REPLACEMENT

The present by-law abrogates and replaces by-law no. 03-12 titled *By-law on the price setting of municipal permits and certificates.*

ARTICLE 7 COMING INTO EFFECT

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

12-12-1378

REQUEST FOR GRANT – BICYCLE PATH

WHEREAS THE Municipality received confirmation of a grant regarding the bicycle path;

WHEREAS the work won't be finished in 2012-2013;

It is

Moved by: Dr. Jean Amyotte

Seconded by: Roger Larose

AND RESOLVED THAT the Municipality of Pontiac asks the MTQ to postpone any grants receivable in 2012-2013 to fiscal year 2013-2014.

Carried

12-12-1379

SERVICE AGREEMENT – MUNICIPALITY OF LA PÊCHE

WHEREAS the negotiations with the Municipality of La Pêche regarding the service agreement for the fires, the recreations and the public work for part of our municipality;

WHEREAS the agreement between both parties;

It is

Moved by: Roger Larose
Seconded by: Brian Middlemiss

AND RESOLVED THAT the municipality accepts the offer with the Municipality of La Pêche as negotiated. People authorized by law will sign the related documents.

Carried

12-12-1380

ACKNOWLEDGEMENT OF THE PONTIAC ADVISORY COMMITTEE

WHEREAS the request from the members of the Pontiac Advisory Committee, formed by some citizens, to be recognized as interlocutor with the Municipal Council;

WHEREAS, for transparency reason, the Council should recognize this committee and work in close collaboration therewith;

It is

Moved by : Thomas Howard
Seconded by : Roger Larose

AND RESOLVED THAT the Municipality accepts to recognize and work with the Pontiac Advisory Committee and with the other group of citizens.

AMENDMENT

Councillor Dr. Jean Amyotte suggests that in lieu and place of the main resolution, the Municipality advertise the increase in the participation of the citizens as individual or as a group with each councillor.

Having no seconder, the vote is requested on the main resolution :

For :	Roger Larose	Against :	Edward McCann
	Thomas Howard		Inès Pontiroli
	Brian Middlemiss		Lynne Beaton
			Dr. Jean Amyotte

Rejected

12-12-1381

VOLUNTEER FIREFIGHTER – STÉPHANE TREMBLAY – END OF PROBATION

WHEREAS Mr. Stéphane Tremblay had been reemployed as a volunteer firefighter by the Municipality with a probation period;

WHEREAS said probation period will end on December 13th 2012;

It is

Moved by: Thomas Howard
Seconded by: Roger Larose

AND RESOLVED THAT the Municipality of Pontiac accepts to end Mr. Stéphane Tremblay's period of probation as agreed when he was rehired.

Carried

12-12-1382

CONTRACT RENEWAL – DIRECTOR PUBLIC WORKS

WHEREAS the agreement with the Union to liberate the Director of Public Works will expire on December 31st 2012;

WHEREAS the letter of agreement should be renewed;

It is

Moved by: Edward McCann

Seconded by: Inès Pontiroli

AND RESOLVED THAT the Municipality asks the Union to prolong the agreement of liberation of Mr. Marc Lavigne for 2 years that is from January 1st 2013 to December 31st 2014.

Councillor Roger Larose votes against the proposition because he believes that after 3 years of trial, the Director of Public Works benefited of sufficient time to decide to either reintegrate his position as a union member or definitely occupy a manager's position.

Furthermore, Councillor Roger Larose considers that the fact that the Director of Public Works discussed the situation with each of the elected members, is a breach of the code of ethics.

Carried on a divided vote

12-12-1383

ADDITIONS TO THE SNOWPLOUGHING CONTRACT – SECTOR G

WHEREAS council is in agreement and accepts to take over the responsibility of the maintenance of certain roads, or portions of roads;

WHEREAS these roads or sections or roads are to be added to the snowploughing contract in sector G, until the end the said contract ending in 2013, to include the following:

	Distance	Amounts owed
Chemin Lilas	0.8 km	1 671,93 \$
Chemin Quero	0.3 km	626,97 \$
TOTAL	1.10 km	2 298,90 \$

CONSEQUENTLY, it is

Moved by: Inès Pontiroli

Seconded by: Dr. Jean Amyotte

AND RESOLVED THAT the municipality pay the additional amounts (plus taxes) to Mr. Raymond Bélisle for the snowploughing of the said roads above, until the end of his contract in 2013.

Carried

12-12-1384

PASSING ON DE LA MONTAGNE ROAD

WHEREAS the Municipality received indications from the users on de la Montagne road regarding passing other vehicles;

WHEREAS passing other vehicles on this road is prohibited and is a practice that puts the safety of others at risk;

It is

Moved by: Brian Middlemiss
Seconded by: Inès Pontiroli

AND RESOLVED THAT the Municipality asks the public security from the MRC des Collines to accentuate surveillance on de la Montagne road.

Carried

NOTICE OF MOTION

I, the undersigned, **Brian Middlemiss**, Councillor of the electoral district number **5**, at the Municipality of Pontiac, give notice of the presentation of a by-law regarding a loan for the paving of the roads in the Lusk project of the Municipality of Pontiac.

NOTICE OF MOTION

I, the undersigned, **Brian Middlemiss**, Councillor of the electoral district number **5**, at the Municipality of Pontiac, give notice of the presentation of a by-law regarding a loan for the paving of Braun road in the Municipality of Pontiac.

12-12-1385

PARKING - DE LA MONTAGNE ROAD

WHEREAS despite the “No parking” signs, located in front of the 1843 on de la Montagne road, some of the Park users are interfering with the security of others users by parking within the interdiction zones;

WHEREAS there is reasons to enlarge the prohibited parking zones;

For these motives, it is

Moved by: Brian Middlemiss
Seconded by: Inès Pontiroli

AND RESOLVED THAT the Municipality prohibits the parking for a distance of 250 meters on de la Montagne road on either side of the center of the land located at 1843 de la Montagne road, this on both side of said road (North and South).

Carried

12-12-1386

INSTALLATION STREET LIGHTS

It is

Moved by : Lynne Beaton
Seconded by : Thomas Howard

AND RESOLVED THAT the Municipality asks to estimates for the installation of 2 street lights as follow, by priority :

- 1- Intersection Clarendon – Young Cressent
- 2- Entrance administrative Center, 2024 route 148

IT IS FURTHER RESOLVED to proceed to the installation if there is no additional costs (poles and wires).

Carried

12-12-1387

ADOPTION OF BY-LAW 12-RM-03

BY-LAW NUMBER 12-RM-03

**TO ABROGATE AND REPLACE BY-LAW NO. 08-RM-03
- TO GOVERN TRAFFIC, PARKING ZONES AS WELL AS
STOPPING POINTS WITHIN THE LIMITS OF THE
MUNICIPALITY OF PONTIAC**

WHEREAS at a regular municipal council meeting held on December 9th 2008, the Municipality of Pontiac has adopted resolution number 08-12-418, in order to adopt by-law no. 08-RM-03 for the purpose of governing traffic and parking within the limits of the Municipality of Pontiac;

WHEREAS the standardized by-law 08-RM-03 generally governs the terms of implementation as far as traffic and parking goes, without however governing the area of implementation;

WHEREAS article 295 paragraph 1 of the *Code de la sécurité routière du Québec* (L.R.Q., c. C-24) stipulates that the person responsible for the maintenance of a public road may, by means of appropriate road signs, determine stop zones.

WHEREAS article 295 paragraph 7 of the *Code de la sécurité routière du Québec* (L.R.Q., c. C-24) stipulates that the person responsible for the maintenance of a public road may, by means of appropriate road signs, govern the immobilization or the parking of vehicles;

WHEREAS this Council considers that it has become appropriate to govern where traffic, parking and compulsory stops are concerned, on certain roads of the Municipality of Pontiac and other regulations concerning roads and traffic safety;

WHEREAS a notice of motion was given at a regular Council meeting, on October 9th 2012, to the effect that the present by-law would be submitted for approval;

CONSEQUENTLY, it is

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

AND RESOLVED THAT it is ordered and ruled on by the municipal council of the Municipality of Pontiac, and that the said council orders and rules the following by the present by-law:

SECTION 1 – RULES OF INTERPRETATION

1.1 The present by-law completes and complements the rules established within the *Code de la sécurité routière du Québec* (L.R.Q., c. C-24.2) and, in some respects, has the objective of foreseeing the rules of driving and stopping a vehicle, as well as other rules relating to the use of public roads and other properties where public travel is authorized.

All appendices herein are an integral part of the present by-law, and all standards, obligations or indications within the appendices are also an integral part of the by-law, as if they were enacted.

1.2 The provisions of the present by-law, which are applicable to the owners of vehicles, are also applicable towards anyone who purchases or possesses a vehicle in virtue of the capacity of a condition or a term giving the person the right of becoming the owner, or in virtue of a title, giving the person the right to enjoy the use of the vehicle, subject to returning it. These provisions also apply to any person who rents a vehicle for at least one year.

1.3 In virtue of the present by-law, the person in whose name a vehicle is licensed is responsible for an offence which is chargeable to the owner.

- 1.4 The present by-law replaces by-law 08-RM-03 and amendments concerning traffic and parking.

However, the by-law does not abrogate all resolutions that have been or might have been adopted by the Municipality and which decrees the installation of a street sign as well as the associated obligation to respect it.

- 1.5 The replacement of former provisions with the present by-law does not affect the intended procedures under the authority of by-laws that were replaced, nor does it affect the offences for which procedures have not yet been taken, which will continue under the authority of the said replaced by-laws, until final judgement and implementation.

ARTICLE 2- DEFINITIONS

In the present by-law, the words have the same meaning as those of the Code de la sécurité routière (L.R.Q., c. C24.2) unless the context indicates otherwise, and in addition, we mean by the following :

2.1 Private road :

Refers to all roads between buildings or between properties owned by one or more individual(s) and part of which is equipped with one or several lane(s) open to public traffic and, if need be, one or more cycling paths.

2.2 Public road :

Refers to the surface of a property or an engineered structure of which maintenance comes under the responsibility of the Municipality, of a government or one of its departments, and on part of which is equipped with one or more lanes open to public traffic and, if need be, one or more cycling paths, except for roads intended for the administration or the maintenance of the ministry of Forestry, of Natural resources, and the ministry of Agriculture, Foods and Fisheries.

2.3 Public area :

Refers to all municipal properties, traffic lanes, public properties and parks.

2.4 Municipality :

Refers to the Municipality of Pontiac.

2.5 Parks :

Refers to parks situated on the territory of the Municipality and in addition includes rest areas, walkways, recreational trails and facilities or tourist infrastructures, as well as, generally all public areas, with sod or not, where public has access for resting or relaxation, play or sports or for any other similar purpose, but excludes public roads, other roads, alleyways and sidewalks adjacent to public roads, as well as other areas dedicated to traffic.

2.6 Person :

Refers to a physical person or a corporation.

2.7 Vehicle :

A motorized vehicle that can travel on a road and carry a least one person. Trailers, semi-trailers and detachable auxiliary axles are assimilated to motor vehicles.

Those excluded are those that can travel solely on rails, and electric wheelchairs.

2.8 Emergency vehicle :

Is a motor vehicle used as a police cruiser, in accordance with the Loi de police (L.R.Q. c. P-13), is a motor vehicle used as an ambulance, in accordance with the Loi sur la protection de la santé publique (L.R.Q., c. P-35) as well as a motor vehicle from a fire department.

2.9 Traffic lane :

Refers to any public road, alleyway, private road with public access, a parking space or parking lot, sidewalk or other.

SECTION 3 – IMPLEMENTATION OF THE BY-LAW

The MRC des Collines-de-l'Outaouais peace officers as well as any other person designated by the

Director of the Public security department of the said MRC are authorized to start criminal proceedings against anyone who contravenes to any of the provisions of the present by-law and they are generally authorized to issue the necessary fines. These persons are responsible for the implementation of the present by-law.

Furthermore, the municipality in general authorizes the Director general as well as any person designated by the Municipality, to begin criminal proceedings against anyone who contravenes to any of the provisions of the present by-law concerning parking, and consequently, authorizes them to issue the necessary fines. These persons are responsible for the implementation of all of the provisions of the present by-law concerning parking.

SECTION 4 – PROVISIONS RELATING PARKING

- 4.1 The municipal Council is authorized, by resolution, to limit or prohibit parking of vehicles on every street, part of a street or public place.
- 4.2 The municipal Council is authorized, by resolution, to establish delivery areas on every street, part of a street or a public place.
- 4.3 No one may stop park or immobilize a vehicle in a traffic lane or part of a traffic lane any longer than it is indicated on the signalization panel or when it is prohibited to do so.
- 4.4 It is prohibited to park or stop a vehicle in a traffic lane or part of a traffic lane longer than the duration indicated on the road sign.
- 4.5 Notwithstanding all other provisions of the present by-law, parking is prohibited on municipal public roads from November 15th until April 1st inclusively, of each year, between midnight and seven a.m.
- 4.6 It is prohibited to park or stop a truck tractor perpendicular to a sidewalk or to the traffic lane.
- 4.7 It is prohibited to stop, immobilize or park a vehicle in the following areas:
 - On a crosswalk
 - On a sidewalk
 - On a bridge
 - In work zones where road improvements are being done
 - In a priority lane reserved for emergency vehicles.
- 4.8 It is restricted for anyone who has parked their vehicle in a parking zone with a time restraint, to move or to have their vehicle moved a short distance, in order to avoid restrictions.
- 4.9 It is prohibited to leave a vehicle parked in any traffic lane for the purpose of advertising the sale or the exchange of the said vehicle.
- 4.10 It is restricted to repair or to have a vehicle repaired on a street or public road, unless it is absolutely urgent and necessary.

It is prohibited to stop or park a vehicle in any traffic lane in order to have it repaired or serviced, except in a case where repairs are absolutely urgent and necessary as a result of a breakdown.
- 4.11 Municipal employees are authorized to install and keep in place the no parking signs or those indicating time limits that were issued in virtue of the provisions in article 3 of the present by-law.
- 4.12 It is prohibited for every owner or driver of a vehicle to mobilize a vehicle in such a way that it hinders snow removal or other roadwork.
- 4.13 A policeman or an officer, as part of his duties in virtue of the present by-law, may move a vehicle or have it moved, if it is parked in violation of articles in chapter IV or, if it represents a risk whatsoever to public safety.
- 4.14 The towing of a vehicle, in virtue of provisions of the present by-law, is done at the expense of the owner of the car and he cannot recover it until payment for towing and storage fees is received, which however storage fees cannot exceed those based on the current rates of the

garage concerned.

- 4.15 The municipality has the right to conclude an agreement with the owner of a property or building that is being used for parking, in order to render certain provisions of the present by-law applicable to such a property or building.
- 4.16 It is prohibited to mobilize a vehicle on a public road for the purpose of posting advertisements.

SECTION 5 – PARKING AND TRAFFIC IN PARKS AND OTHER MUNICIPAL PROPERTIES

- 5.1 It is prohibited to use a bicycle, motorcycle, snowmobile, all-terrain vehicle, Segways, electrical or gas trotinette or road vehicle on sidewalks, boardwalks or other, in a municipal park, a municipal green area, a playground or any other municipal property except I areas or paths identified specifically for this purpose and authorized by the Municipality.
- 5.2 It is prohibited for anyone to mobilize or park a vehicle in parks and other municipal properties for the purpose of repairs or maintenance.
- 5.3 It is prohibited for anyone to mobilize or park a vehicle in parks and other municipal properties for the purpose of putting it up for sale.

SECTION 6 – CIRCULATION

- 6.1 When at the scene of a fire and in proximity, members of the fire department are authorized to divert traffic.
- 6.2 A person who is employed by the Municipality and who is designated by the competent authority for this purpose is authorized to direct traffic on the scene where road works or snow removal is in process.
- 6.3 It is prohibited to follow an emergency vehicle that is en route to an emergency.
- 6.4 It is prohibited to drive or stop a vehicle between sections of public roads where fire equipment is stopped.
- 6.5 It is prohibited to drive a vehicle over an uncovered fire hose that has been laid down on a public road or in a private entry for the purpose of putting out a fire, except if there is consent from a police officer or a member of the fire department.
- 6.6 It is prohibited to set up or to have a traffic light, or an imitation installed or kept in place, on or near a public road, to advertise a business or an industry.
- 6.7 It is prohibited to damage, move or conceal a traffic light.
- 6.8 It is prohibited to install an awning, banner, advertisement or sign, or any other obstruction, or to have it installed or kept on a property, that hinders the visibility of a traffic light.
- 6.9 It is prohibited to keep shrubs or trees where branches are blocking the visibility of all, or part of a signalization panel.
Municipal employees may cut, remove any shrubs, branches leaves or vegetation or other that could
- 6.10 It is prohibited for anyone but the driver or owner of a vehicle to remove a ticket or any notice given by the proper authority.
- 6.11 It is prohibited for the driver of a vehicle to drive in a bicycle path, identified by a sign, except if you receive an authorization from the proper authority or to access a private laneway.
- 6.12 It is prohibited to organize or to participate in a parade, a demonstration or a procession that is likely to harm, obstruct or hinder traffic on a public road.
This provision does not apply when a parade, demonstration or procession was authorized by the proper authority and that the manner in which it unfolds is in compliance with the conditions and restrictions of the authorities.

- 6.13 It is prohibited to organize or participate in car races, running or bicycle races, on public roads in the Municipality.
This provision does not apply when the race has been authorized by the proper authorities and that the manner in which it unfolds is in compliance with the conditions and restrictions of the authorities.
- 6.14 It is prohibited for the driver of a vehicle to hinder traffic during:
- 1) a procession, a parade or a demonstration
 - 2) a funeral procession, with vehicles having fluorescent banners or any other distinctive sign or mark.
- 6.15 It is prohibited to let debris, garbage, mud, earth or any other material fall out from a vehicle that is likely to block the road.
- 6.16 It is prohibited to drive a vehicle with the tailgate down, except if it is supporting materials exceeding the length of the bed of the said vehicle.
- 6.17 It is prohibited to use skis, roller skates, ice skates, a skateboard, a Segway or an eclectic or gas trotinette or any other game or sport of the sort on a road, in an alley or sidewalk, with the exception of a bicycle which can be used as long as the traffic rules of the *Code de la sécurité routière* are being respected.
- 6.18 It is prohibited to use a scooter, tricycle, a golf cart or other, on a road except to cross the road at a pedestrian crossing, where it is then used under the same terms as a pedestrian.
- 6.19 It is prohibited to use a vehicle, a motorbike, a motorcycle, bicycle, an all-terrain vehicle, a snowmobile on a sidewalk.
- 6.20 It is prohibited to organize or participate in a game or activity on a public road, in a public area or in a street where there is a lot of traffic.

The Municipality may authorize, under determined conditions, that a public road, park, or a public area is closed to traffic for a set period of time in order to hold such an activity. The authorization is valid only if the holder complies with the safety standards set by the proper authorities.

- 6.21 It is prohibited for the driver of a vehicle to make noise while using the said vehicle, by squealing or skidding tires, by a quick acceleration or take-off, or either by an unnecessary sharp use of breaks or revving of the engine to a high speed when in park.

SECTION 7 – ANIMAL-DRAWN VEHICLES AND HORSES

- 7.1 The driver who owns an animal-drawn vehicle or a horse must be aboard or walk next to it when it is moving;
- 7.2 Driving on sidewalks, in parks or green spaces of any sort is prohibited to the driver or person who owns a horse or a horse-drawn vehicle.
- 7.3 The driver or owner of a horse who neglects or omits to pick up the excrement of the horse he/she is driving, or to have it picked up, is committing an offence.

SECTION 8 – PROVISIONS RELATING TO STOPS

- 8.1 The municipal Council is authorized, by resolution, to determine the location of mandatory stops signs.
- 8.2 Unless otherwise indicated, when facing a stop sign, the driver of a vehicle or a bicycle must come to a complete stop and yield the passage to any vehicle driving on another road that is entering the intersection, where the distance is such that there is potential for an accident.
- 8.3 When facing a stop sign, the driver of a vehicle or a bicycle must come to a complete stop and comply with article 8.2.
- 8.4 At an intersection where it is regulated by a stop sign installed in one direction, while facing the stop sign the driver of a vehicle or bicycle must come to a complete stop and yield the passage

to pedestrians and cyclists who are crossing the road, or entering into the crossing.

8.5 Municipal employees are authorized to install and keep in place the mandatory stops signs issued in virtue of section 8 of the present by-law.

SECTION 9 – PENAL PROVISIONS OF THE LAW

9.1 Whomever contravenes the provisions of articles 4.1, 4.2, 4.3, 4.4 and 4.5 of the present by-law commits an offence and is liable to a \$30 fine.

9.2 Whomever contravenes the provisions of articles 4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12 and 4.16 of the present by-law commits an offence and is liable to a \$75 fine.

9.3 Whomever contravenes the provisions of articles 5.1, 5.2 and 5.3, of the present by-law commits an offence and is liable to a \$75 fine.

9.4 Whomever contravenes the provisions of articles 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 6.10, 6.11, 6.12, 6.14, 6.15, 6.16, 6.17, 6.18, 6.19, 6.20, 6.21, 7.1, 7.2 and 7.3, of the present by-law commits an offence and is liable to a \$100 fine.

9.5 Whomever contravenes the provisions of articles 6.13 regarding the organization or the participation to a vehicle race commits an offence and is liable to a \$1000 fine.
Whomever contravenes the provisions of articles 6.13 of present by-law regarding the organization or the participation to foot or bicycle race commits an offence and is liable to a \$200 fine.

9.6 Whomever contravenes the provisions in section 8 of the present by-law, excluding article 8.1 and 8.5, commits an offence and is liable to a \$75 fine.

9.7 If an offence lasts for more than one day, it is then considered as a distinct offence for each and every day and the penalty given is set accordingly, for as long as there is an offence.

SECTION 10 – INTERPRETATION

10.1 The masculine is used in the present by-law without discrimination and includes the feminine, simply for the purpose of avoiding a lengthy text.

10.2 In case of discrepancy, between the French and the English version, the French version is the one that predominates for the application of the by-law.

SECTION 11 – ABROGATION AND COMING INTO FORCE

11.1 The present by-law abrogates and replaces by-law 08-RM-03 and all of its amendments, for legal purposes.

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

Carried

12-12-1388

ADOPTION OF BY-LAW 12-RM-04

BY-LAW NO. 12-RM-04

**TO ABROGATE AND REPLACE BY-LAW NUMBER 09-RM-04
CONCERNING THE MAINTENANCE OF PUBLIC PEACE
AND ORDER WITHIN THE LIMITS
OF THE MUNICIPALITY OF PONTIAC**

WHEREAS at a regular Council meeting held on April 8, 2003 the Municipality of Pontiac adopted, by way of resolution no. 03-04-600D, by-law no. 02-RM-04, in order to abrogate and replace the by-

law number 00-RM-04 concerning the preservation of peace and order within the limits of the Municipality of Pontiac;

WHEREAS at a regular Council meeting held on September 8th 2009, the Municipality of Pontiac adopted by way of resolution no 09-09-316, in order to abrogate and replace by-law no. 02-RM-04 regarding the maintenance of public peace and order within the limits of the municipality of Pontiac;

WHEREAS this council deems it necessary and of public interest to regulate in order to maintain peace, order and cleanliness within its territory;

WHEREAS a notice of motion of the present by-law was duly given at a special council meeting held on October 23rd 2012 to the effect that it would be submitted for approval;

CONSEQUENTLY it is

Moved by Inès Pontiroli
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT the Council of the Municipality of Pontiac orders and rules the following by this by-law:

SECTION 1 – DEFINITIONS

For interpretation purposes of the present by-law, unless the context states otherwise, the words and expressions herein signify the following, without limitation:

1.1 **Building** :

Refers to a construction equipped with a roof supported by columns or walls and used for housing humans, animals or objects.

1.2 **Noise** :

Means a sound or a group of sounds, be it harmonious or not, that is perceptibly heard.

1.3 **Public place** :

Refers to any property, traffic area, public property and municipal park situated within the limits of the municipality.

1.4 **Dangerous games** :

Refers to any activity that represents a danger to the public's health and safety and that of their goods.

1.5 **Inhabited place** :

Means any building or vacant space in which, or on which people reside, work or stay and includes, in a unlimited way a house, a business, an office building, a hospital, a boat, a camp or any other similar area or a part of such an area which constitutes a distinct place.

1.6 **Municipality** :

Refers to the Municipality of Pontiac.

1.7 **Parks** :

Means parks, lakes and rivers, situated on the municipality's territory and in addition includes rest areas, walkways, trails and recreational or tourist infrastructures as well as all other public green spaces in general, allowing public access for resting or relaxation, for games or sports or for any other similar purpose, but does not include streets, roads, back streets or sidewalks adjacent to streets and other areas dedicated to vehicular traffic.

1.8 **Public property** :

Refers to any road, street, entrance, park, parking space or any other area or building of municipal or public domain situated within the limits of the municipality that are susceptible to be used by the public in general.

1.8 **Road vehicle** :

Refers to a motorized vehicle that is driven on a road; excluded are vehicles that are used solely on rails and electric wheel chairs; trailers, tractor-trailers and removable axles are in the same category as road vehicles.

Motorcycles, all-terrain vehicles and snowmobiles

1.10 **Traffic lane** :

Refers to any street, back street or alleyway, public road, private road with public access,

space or parking space, sidewalks or other.

SECTION 2 – IMPLEMENTATION OF THE BY-LAW

- 2.1 The MRC des Collines-de-l’Outaouais peace officers as well as any person designated by the director of public security of the said MRC are authorized to set about criminal proceedings against anyone who contravenes any provisions of the present by-law. Council authorizes these people to issue the appropriate fines. These people are responsible for implementing the present by-law.

Furthermore and on a general basis, the Municipality authorizes the secretary treasurer as well as anyone that they have designated, to set about criminal proceedings against anyone who contravenes any provisions of the present by-law pertaining to the maintenance of peace and order and consequently authorizes these people to deliver the appropriate fines. They are responsible for the implementation of any provisions of the present by-law concerning the maintenance of peace and order.

SECTION 3- NOISE

- 3.1 With the exception of emergencies, public work or any other work authorized by the municipal council, it is prohibited anywhere within the municipality between 9:00 p.m. and 7:00 a.m. to do, to have done or to allow construction, reconstruction, modification or repairs done to a building or construction whatsoever, work done on a vehicle, to do or to have excavation work done with a mechanical or hydraulic device or any other loud equipment.

The fact that, anyone who makes or allows noise produced by the use of equipment or any device of any nature, between 9:00 p.m. and 7:00 a.m. in such a way that it prevents the peaceful use of neighbouring properties, constitutes an offence to the present by-law.

It is prohibited at all times, to whomever occupies a building or property or is in a public area or on public property, to make or to allow someone in their care to make excessive noise, be it by singing, yelling, or using a radio, amplifier or similar equipment or by any other instrument or noise or sound-making objects, in such a way that it takes away from the well-being and tranquility of one or more person(s) in the neighbourhood, unless a permit or an authorization has been given to that effect by the Municipality.

- 3.4 It is prohibited to whomever to make noise or disturb the peace and well-being of one or more person(s) in the neighbourhood by transmitting sounds outside a building or a vehicle through a speaker, amplifier or any other transmitting device connected to a device intended for reproducing voices or sounds.
- 3.5 No one may have in their possession or in their care, within the limits of the Municipality, except in the zones allowed, animals or birds emitting sporadic or repeated sounds that disturb the peace and well-being of one or more person(s) in the neighbourhood.
- 3.6 The property owner or person in charge of a vehicle must not allow an alarm or horn to be used unless there is an emergency.
- 3.7 It is prohibited to let the motor of a stationary vehicle running causing such noises to disturb the peace and tranquility of neighbours.
- 3.8 It is prohibited for a person in charge or occupant of a vehicle equipped with a radio or a similar device, to use or let someone use this device in such a way that it disturbs the peace and well-being of neighbours
- 3.9 It is prohibited to whomever to emit sounds, using their voice, a speaker, an amplifier or any other device producing sounds from a boat situated in a body of water, in such a way as to disturb the peace and well-being of neighbours.
- 3.10 Any sound or noise coming from a boat for navigational purposes is excluded from implementation of article 3.9.
- 3.11 In the sense of articles 3.1 through 3.10 inclusively, for the means of determining the area where the offence took place, it is not important that the sounds are coming from a source within the limits of the Municipality but that the said noises are heard within the limits of the Municipality.

SECTION 4 – PROTECTION OF PUBLIC PROPERTY

- 4.1 It is prohibited for anyone to throw away, dispose of or scatter sand, paper, garbage, refuse, dead animals, demolition debris, liquid substances, movable properties or any other similar substance, in any public area or on public property.
Article 4.1 does not apply when the movable properties are thrown, deposited or spilled on a collect site operated by the Municipality or its representative. However the getting rid of any goods must be done at the designated areas and during the schedule prepared by the Municipality.
The surroundings, entries and roads servicing these sites are not an authorized area to deposit the goods in article 4.1
When proof of ownership of a road vehicle and/or of any trailer used for the transportation of thrown away, spilled or deposited goods is done, the owner of said road vehicle and/or any trailer is presumed to have thrown away, deposited or spilled the goods in a public place.
- 4.2 It is prohibited for anyone to dump, deposit, throw snow or ice in any public area or on public property or to allow anyone to do so.
- 4.3 It is prohibited for anyone to cause any damage to public property.
- 4.4 It is prohibited for anyone to remove, to move or disturb or put out torches, reflectors, lights or signs put on public property to prevent a danger or to divert traffic, without previous authorization from the authorities in charge.
- 4.5 Anyone who moves, damages or removes a municipal sign without having obtained previous authorization to do so, contravenes to the present by-law and commits an offence.
- 4.6 The Municipality may request a municipal Court ruling to have municipal equipment described above, cleaned or brought back to its original state, to the expense of the person who has caused the nuisance or damages.

SECTION 5 – PEACE AND ORDER

- 5.1 It is prohibited to voluntarily and deliberately set off any fire alarm or to call the police without reasonable motive.
- 5.2 It is prohibited for anyone to disturb or hinder upon in any way whatsoever, the passage of pedestrians or road vehicles without a reasonable excuse, in any public area or public property situated within the Municipality.
- 5.3 It is prohibited for anyone, within their own home or apartment or other people's homes, to disturb the peace or to make noises by either screaming, swearing, shouting, quarrelling, fighting or conducting oneself in such a way that it disturbs the peace for those living within this home or apartment.
- 5.4 It is prohibited for anyone in a public area or property to fight, to consume alcoholic beverages or drugs or to conduct oneself in such a way that it is disturbing public peace.
- 5.5 It is prohibited to interrupt, to hinder, to disturb the order by passing through any funeral or religious processions, or duly authorized parades.
- 5.6 It is prohibited for anyone to disturb any citizens or "Bona Fide" associations meetings or religious meetings in pursuit of their goal.
- 5.7 It is prohibited for anyone to make or to allow someone to make noise in hotels, inns, taverns, restaurants, bowling alleys, shopping centers or other areas frequented by the public, be it by screaming, swearing, shouting, quarrelling, fighting or conducting oneself in such a way that it is disturbing public peace.
- 5.8 Anyone within the limits of the Municipality who is disturbing public peace by screaming, swearing, shouting, quarrelling, fighting or misbehaving, contravenes with the present by-law and is committing an offence.

- 5.9 Any turbulent meeting is prohibited within the limits of the Municipality and anyone who causes any noise, trouble or chaos or is part of any turbulent meetings, commits an offence to the present by-law.
- 5.10 It is prohibited for anyone to ring the doorbell or knock at the doors or in windows of houses for no reason, therefore unnecessarily disturbing the people within the premises.
- 5.11 It is prohibited for anyone to be on private or public property for unreasonable or unjustified reasons.
- 5.12 It is prohibited for anyone to urinate or defecate on a private property or area other than areas specifically equipped for this purpose.
- 5.13 It is prohibited for anyone to beg for something or peddle within the limits of the Municipality unless a permit was issued by the Municipality for this purpose.
- 5.14 It is prohibited to hold auction sales on any public property or area without having obtained a permit or an authorization by the Municipality beforehand.
- 5.15 It is prohibited for anyone to cause damages to public property with pain, drawings, writings, graffiti or any other inappropriate markings.
- 5.16 Anyone who is found drinking alcohol, laying or loafing around drunk or on drugs or having in his possession an unsealed container of alcohol on a public property or area, a park or a public road within the limits of the Municipality commits an offence to the present by-law, unless having a written permission from the representatives of the Municipality.
- 5.17 Anyone entering a building, onto a public property, into a public or private area to which they are considered an outsider and who refuses to leave upon request from anyone of authority or in charge of such a property, contravenes to the present by-law and commits an offence.
- The mere fact that a person is present on the property in question after having been asked to leave, as noted in the previous paragraph, constitutes a refusal to leave.
- 5.18 The person in charge or the guardian of whomever uses traffic lanes in the Municipality as a slide or playground, contravenes to the present by-law and commits an offence.
- 5.19 It is prohibited for anyone to cast direct light outside of the property that it is coming from if it is likely to cause a danger to the public or an inconvenience to any neighbours.
- 5.20 The fact that firecrackers or fireworks are used or allowed to be used constitutes a nuisance and is prohibited.
- This prohibition does not apply when the permission has been granted by the Director of the fire department, which was requested in writing at least one month before the event.
- 5.21 It is prohibited for anyone to swear or to blaspheme in the presence of or against a peace officer or an authorized civil servant while on duty.

SECTION 6 –PARKS, RECREATION CENTERS AND OTHER PUBLIC AREAS

- 6.1 It is prohibited for anyone to enter or leave a park within the Municipality by other entries or exits created for this purpose.
- 6.2 Access to Municipal parks is prohibited between 11:00 p.m. and 7:00 a.m. unless a permit or a written authorization was obtained by the Municipality to that effect.
- 6.3 It is prohibited to be detrimental to employees who are working on any public property or area in any way.
- 6.4 It is prohibited to practice any dangerous or inappropriate games on any public property or area.
- 6.5 Anyone who frequents or visits a public property or area in the Municipality and refuses to leave the said premises when ordered by those appointed to supervise and maintain order on the said premises.
- 6.6 It is prohibited for anyone to participate directly or indirectly in a fight, a riot, a protest or a disorderly gathering on any public or private premises.

- 6.7 It is prohibited for anyone to ride a snowmobile or other types of motor vehicles on private or public property unless a written authorization was given by the Municipality to that effect.

SECTION 7 - WEAPONS

- 7.1 Constitutes an offence and is prohibited to wander about with, or to use or discharge a firearm, a pneumatic firearm, a crossbow, a slingshot, a pea-shooter or any other device, instrument or system used for throwing projectiles, to use a knife, a sword, a machete, an object similar to a weapon and an imitation of a weapon.

Without a reasonable excuse, being in possession of, wandering about, using and/or discharging:

- a fire arm
- a pneumatic or compressed gas firearm
- a spring-loaded firearm
- a bow
- a crossbow
- a slingshot
- a pea-shooter
- a device, instrument of system used for throwing projectiles
- a knife
- a sword
- a machete
- an object similar to a weapon
- an imitation of a weapon

It is prohibited for anyone to use a weapon:

- Within 300 meters of a house, building or any inhabited place.
- On all traffic lanes including 10 meters on either side of the right of way.
- In a pasture where there are animals.
- On a private property without having received consent from the property owner, the representative or occupant of the premises.
- In a public place.

- 7.2 Despite the provisions in article 7.1, the use and discharge of the weapons referred to are allowed within a shooting range that is recognized secure by the Public safety department or the appropriate authority.

SECTION 8 – PENAL PROVISIONS

- 8.1 Anyone who contravenes to any of the provisions of the present by-law commits an offence and is liable to:

a minimum \$ 200 and a maximum \$ 1 000 fine.

if there is an ongoing offence, it is considered daily as a new and distinct offence and the offender is liable to a fine for each day the said offence continues.

- 8.2 Any corporation who contravenes to any of the provisions of the present by-law commits an offence and is liable to:

a minimum \$ 300 and a maximum \$ 2 000 fine.

if there is an ongoing offence, it is considered daily as a new and distinct offence and the offender is liable to a fine for each day the said offence continues.

SECTION 9 – INTERPRETATION

- 9.1 In this by-law, the masculine is used without discrimination and therefore includes the feminine, in order to avoid a lengthy text.

- 9.2 In case of discrepancy between the French and the English version, the French version predominates for the application of this by-law.

SECTION 10 – ABROGATION AND COMING INTO FORCE

10.1 The present by-law abrogates by-law 09-RM-04 for all intended purposes.

10.2 The by-law will come into force according to the Law.

Carried

NOTICE OF MOTION

I, the undersigned, **Inès Pontiroli**, Councillor of the electoral district number **4**, at the Municipality of Pontiac, give notice of the presentation of a by-law regarding speed limit in the school zones of the Municipality of Pontiac.

The reading of the by-law is not necessary since the request for waiving the reading is done at the same time as the notice of motion and that a copy of the by-law has been immediately given to all present Council members and to the others two juridical days before the meeting at which it will be carried and if, during this meeting, all present members of the Municipal Council declare having read it and waive to its reading (art. 445 C.M.)

TABLING OF BY-LAW 12-10

BY-LAW No. 10-12 CONCERNING THE SPEED LIMIT IN SCHOOL ZONES

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

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 December 11th 2012;

CONSEQUENTLY, it is

Moved by
Seconded by

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 : Once this by-law is in force, it is prohibited to circulate at a speed above 30k/h in the school zone of Du Village road, and of Church and Clarendon streets, (see annex A), from Monday to Friday and this, for the entire year.

The location of the school zones and the installation of road signs are determined by the *Road Safety Act c-24.2, r.4.11* and are identified at the annex A of present by-law.

OFFENCES AND PENALTIES

ARTICLE 8 Any person or corporation contravening to the dispositions of present by-law is liable to a fine as prescribed by the *Road Safety Act*

ARTICLE 9: In a general manner, this Council authorizes any police officer to undertake legal procedures against any offenders concerning any of the provisions of present by-law, and consequently, generally authorizes the police officer to deliver related violation statements. The RCM des Collines-de-l'Outaouais Police are in charge of implementing the present by-law.

FINAL PROVISIONS

ARTICLE 10: 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.

GIVEN IN PONTIAC (QUEBEC), 11th day of December, *two thousand and twelve*.

SIGNALISATION PLAN
ANNEX A

In accordance with the regulations regarding road signs, the following panel will be installed in the school zone, indicating a school zone and a maximum speed of 30km/h:

Sylvain Bertrand
Director General

INFORMATION PLAN
ANNEX B

- 1 For each new panel installed under Regulation # 10-12, a temporary panel of 45 cm x 15 cm will be installed under the permanent sign announcing the new sign.*
- 2- The temporary panels will be in place for a period of 30 days starting the date of the installation of the permanent panels.*
- 3- Before the above-mentioned period, a request will be forwarded to the RCM Public Security so courtesy tickets are given if there is a violation (tolerance).*
- 4- A notice will be published in a local newspaper to notify people of the new regulations issued in by-law 10-12.*

Sylvain Bertrand
Director General

NOTICE OF MOTION

I, the undersigned, **Dr. Jean Amyotte**, Councillor of the electoral district number **6**, at the Municipality of Pontiac, give notice of the presentation of a by-law regarding the circulation of O.R.V. on municipal roads of the Municipality of Pontiac.

The reading of the by-law is not necessary since the request for waiving the reading is done at the same time as the notice of motion and that a copy of the by-law has been immediately given to all present Council members and to the others two juridical days before the meeting at which it will be carried and if, during this meeting, all present members of the Municipal Council declare having read it and waive to its reading (art. 445 C.M.)

12-12-1389

RENEWAL OF MANDATE – MS. MARIE-CLAUDE PINEAU

WHEREAS by-law no. 05-08 concerning the urban planning advisory committee;

WHEREAS that Mrs. Marie-Claude Pinneau's mandate fell;

WHEREAS she wishes to renew her mandate within the P.A.C.;

CONSEQUENTLY, it is

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

AND RESOLVED THAT council accepts the renewal of Mrs. Marie-Claude Pineau's mandate as member of the planning advisory committee for a 2 year term.

Carried

12-12-1390

RENEWAL OF MANDATE – MR. DAVID BIRT

WHEREAS by-law no. 05-08 concerning the urban planning advisory committee;

WHEREAS that Mr. David Birt's mandate fell;

WHEREAS he wishes to renew his mandate within the P.A.C.;

CONSEQUENTLY, it is

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

AND RESOLVED THAT council accepts the renewal of Mr. David Birt's mandate as member of the planning advisory committee for a 2 year term.

Carried

12-12-1391

SUBDIVISION – 3281 Route 148 – Roy Nugent

WHEREAS the applicant wishes to subdivide part of lot 4 955 388 in order to increase the size of the lots 3 788 817 and 3 788 818;

WHEREAS the that part of lot is located in a residential zone;

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: Thomas Howard

Seconded by: Roger Larose

AND RESOLVED that council supports the applicant's request, to subdivide part of lot 4 955 388 in order to increase the size of the lots 3 788 817 and 3 788 818 as shown in the subdivision project plan prepared by land surveyor Michel Fortin, under his minutes 23474, dated October 15, 2012.

Carried

12-12-1392

SUBDIVISION – 36 ASARET ROAD - MIKE CLEMANN

WHEREAS the applicant wishes to subdivide lot 3 966 444 and create lots 5 178 165 and 5 178 166 from the "cadastre du Québec";

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: Dr. Jean Amyotte

Seconded by: Brian Middlemiss

AND RESOLVED that council supports the applicant's request to subdivide lot 3 966 444 in order to create lots 5 178 165 and 5 178 166 as shown in the revised plan prepared by land surveyor Michel Fortin, under his minutes 23511, dated November 26, 2012.

Carried

12-12-1393

SUBDIVISION – 3153 Route 148 – Benoit Giroux

WHEREAS the applicant wishes to subdivide part of lot 2 682 904 in order to increase the size of the lot 2 682 902 to be able to install a new septic system;

WHEREAS the owner of lot 2 682 902, Mr. Yvon Chartrand already obtained the authorization from the "Commission de la Protection du Territoire Agricole du Québec" for the alienation of 2241.3 square meters, their file number 402158 on November 7, 2012;

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 alienate part of lot 2 682 904 in order to increase the size of the lot 2 682 902 as shown in the cadastral plan prepared by land surveyor André Durocher, under his minutes 20 686, dated November 29, 2012.

Carried

12-12-1394

REQUEST – USE OF THE LIBRARY – M. DANY GIRARD

WHEREAS the request from Mr. Dany Girard to use the local of the library in order to offer free psychotherapy to the patients referred by the doctors from the Groupe Familiale du Pontiac;

WHEREAS the Municipality considers that it is an additional service for our population;

It is

Moved by: Dr. Jean Amyotte

Seconded by: Roger Larose

AND RESOLVED THAT the Municipality accepts to loan the local of the library, without charge, to Mr. Dany Girard, as per the establish schedule grid, this for a one year duration.

Carried

PUBLIC QUESTION PERIOD

Denis Dubé

- Recommends to get a legal advice before renting Luskville library free of charge

Ricky Knox

- Request for information- tenders, publication and diffusion
- Possibility of regrouping small purchases/ contracts in order save money
- Possibility to give to the public copies of the By-laws to be adopted during the session
- Informations - renewal process for URC

Barrie Marfleet

- Misunderstanding – article of the Pontiac Journal quoting a meeting between the ACMP and the Mayor and the councillors
- Possibility to consult the budget before the meeting of December 18th
- Definition of the term VHR, in relation with the by-law

Dany --

- Acknowledgement of the ACMP

Madeleine Carpentier

- ACMP – Correspondence in the Pontiac Journal

Mo Laidlaw

- History – Belonging of the Municipality to the County/ RCM Pontiac

Nancy Maxsom

- Sanctions for non-respect of the Code of ethics - Elected members

Bill Twolan

- Parking of equipment – Residences

- Agenda – Error
- Work with the Committee

Jean-Claude Carisse

- Contract Director of Public Works
- Grant MTQ – Bicycle path

Ricky Knox

- Creation of Municipal committee – participation of ACPM and others

- Formal notice

James Eggleton

- Re-election of the Mayor

12-12-1395

CLOSING OF THE MEETING

Moved by: Dr. Jean Amyotte
Seconded by: Lynne Beaton

AND RESOLVED to close the meeting at 10:38 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 my signature on each and every resolution herein, as specified in article 142 (2) of the Municipal Code».