

**PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC**

MINUTES of the special municipal council meeting held on Tuesday, May 17, 2016 at 6:30 p.m. at the Town Hall, situated at 2024 route 148, Pontiac. Those who were present:

Roger Larose, Mayor, Brian Middlemiss, pro-mayor and councillors Nancy Draper-Maxsom and Thomas Howard.

Also present: Benedikt Kuhn, Director General, as well as two ratepayers.

Excused absences: Councillors, Dr. Jean Amyotte, Inès Pontiroli and Edward McCann

The meeting began at 6:30 p.m.

FLOOR TO THE PUBLIC AND QUESTION PERIOD

James Eggleton : - A sign in the ditch at the end of de la Baie Road
 - Congratulates Council – procedures concerning
 - Mr. McCann

Ricky Knox - Asks for a copy of the specifications table
 - Asks for a copy of the map on agricultural zoning

16-05-2767

ADOPTION OF THE AGENDA

1. Floor to the public and question period
2. Adoption of the agenda
3. Adoption of the Minutes of April 19, 2016
4. Adoption of the borrowing by-law no. 05-16 for the Community Center in Quyon
5. Adoption of draft by-law 07-16 for the redistribution of the electoral districts
6. Adoption of the borrowing by-law 03-16 decreeing capital expenditures and a loan of \$ 2, 000,000.00 for repair work purposes of the municipal road network
7. Adoption of by-law #06-16 to modify by-law 12-09 - decreeing a tax imposition to finance 9-1-1 emergency centres
8. Adoption of the standardized by-law 16-RM-05 to set standards with respect to fire safety
9. Public question period
10. Closing of the meeting

It is

Moved by: Brian Middlemiss

Seconded by: Thomas Howard

AND RESOLVED to adopt the agenda as prepared and read.

Carried

16-05-2768

ADOPTION OF THE MINUTES OF THE SPECIAL MEETING OF APRIL 19, 2016

It is

Moved by: Brian Middlemiss

Seconded by: Thomas Howard

AND RESOLVED TO adopt the minutes of the special meeting held on April 19, 2016.

Carried

16-05-2769

BY-LAW No. 05-16 WHICH DECREES A LOAN AND EXPENSE FOR THE CONSTRUCTION OF A COMMUNITY CENTER IN QUYON”

WHEREAS the notice of motion of the present by-law has been duly given during a regular council meeting held on May 10, 2016;

CONSEQUENTLY, it is

Moved by: Nancy Draper-Maxsom
Seconded by: Thomas Howard

AND RESOLVED THAT this council decrees and gives a ruling on the following:

BY-LAW No. 05-16 WHICH DECREES A LOAN AND EXPENSE FOR THE CONSTRUCTION OF A COMMUNITY CENTER IN QUYON

ARTICLE 1: The Council is authorized to spend an amount not exceeding **\$1, 500,000.00** for the purpose of this by-law, this amount including the fees, provincial taxes and unforeseen expenditures as shown on the detailed estimate prepared by Mr. Benedikt Kuhn, Director General, dated May 3, 2016 which is an integral part of this by-law as annex « A ».

ARTICLE 2: Council is hereby authorized to borrow a sum not exceeding **\$1, 500,000.00** including taxes, on a 20 year period for the purpose of paying the foreseen expenses by the present by-law.

ARTICLE 3: To provide for committed expenses for interests and the reimbursement of the capital of annual payments, it is required and each year, during the term of the loan on all the taxable and compensable real properties, a special tax at a sufficient rate according to the value of each taxable and compensable real property in the municipality will be deducted, as it appears on the municipality's current assessment role.

ARTICLE 4: If the amount of an authorized appropriation by the present by-law is higher the amount spent in relation to this approval, the council is authorized to use the excess to pay any other expense decreed by the present by-law and to which the appropriation would prove to be insufficient.

ARTICLE 5: The present by-law will come into force in accordance with the law.

Carried

16-05-2770

DRAFT BY-LAW 07-16 TO ABROGATE BY-LAW 11-08 FOR THE REDISTRIBUTION OF THE ELECTORAL DISTRICTS IN THE MUNICIPALITY OF PONTIAC

WHEREAS a notice of motion of the present draft by-law was given at the meeting held on May 10, 2016;

WHEREAS in accordance with the provisions of article 9 of the *Act regarding elections and referendums in municipalities* (L.R.Q., c. E-2.2), the number of electoral districts for the Municipality of Pontiac must be at least 6 and no more than 8;

WHEREAS the Municipal Council deems it appropriate and necessary to proceed to the redistribution of the electoral districts in order to meet the requirements of article 12 of the *Act regarding elections and referendums in municipalities* (L.R.Q., c. E-2.2), specifying that each electoral district must be delimited in a way that the number of voters in this district be neither greater nor less than twenty-five (25%) percent, as the case may be, to the quotient obtained by dividing the total number of voters in the municipality by the number of districts, unless approved by the Commission of representation;

It is

Moved by Brian Middlemiss
Seconded by Thomas Howard

AND RESOLVED THAT the draft by-law no. 16-07 be adopted and that the division of the territory of the municipality be as follows:

**Detailed description of the electoral districts limits
In effect for the 2017 municipal election**

The territory of the Municipality of Pontiac, which in January 2016 had a total of 4 392 resident voters and 186 non-resident voters, for a grand total of 4, 578 voters, is divided in 6 electoral districts (average of 763 voters per district), as defined and described hereafter, clockwise. Please note that unless otherwise specified, the center of traffic lanes and indicated boundaries constitute the actual limit.

DIVISION INTO DISTRICTS

Section 1 - The territory of the Municipality of Pontiac is, by the present by-law, divided into six (6) electoral districts as described and delimited in the following:

Electoral district number 1:

Starting from a position located at the intersection of Gauvin road and the North municipal limit; from there, one after the other, the following lines and boundaries: towards the East, the North and North-East municipal limits, Eardley-Masham road, Route 148, Kennedy road, the creek along the West limit of the property located at 2456 Kennedy road, the South municipal limit in the Ottawa River, the dual electrical energy transportation lines, Route 148, Hammond road, the 5th Concession, the West and North municipal limits and back to starting point.

This district has 800 voters for a difference with respect to the average, of + 4.85% and a surface area of 247.70 km².

Electoral district number 2:

Starting from a position at the intersection of Hammond road and the 5th Concession; from there, one after the other, the following lines and boundaries: towards the South, Hammond road, Route 148, the dual electrical energy transportation lines, the South (in the Ottawa River) and West (partly on Gold Mine road South and North), the 5th Concession, and back to the starting point.

This district has 765 voters, for a difference with respect to the average, of +0.26% and a surface area of 47.31 km².

Electoral district number 3:

Starting from a position at the intersection of the North-East municipal limit and Eardley-Masham road; from there, one after the other, the following lines and boundaries: towards the East, the municipal limits North-East and East, the extension towards East of the la Butte road, this last road, Crégheur road, Tremblay road, Desjardins road, des Huards road and its extension towards the South, the South municipal limit in the Ottawa River, the creek along the West limit of the property located at 2456 Kennedy road, Kennedy road, the Route 148, Eardley-Masham road, and back to the starting point.

This district has 801 voters, for a difference with respect to the average, of +4.98% and a surface area of 145.70 km².

Electoral district number 4:

Starting from a position at the triple intersection of Tremblay road as well as Route 148 and Crégheur road; from there, one after the other, the following lines and boundaries: towards the East, Crégheur road, the back limits of the properties facing the North and West sides of Kerr road, the back limit of the properties facing the West side of Ivan Crescent, the limit dividing the two properties located at 1966 and 1986 de la Montagne road, this last road, Tyler road, Route 148, the extension toward the West of Maple road in the South limit of the property located at 1583 Route 148, the South municipal limit in the Ottawa River, the extension towards the South of des Huards road, this last road, Desjardins road, Tremblay road, and back to the starting point.

This district has 716 voters, for a difference with respect to the average, of – 6.16% and a surface area of 30.83 km².

Electoral district number 5:

From a position starting at the intersection of de la Butte road and Crégheur road; from there, one after the other, the following lines and boundaries: towards the East, Crégheur road and its extension towards the East, the East municipal limit (partly on Terry-Fox road), Route 148, Dubois road, Maple road, Route 148, Tyler road, de la Montagne road, the limit dividing the two properties located at 1966 and 1986 de la Montagne road, the back limit of the properties facing the West side of Ivan Crescent, the back limit the properties facing on the West and North sides of Kerr road, Crégheur road, and back to the starting point.

This district has 795 voters, for a difference with respect to the average, of +4.19% and a surface area of 25.37 km².

Electoral district number 6:

From a position starting at the intersection of Dubois and Maple roads; from there, one after the other, the following lines and boundaries: towards the South, Dubois road, Route 148, the East (partly on Terry-Fox road) and South (in the Ottawa River) municipal limits, the extension towards the West of Maple road, in the South limit of the property located at 1583 Route 148, Maple road, and back to the starting point.

This district has 701 voters, for a difference with respect to the average, of -8.13% and has a surface area of 5.57 km².

MUNICIPALITY OF PONTIAC

**Statistic summary of the electoral districts
In effect for the 2017 municipal election**

| District number | Name of the district | Surface area in km ² | Qty resident voters | Qty non-resident voters | Total qty of voters | Difference - average | |
|-----------------|----------------------|---------------------------------|---------------------|-------------------------|---------------------|----------------------|------------|
| | | | | | | Qty voters | % |
| 1 | | 247.70 | 742 | 58 | 800 | +37 | +4.85% |
| 2 | | 47.31 | 738 | 27 | 765 | +2 | +0.26% |
| 3 | | 145.70 | 753 | 48 | 801 | +38 | +4.98% |
| 4 | | 30.83 | 682 | 34 | 716 | -47 | -6.16% |
| 5 | | 25.37 | 787 | 8 | 795 | +32 | +4.19% |
| 6 | | 5.57 | 690 | 11 | 701 | -62 | -8.13% |
| Total | | 502,48 | 4 392 | 186 | 4 578 | --- | --- |

COMING INTO EFFECT

Article 2 - The present draft by-law will come into effect in conformity with the law subject to the provisions of the *Act regarding elections and referendums in municipalities* (L.R.Q., c. E-2.2).

Carried

16-05-2771

BORROWING BY-LAW 03-16 DECREEEING CAPITAL EXPENDITURES AND A LOAN OF \$ 2, 000,000.00 FOR REPAIR WORK PURPOSES OF THE MUNICIPAL ROAD NETWORK

WHEREAS the Municipality of Pontiac wishes to take advantage of the power provided at the second paragraph of the second subparagraph of article 1063 of the Quebec Municipal Code;

WHEREAS the notice of motion of the present by-law was duly given at the regular Council meeting of April 12, 2016;

It is

Moved by: Brian Middlemiss
Seconded by: Nancy Draper-Maxsom

AND RESOLVED THAT the Council decrees the following :

ARTICLE 1. The Council is authorized to do the following capital expenditures for an amount of \$ 2, 000,000.00, broken down as follows:

| Description | 20 Years | Total |
|--------------|-----------------|-------------------|
| Public Works | \$ 2,000,000.00 | \$ 2, 000, 000.00 |
| Total | \$ 2,000,000.00 | \$ 2, 000, 000.00 |

ARTICLE 2. In order to acquit the expenses provided in the present by-law, the Council is therefore authorized to borrow an amount of \$ 2,000,000.00 over a 20 year-period.

ARTICLE 3. To provide for the expenses committed in relation with the interests and to repay the capital of the annual terms of the loan, with the present by-law, it is imposed and will be levied on an annual basis, during the term of the loan, on all taxable properties on the Municipality's territory, a special tax at a sufficient rate according to their value as shown on the assessment role in effect each year.

ARTICLE 4. If it happens that the amount of an allocation authorized by the present by-law is higher than the amount actually spent in relation to this allocation, the Council is authorized to use the surplus to pay any other expenditure decreed by the present by-law and for which the allocation would prove to be insufficient.

ARTICLE 5. The Council will attribute to the loan reduction decreed in the present by-law any contribution or subsidy that could be paid for part or all of the expenditure decreed by the present by-law.

The Council will also attribute to the payment, in part or in total of the debt servicing, any grant payable over several years. The reimbursement term corresponding to the amount of the loan will be automatically adjusted at the time determined for the payment of the loan.

ARTICLE 6. The present by-law will come into force according to the Law.

Carried

16-05-2772

BY-LAW #06-16 TO MODIFY BY-LAW 12-09 - DECREERING A TAX IMPOSITION TO FINANCE 9-1-1 EMERGENCY CENTRES

It is

Moved by Thomas Howard
Seconded by Brian Middlemiss

AND RESOLVED THAT council decrees the following:

1. For the implementation of the present by-law, the following means :

1° « client » : a person who subscribes to a telephone service for the purpose other than re-supplying telecommunication services ;

2° « telephone service » : a telecommunication service which meets the following two conditions :

- a) it allows to dial 9-1-1 in order to directly or indirectly reach a 9-1-1 call centre offering services in Québec ;
- b) it is supplied, on the local municipality's territory, by a supplier of telecommunication services.

When a telecommunication services supplier reserves one of its telephone services for its own use, as far as these services go, it is reputed as a client, as intended in sub-paragraph 1°.

For the implementation of sub-paragraph 2 b), the telecommunication service is reputed as supplied to the territory of the local municipality when the telephone number attributed to the client for the use of the service is comprised of a Québec regional code.

2. As of August 1st , 2016, a tax will be imposed for supplying a telephone service in the amount of \$0.46 per month for each telephone service and for each telephone number, or by a start-up access line in the case of a multilingual service that is not being provided by Centrex.
3. The client must pay the tax each month it receives a telephone service at any given time.
4. The actual by-law comes into effect on the date of publication of a notice to that effect that the minister of Municipal Affairs has published in the *Québec official gazette*.

Councillor Nancy Draper-Maxsom votes against the motion.

Carried on a divided vote

16-05-2773

BY-LAW 16-RM-05 TO SET STANDARDS WITH RESPECT TO FIRE SAFETY

WHEREAS under section 62 of the Municipal Powers Act, the Municipality of Pontiac may adopt by-laws in terms of safety;

WHEREAS under chapter 1 of the Fire Safety Act, the Municipality has obligations imposed or powers granted for the purpose of protecting people and property against fires of any kind, with the exception of forestry resources which are protected under the Forest Act (L.R.Q.,chapter F-4.1);

WHEREAS it is in the interest of the Municipality of Pontiac's citizen that the municipal Council adopt such a by-law and take advantage of these provisions;

WHEREAS a notice of motion was given at the regular meeting of its Municipal Council held on May 10, 2016, to the effect that a by-law would be submitted for approval;

It is

Moved by Thomas Howard
Seconded by Brian Middlemiss

THEREFORE, it is ordered and decreed by the Municipal Council of the Municipality of Pontiac and the said Council orders and rules as follows, namely:

SECTION 1 – PREAMBLE

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

SECTION 2 - DEFINITIONS

2.1 Heating and cooking appliances

Heating and cooking appliances include any oven, stove, furnace, any electrical appliance or system, steam boiler, hot water boiler, forced air furnace with or without heating ducts, a solid, liquid or gas fired stove or fireplace.

2.2 Propane room unit

A propane room unit is an appliance of less than 120 000 BTU approved by Canadian standards, intended for outdoor use.

2.3 Smoke alarm

A smoke alarm is a device equipped with a visual or acoustic warning signal designed to initiate an alarm as soon as smoke is detected.

2.4 Carbon monoxide alarm

A carbon monoxide alarm is a device equipped with a visual or acoustic warning signal designed to initiate an alarm as soon as carbon monoxide is detected.

2.5 (Propane and natural) gas alarm

A (propane and natural) gas alarm is a gas warning device equipped with a visual or acoustic warning signal designed to initiate an alarm as soon as propane or natural gas is detected inside a room or a suite in which the device is installed.

2.6 Chimney

A chimney refers to a construction, usually vertical, including one or several flues to evacuate combustible gases outdoors, which may consist of various materials, such as:

- a) **Masonry or concrete chimney** : Brick, stone, concrete or masonry blocks chimneys, built on site.
- b) **Prefabricated chimney** : Chimney consisting entirely of factory-made material, designed to be assembled on site without any cutting involved processing.

2.7 Cord of firewood

A cord of firewood is defined by the following dimensions : 4 ft. (1.2 m) X 8 ft. (2.4 m) X 16 in (40 cm).

2.8 National Fire Code (NFC)

The National Fire Code of Canada 2010 and its amendments.

2.9 Connecting ducts

One or several connecting ducts refers to flue pipes, meant for venting combustible gas, installed between the heating device and the evacuation duct or the chimney.

2.10 Smoke detector

A smoke detector is a device designed to send a signal to the alarm system or panel (connected to a central monitoring station) when the concentration of combustible products in the air exceeds a predetermined level.

2.11 Automatic sprinkler

An automatic sprinkler is a device designed and installed to work under certain determined conditions as a result of a fire.

2.12 Public place

The words « public place » refers to any public property, traffic lane, public land and municipal parks.

2.13 Clearance space

The words « clearance space » refers to the space around a device or equipment that must be free of any construction, obstacle or combustible material.

2.14 Camp fire

A camp fire is an open air fire or in a fireplace for recreational or entertainment purposes.

2.15 Consumer fireworks

Fireworks regulated by the Explosives Safety and Security Branch of Natural Resources Canada which allows selling to the general public.

2.16 Fireplace

A fireplace is a device used to burn solid fuels of which at least one of the vertical walls has a large opening or that may be opened for refuelling and viewing the flames.

2.17 Housing

The word « housing » refers to, without restriction, a housing unit, an apartment, a camp, a cottage, a condominium, a shelter, a garage or a suite used for or intended to be used as a place of residence for one or several individuals and which include sleeping facilities or equipment to prepare and eat meals.

2.18 Master chimney sweeper

Any individual or corporation, doing chimney sweeping within the Municipality's boundaries must be qualified according to the ACNOR B-601 standards or certified by the Heating Business Association (HBA).

2.19 Burning permit

A burning permit is an authorization to make a fire related to cleaning and deforestation of any land or for the control of parasitic insect of a non-commercial nature.

2.20 Permit for using pyrotechnical items and fireworks

A permit for using pyrotechnical items and fireworks is an authorization form issued by the Fire Department, or any individual duly authorized to allow the use of pyrotechnical items and fireworks for a specific period. This authorization lists all the conditions that the applicant must meet.

2.21 Person

Natural or legal person.

2.22 Firefighter

Refers to the firefighters of the Municipality whose services are required.

2.23 Signpost

Refers to a stake equipped with a sign to indicate the location of the fire hydrants, dry hydrants or water intakes.

2.24 Representative

Any municipal employee designated by the Director of the Fire Department.

2.25 Low risks

« Low risks » refers to very small buildings, widely spaced, residential buildings of 1 or 2 detached housing units, on 1 or 2 storeys. The types of buildings are identified as warehouses, garages, detached single family homes of 1 or 2 housing units, cottages, mobile homes and rooming houses accommodating less than five people.

2.26 Medium risks

« Medium risks » refers to buildings of a maximum of 3 storeys and a surface area of 600 m² at the most. The types of buildings are identified as single family houses of 2 or 3 storeys, buildings of 8 housing units or less, rooming houses (5 to 9 rooms), Group F, division 3 industrial facilities (workshops, warehouses, show rooms, etc.).

2.27 High risks

« High risks » refers to buildings where the surface area is greater than 600 m², buildings of 4 to 6 storeys, places where the occupants are normally able to evacuate, places without significant amounts of hazardous materials. The types of buildings are identified as commercial buildings, buildings of 9 housing units or more, rooming houses (10 rooms or more), motels, Group F, division 2 industrial facilities (workshops, repair garages, printing plants, service stations, etc.), and agricultural buildings.

2.28 Very high risks

« Very high risks » refers to buildings of more than 6 storeys or poses a high risk of conflagration, places where the occupants cannot evacuate by themselves, places where an evacuation is difficult because of the high number of occupants, places where hazardous materials may be found and places where the impact of a fire is likely to affect the functioning of the community. The types of buildings are identified as business establishments, adjoining buildings in old neighbourhoods, hospitals, shelters, supervised residences, detention facilities, commercial centers of more than 45 stores, hotels, schools, daycare centers and churches, Group F, division 1 industrial facilities (hazardous materials warehouses, paint factories, chemical plants, flour mills, etc.) water treatment plants and port installations.

2.29 Hall

Room or premises located in a building which is open to the public and used as a gathering place for all kinds of activities.

2.30 Fire Department

« Fire Department (FD) » or « services », used in the present by-law refers to the Municipality's Fire department.

2.31 Use

A use refers to the way a building or part of a building and its accessory buildings are used or may be used or occupied as defined by the 2010 NFC and its amendments.

SECTION 3 – GENERALITIES

3.1 Fire prevention

Each time that the Director of the FD or his representative discovers conditions or materials that constitute a danger or a fire hazard in a building or on a property, he may give the order to remove the said material or to remedy the situation.

Failure to comply with these orders constitutes a violation of the present by-law.

3.2 Enforcement of the by-law

Peace officers of the MRC des Collines-de-l'Outaouais are authorized to enforce the present by-law and to initiate criminal proceedings against any offenders with respect to any provision of the present by-law. The Council authorizes the peace officers to issue violation notices to this end.

The Municipality authorizes the Director General and Secretary-Treasurer as well as any other designated individual to enforce the present by-law and to initiate criminal proceedings against any offenders with respect to any provision of the present by-law and consequently, authorizes these individuals to issue violation notices to this end.

3.3 Duties of the service

The FD performs the following duties :

- a) Raises awareness amongst citizens regarding fire hazards and teaches what to do and what not to do in order to reduce the number of fires and the loss of life and property;
- b) Enforces the by-laws regarding Fire Safety enacted by the Municipal Council under the powers vested upon them by the Municipal Code and any safety by-laws pursuant to the delegation of powers that could be conferred to by the Municipal Council;
- c) Establishes the intervention plans with respect to firefighting for the buildings where low or medium risks are important and the sectors where there is great risk of conflagration;
- d) Upon request of the Urban Planning and the Sustainable Development Department and the Environment, transmits the requirements following the plan revision, the construction permit requests, renovation and business permits, in relation with the Fire department regulations mentioned in the present by-law;
- e) Intervenes in any emergency situation for which:
 - It is authorized to intervene
 - It has the required equipment

- f) Completes all reports pertaining to general offences

3.4 National Fire Code (NFC)

All provisions of the NFC, 2010 version, its amendments and appendices are an integral part herewith as if it were cited in its entirety and are applicable to low and medium risks.

3.5 Visit and inspection of premises

- a) Any individual in charge of enforcing the present by-law has the authority to visit any residential, industrial, commercial, institutional building and public or accessory building to make the verification or fire prevention inspection, during the day, from Sunday to Saturday, between 8 a.m. and 8 p.m.
- b) In emergency cases, the visit or inspection of property and buildings could be done on any given day, at any time of day or night.
- c) Any individual refusing or making a visit or an inspection difficult is violating the present by-law.

3.6 Room capacity

The Director of FD or his representative has jurisdiction on the capacity of a hall. He can control its conformity, that is, he may proceed to its evacuation or prohibit its access if:

- a) The number of people allowed inside determined by its use and occupancy is higher than that authorized or;
- b) Fire safety standards are not met and cannot be rectified prior to the occupancy of this hall.
- c) The number of occupants of any occupied building must be compliant with the standards established by the NFC and the present by-law. The owner of the hall must provide a sign displaying the maximum amount of people legally admissible. This sign must be permanently posted in a visible location near the main entrance of the hall's floor area. The number of people occupying the premises must not exceed the maximum displayed.
- d) Failure to comply with the present section constitutes a violation of the present by-law.
- e) Any owner of a hall must post a sign inside his premises, with the information required at section 3.6 of this by-law. The information required by section 3.6 must appear on the sign and the print must be 50 millimetres high and a minimum of 20 millimetres wide. These inscriptions must correspond to the number of people allowed inside the hall.
For this, the owner of the hall must address his request to the Director of the FD or his representative in order to determine the capacity of people that can stay inside the said hall. Once the number is known, the owner must prepare a sign according to section 3.6 c) and post it inside the said hall.
- f) Commits a violation, the owner who does not comply with section 3.6 of the present by-law.

To have a sign and not post it, in accordance with section 3.6, is a violation in itself.

To have a sign installed, but with the print that does not correspond to section 3.6 e) is a separate violation.

3.7 People's conduct

Constitutes a violation, any individual who hinders or renders the enforcement of the present by-law more difficult, or deliberately makes an unfounded fire call.

An unfounded fire call refers to a call made where, once at the scene, the individuals enforcing the present by-law, have no reason to intervene.

3.8 Security perimeter

It is prohibited to cross or to be inside a security perimeter established with appropriate signage (cautionary tape, gate, etc.), by any individual enforcing the by-law, unless being expressly authorized to do so.

3.9 Acquired rights

No acquired rights pertaining to a property or a construction, can prevent the enforcement of a provision of the present by-law, with respect to fire safety.

3.10 Use of water

During a fire, the Director of the FD or his representative may proceed with a pumping operation from a neighbouring static source that is, a pool, pond, lagoon or tank of any kind. It is understood that the Municipality will have to see to putting everything back to its original state after having completed.

SECTION 4 – FIRE PREVENTION

4.1 Particular situations or risks constituting a fire hazard

Following the Director of the FD or his representative's recommendations, any individual must remedy without delay to any particular condition, situation or risks constituting a danger or a fire hazard either by using, storing inside or outside, lack of maintenance or simply with materials. Situations or specific risks constituting a fire hazard are the following :

- a) Storage of dangerous or illegal amounts of combustible or explosive materials, or hazardous in other ways.
- b) Hazardous conditions caused by the faulty or non-regulatory installation of material used for handling or use of combustible or explosive material or hazardous in other ways.
- c) Accumulation of garbage, old papers, boxes, grass, dry branches or any other flammable material.
- d) Accumulation of dust, or waste in the air-conditioning or ventilation systems, or grease in the kitchen ventilation ducts and other locations.
- e) Obstruction in emergency exits, stairs, hallways, doors or windows that can interfere with the intervention of the FD's response time or the evacuation of the occupants.
- f) Hazardous conditions created by a building or any other construction, as a result of a lack of repair or an insufficient number of emergency exits or other exits, of automatic sprinklers or other alarm or fire protection equipment, or because of the building's age or dilapidated condition or for any other reason.
- g) Accumulation of any material in the attics, staircases or common areas is forbidden.
- h) No decorating material, that is not fire resistant, can be placed outside of a commercial building, within 5 meters (15 feet) of any exits of the said building.
- i) Electrical installation must be completed and maintained by an electrician.
- j) Electrical panels must be cleared within one (1) meter of any material.
- k) Propane tank: it is prohibited to store or stock liquid propane tanks of more than 0.9 litre (1 lb) inside a housing unit.
- l) Usage of portable generators : this type of energy must only be used in temporary situations. The devices must be placed outside of buildings and located at a minimum of 4.5 meters (15 ft.) of any opening (door, window, air intake...). The generator must be turned off before refuelling it. The user must comply with the manufacturer's recommendations.
- m) Failure to comply with the present section constitutes a violation to the present by-law.

4.2 Building, housing unit or vacant or abandoned unit

The owner of any unoccupied building must at all times, ensure that all facilities are free of debris or flammable substances and must be exempt of any hazard that could cause injury to others. Furthermore, all openings must be properly closed and locked or barricaded to prevent unauthorized entry.

SECTION 5 – HEATING SYSTEMS

5.1 Heating devices

The use of such devices must be made with the combustible material recommended by the manufacturer and never, under any circumstances, used as an incinerator.

5.2 Approved chimney

Only CSA Warnock Hershey or ULC approved chimneys are authorized to evacuate hot gases to the exterior of a building. No other connection duct can be used as a chimney.

5.3 Ethanol fireplace

Only ULC/ORD-C627.1-2008 approved ethanol fireplaces are recognized on the Municipality's territory as decorative for occasional use. These devices cannot be used as main heating devices.

SECTION 6 – CHIMNEY CLEANING AND STORAGE

6.1 Field of application

This section is applicable to all masonry or prefabricated metal chimney, for a residential building of up to four (4) storeys. Are excluded: chimneys taller or industrial buildings equipped with metal chimneys and for which the owner must take care of the maintenance terms himself, according to the manufacturer.

6.2 Unused chimneys

Unused chimneys, still in place, must be closed at the base and at the top with a non-combustible material.

6.3 Maintenance of chimneys and ducts

Under the owner's responsibility, each chimney and vent installation onto any heating device must be inspected at an interval of at least twelve (12) months or, each time a device is connected or, if there is a chimney fire and this, to keep them free of any dangerous accumulation or combustible fuel deposit. Furthermore, each connecting duct as well as the chimney base must be inspected at least every twelve (12) months. Soot and other debris must be removed after sweeping and put in a metal container, with a lid, designed for this purpose, and placed on a non-combustible surface.

6.4 Ashes and sweeping debris

The ashes and soot residues must be stored outdoors, on a non-combustible surface and at least one (1) meter away from any building, and this, in a metal container, with a lid, designed for this purpose and must not be disposed of in the household garbage or recyclables.

6.5 Chimney cap

- a) Any chimney or vent installation, whatever the type, must have a cap at the top of the chimney or vent in order to prevent the elements and animals from entering.
- b) Notwithstanding the foregoing section 6.5 a), is not applicable to terracotta ducts.

6.6 Storage of firewood

- a) Storage of solid combustible substances, such as firewood, be it indoor or outdoor, must not block an evacuation route, a passageway, a door or a stairway at any time.
- b) Storage of wood inside any housing unit cannot exceed three (3) cords, which must be piled in a safe way.
- c) Notwithstanding section 6.6 a), one (1) cord of wood, maximum, can be stored outside on a balcony, and this, in order to allow a refuge space for the occupants of multi-unit dwellings.

6.7 Chimney sweep

Any natural or legal person, offering a chimney sweeping service in the Municipality's boundaries must be qualified Master chimney sweep.

SECTION 7 – SMOKE ALARM

7.1 Obligation

Smoke alarms must be installed in each building where one sleeps.

7.2 Location

- a) Smoke alarms must be installed between each area where one sleeps and the rest of the building, however, when there are hallways between sleeping areas, smoke alarms must be installed in the hallways.

- b) Smoke alarms must be installed on the ceiling or close to it, according to the installation instructions provided by the manufacturer of the device and the CAN/ULC S531-M standards and should not be painted or obstructed.

7.3 Quantity

At least one smoke alarm must be installed on each storey (including the basement) with the exception of attics and unheated crawl spaces.

7.4 Electrical alarm

- a) In newer buildings built after the entry into effect of the present by-law, and in a building undergoing interior renovations after being damaged by fire, for which the estimated renovation cost exceeds thirty per cent (30 %) of the property assessment, the smoke alarms must be permanently connected to an electrical circuit and there must be no disconnect switch between the power surge device and the smoke alarm. When a building is not supplied with electrical power, the smoke alarms must be battery-powered.
- b) When several smoke alarms are required, they must be connected together in order to produce an audible signal as soon as one alarm is triggered.

7.5 Replacement

Smoke alarms must be replaced no more than ten (10) years after the manufacturing date or according to the manufacturer's recommendations.

7.6 Battery maintenance

- a) The building owner must install and take the necessary actions to ensure proper functioning of the smoke alarms required by the present by-law, including the repair and the replacement when necessary. The owner must install a new battery in each smoke alarm when renting an apartment or a room to a new tenant. The owner must provide maintenance instructions for the smoke alarms; the instructions must be displayed in a location that is easily accessible for consultation by the tenants.
- b) A tenant occupying an apartment or a room must take the necessary measures to ensure the proper functioning of the smoke alarms located inside the apartment or the room in which he lives and required by the present by-law, including changing the battery if needed or the permanent connection to the electrical circuit. If the smoke alarm is defective, he must notify the owner without delay.

SECTION 8 – CARBON MONOXIDE ALARM

8.1 Obligation

A carbon monoxide alarm approved by the « Underwriters Laboratories of Canada » (UL or ULC), must be installed :

- a) When a garage is attached to a residence or an apartment .
- b) When a solid, liquid or gas fuel device is permanently or temporary installed inside any building.

8.2 Location

The carbon monoxide alarm must be installed according to the manufacturer's standards.

8.3 Battery replacement

A tenant occupying an apartment or a room must take the necessary measures to ensure the proper functioning of the carbon monoxide alarm located inside the apartment or the room in which he lives and required by the present by-law, including changing the battery if needed or the permanent connection to the electrical circuit. If the carbon monoxide alarm is defective, he must notify the owner without delay.

8.4 Replacement

The carbon monoxide alarm must be replaced seven (7) years after their manufacturing date or according to the manufacturer's recommendations.

SECTION 9 – PORTABLE EXTINGUISHER

9.1 Obligation

A functional extinguisher with a minimum capacity of 2.2 kg (5 lb) type ABC must be installed and maintained according to the manufacturer's recommendations, in every low or medium risk building.

When a building is a multi-housing unit, a portable extinguisher, provided and maintained by the owner, is required in each unit.

9.2 Use of a low and medium risk building for the care of children or the elderly

In the case where an establishment provides child care or elderly care services, portable extinguishers must be installed, according to the National Fire Code, to the NFPA-10 standards and must comply in all respects with the applicable guides in Quebec for these types of residences.

SECTION 10 – OUTDOOR FIRES

10.1 Fires

Open air fires are allowed when the conditions provided in section 10.2 are met.

10.2 Conditions for open air fires

- a) An open air fire is allowed :

TABLE SHOWING PARTICULARITIES FOR OPEN AIR FIRES DEPENDING ON THE MUNICIPALITY

| MUNICIPALITY | PERIOD AUTHORIZED FOR OPEN AIR FIRES |
|--------------------------|--|
| Cantley | <ul style="list-style-type: none">• Allowed during weekdays – From 6 p.m. to 1 a.m.• Allowed during weekends and holidays - From 8 a.m. to 1 a.m. |
| Chelsea | <ul style="list-style-type: none">• No restriction between October 2 and March 31 |
| L'Ange-Gardien | <ul style="list-style-type: none">• Between April 1 and October 31, in fireplaces only - From 6 p.m. and 1 a.m.• Between November 1 and March 31, anytime with a permit |
| La Pêche | <ul style="list-style-type: none">• Allowed during weekdays – From 6 p.m. to 1 a.m.• Allowed during weekends and holidays - From 8 a.m. to 1 a.m. |
| Notre-Dame-de-la-Salette | <ul style="list-style-type: none">• Allowed during weekdays – From 6 p.m. to 1 a.m.• Allowed during weekends and holidays - From 8 a.m. to 1 a.m. |
| Pontiac | <ul style="list-style-type: none">• Allowed during weekdays – From 6 p.m. to 1 a.m.• Allowed during weekends and holidays - From 8 a.m. to 1 a.m. |
| Val-des-Monts | <ul style="list-style-type: none">• Allowed during weekdays – From 6 p.m. to 1 a.m.• Allowed during weekends and holidays - From 8 a.m. to 1 a.m. |

Must be surrounded with non-combustible material (brick, rocks, stones...).

- b) Must be located at ten (10) meters (33 ft.) from the property lines.
- c) Must be located at ten (10) meters (33 ft.) from any building or fuel tanks.
- d) Must have a clearance of two (2) meters from any combustible material.
- e) Must not exceed a diameter and height of one (1) meter (39 inches).
- f) The fire must be under the constant supervision of an individual able to intervene until the fire has been completely extinguished.
- g) A quick means of extinction must be accessible within a ten (10) meters (33 ft.) radius of the fire.

10.3 Outdoor fireplace fires

In the case where an outdoor fireplace is used, the installation must be done as follows and meet the following conditions :

- a) Must have a maximum base of 70 cm x 70 cm (26 in x 26 in).
- b) Must be less than 1.5 meter (5 ft.) in height.
- c) Must be equipped with a wired grate.
- d) Must be equipped with a fire screen.
- e) Must be located at six (6) meters (20 ft.) from the property lines.
- f) Must be located at six (6) meters (20 ft.) from any building and fuel tanks.
- g) Must have a clearance of two (2) meters from any combustible material.
- h) Must be installed on a non-combustible base which extend one (1) meter (39 inches) from the device's perimeter.
- i) The fire must be under the constant supervision of an individual able to intervene until the fire has been completely extinguished.
- j) A quick means of extinction must be accessible within a ten (10) meters (33 ft.) radius of the fire.

10.4 The present section applies to fires provided in sections 10.1 to 10.3 inclusively. No fire is authorized when the winds are over fifteen (15) km/h or when the fire risk rating is "extreme" according to the *Société de protection des forêts contre le feu* (SOPFEU). The responsibility of verifying the presence of such conditions lies with the person in charge of a fire. SOPFEU is considered, for the purpose of the present by-law, as being the reference organization and can be reached at 1-800-567-1206 or www.sopfeu.qc.ca.

10.5 It is prohibited to burn grass, leaves, hay or straw, trash, construction waste, petroleum-based products and any other item deemed to be pollutant.

10.6 Campground fires

- a) Notwithstanding sections 10.1 to 10.3 inclusively, campground owners must submit their own regulations for open air fires to the FD for its approval. The said by-law must address the schedule, location, clearance to follow, the size and the type of installation approved to make fires as well as means of extinction. Section 10.3 and 10.4 apply to open air fires on campgrounds.
- b) The approved by-law must be displayed in common public areas of the campground and a copy must be given to the campers.

10.7 Requirements for issuing a burning permit

The requirements for issuing a burning permit are established on the authorization form issued by the Fire Department or any other duly authorized individual. This authorization contains all the following requirements that the applicant must meet :

For fires of 2 meters or less in circumference

- a) Must be located at fifteen (15) meters (50 ft.) from the property lines.
- b) Must be located at fifteen (15) meters (50 ft.) from any buildings or fuel tanks.
- c) Must have a ten (10) meters (33 ft.) clearance from any combustible material.
- d) Must be under the constant supervision of an individual able to intervene until the fire has been completely extinguished.
- e) A quick means of extinction must be accessible within a ten (10) meters (33 ft.) radius of the fire.

For fires of more than 2 meters and less than four (4) meters in circumference

- a) Must be located at thirty (30) metres (100 ft.) from the property lines.
- b) Must be located at thirty (30) metres (100 ft.) from any building or fuel tanks.
- c) Must have a fifteen (15) metres (50 ft.) clearance from any combustible material.
- d) Must be under the constant supervision of an individual able to intervene until the fire has been completely extinguished.
- e) A quick extinction means must be accessible within a ten (10) metres (33 ft.) radius of the fire.

**TABLE SHOWING PARTICULARITIES FOR ISSUING BURNING PERMITS
DEPENDING ON THE MUNICIPALITY**

| MUNICIPALITY | PERIOD AUTHORIZED FOR FIRES REQUIRING A PERMIT | MAXIMUM DURATION |
|--------------------------|---|-------------------------|
| Cantley | November 1 to April 30 | 30 days |
| Chelsea | November 1 to April 30 | 2 days |
| L'Ange-Gardien | November 1 to March 31 | 30 days |
| La Pêche | November 1 to May 31 | 5 days |
| Notre-Dame-de-la-Salette | 12 months a year | 2 days |
| Pontiac | 12 months a year | 30 days |
| Val-des-Monts | 12 months a year | 30 days |

In addition to the conditions provided in the authorization form, the applicant of a burning permit agrees to comply with the provisions listed in section 10.5 and 10.6 of the present by-law.

10.8 Traffic

It is prohibited to make a fire that can affect traffic.

10.9 Provincial prohibition

No permit is granted or is automatically suspended, and no fire can be lit when the fire risk rating is “extreme” according to SOPFEU or when open air fires are prohibited by government authorities (provincial or federal).

10.10 limitation of liability

Obtaining a permit to build a fire does not free the applicant from his usual responsibilities, in a case where disbursements or damages result from the fire having been lit.

10.11 Issuing permits

The permits are issued by the Municipality.

SECTION 11 – BARBECUE (BBQ), OUTDOOR GRILL (COOKING DEVICES)

11.1 Distance from the property lines and clearance of BBQ, grill and cooking devices

- a) For barbecues (BBQ) : a clearance of one (1) meter (3 ft.) from the property lines and any combustible material and three (3) meters (10 ft.) from any fuel tanks, with the exception of the barbecue fuel supply.
- b) For grills and other cooking device installations, a clearance of three (3) meters (10 ft.) from the property lines and from any fuel tank, with the exception of the grill(s) fuel supply, and there must be a clearance of two (2) meters (6 ft.) from any combustible material.

SECTION 12 – FIREWORKS

12.1 Prohibition

It is prohibited to light any pyrotechnic items or firecrackers on the Municipality’s territory without having first obtained a permit to that effect.

12.2 Fireworks during gatherings

- a) Fireworks are permitted during public gatherings or during an event, conditional to ensuring the presence of a recognized pyrotechnician, authorized to enforce the security measures and obtaining a permit to that effect.
- b) The presence of a Fire Department representative during these events could be required depending of the case, and this, at the discretion of the Fire Department.

12.3 Family type fireworks

For family-type fireworks, a permit as well as a descriptive sheet listing the security measures must be issued by the Municipality, and this, for each event.

12.4 Issuing permits

Fireworks permits are issued by the Municipality. The conditions for issuing a fireworks permit are established on the authorization form issued by the Fire Department, or any other duly authorized individual. This authorization contains all the following provisions, that the applicant must comply with:

SECTION 13 – ACCESS TO BUILDINGS

13.1 The Fire Department's access to buildings

The entrances, right of ways as well as private roads must be maintained and clear of any obstacle to allow free access by the Fire Department in any season.

13.2 Snow removal from the exits

- a) Access to exits of any building must be free of snow and any obstruction in order to ensure the safe evacuation of occupants and the access to the Fire Department.
- b) The exits located in the backyard and the other sides of the buildings must have a hallway of a minimum of sixty (60) centimetres (24 inches) leading to the main entrance of the residence.

SECTION 14 - USAGE, ACCESS AND MAINTENANCE OF THE FIRE HYDRANTS AND WATER INTAKE

14.1 Access

The fire hydrants, dry hydrants, water intakes and pumping stations must not be obstructed. It is strictly prohibited to surround or hide a fire hydrant, a dry hydrant, a water intake and a pumping station with a fence, a wall, shrubs or others. No vegetation, flowers, shrubs, bush or tree can obstruct a fire hydrant, a dry hydrant, a water intake and a pumping station unless the said vegetation meets the two (2) metres (6 ft.) clearance requirements.

14.2 Sign

It is prohibited to install a sign of any kind on a fire hydrant, a dry hydrant, a water intake and a pumping station or within the two (2) metres (6ft.) clearance of the latter.

14.3 Garbage – Anchorage - Decoration

It is prohibited to leave garbage or debris close to a fire hydrant, a dry hydrant, a water intake and a pumping station or within the clearance space. It is prohibited to tie or to anchor anything to a dry hydrant or to decorate, in any way whatsoever a fire hydrant or a water intake.

14.4 Protection

It is prohibited to install any type of protective structure around a fire hydrant, a dry hydrant, a water intake and a pumping station without first obtaining the authorization of the Director of the Fire Department or his authorized representative.

14.5 Obstruction

Tree branches near a fire hydrant, a dry hydrant, a water intake and a pumping station must be cut at a minimum height of two (2) metres (6 ft.) from the ground. It is prohibited to deposit snow or ice on a fire hydrant, a dry hydrant, a water intake and a pumping station or within its clearance space. It is prohibited to modify the land profile in a way that could affect the visibility, the access or the use of a dry hydrant.

14.6 Installation

It is prohibited to install or to build anything that is likely to impair visibility, or the access to, or the use of a fire hydrant, a dry hydrant, a water intake and a pumping station or to install a non-functional or decorative fire hydrant on a property which is adjacent to a road.

14.7 Usage

The Fire Department and Public Works employees of the Municipality are the only individuals authorized to use the fire hydrants, the dry hydrants, the water intakes and the pumping stations. Any other individual who must use the fire hydrants, the dry hydrants, the water intakes and the pumping stations must first obtain the authorization from one of the Directors mentioned above, or from one of their authorized representatives.

14.8 Responsibility

Any individual, with the exception of the Municipality's Fire Department and Public Works employees, having received the authorization to use a fire hydrant, a dry hydrant, a water intake and a pumping station is responsible for any damage to the latter and shall pay for the cost of the repairs, if needed.

14.9 Private system

Private dry hydrants, used by the Fire Department, located on a private property, must be maintained in good working condition and be visible and accessible at all times. Dry hydrants located in shelters must be clearly identified and easily accessible at all times.

14.10 Signpost

It is prohibited for anyone to remove or change the location of the signposts of a fire hydrant, a dry hydrant, a water intake and a pumping station.

14.11 Paint

It is prohibited for anyone to paint, in any way whatsoever, the fire hydrants, the dry hydrants, the water intakes and the pumping stations, the signposts and the signs.

14.12 Identification

Only the signposts and the signs recognized by the Municipality must be used to identify the location of fire hydrants, dry hydrants, water intakes and pumping stations.

14.13 Damages

Anyone who damages breaks or sabotages fire hydrants, dry hydrants, water intakes, pumping stations and signposts shall pay for the cost of the repairs or the replacement.

SECTION 15 – PENAL PROVISIONS

15.1 Offences

Anyone violating one of the provisions of the present by-law is committing a violation and is liable to:

- a) A minimum fine of two hundred dollars (\$200) and a maximum fine of one thousand dollars (\$1 000) for a natural person.
- b) A minimum fine of one thousand dollars (\$1 000) and a maximum fine of three thousand dollars (\$3 000) for a legal person.

15.2 Continuity of the offence

If an offence continues, each day will constitute a separate offence and the offender is liable to a fine for each day the offence continues.

15.3 Fees related to the compliance with the present by-law

By Court order, any fees or expenditures incurred by the Municipality as a result of a contravention to the present by-law by a defendant are repayable in full to the Municipality.

15.4 Payment default

Failing payment of the fine and fees, the Municipal Court fine collector may exercise the powers under the Code of Criminal Procedure with respect to the means of enforcement and the collection of fines.

SECTION 16 – ABROGATION

The present by-law abrogates all provisions included in the following by-laws, enacted with respect to Fire Safety under numbers 01-04 (open fire), 074-86 (alarm in case of a fire), which could be incompatible with the present by-law.

SECTION 17 – INTERPRETATIVE PROVISIONS

The masculine gender and the singular are used in the present by-law without discrimination and include the feminine gender and the plural in order to avoid a laborious text.

SECTION 18 – ENTRY INTO EFFECT

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

Carried

PUBLIC QUESTION PERIOD

There were no questions from the public.

16-05-2774

CLOSING OF THE MEETING

It is

Moved by: Thomas Howard
Seconded by: Nancy Draper-Maxsom

AND RESOLVED to close the meeting at 7:15 p.m. having gone through the agenda.

Carried

MAYOR

DIRECTOR GENERAL

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