

CANADA  
PROVINCE OF QUÉBEC  
DISTRICT OF HULL

## MUNICIPALITY OF PONTIAC

RCM DES COLLINES-DE-L'OUTAOUAIS

### **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 9<sup>th</sup> 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 9<sup>th</sup> 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 15<sup>th</sup> until April 1<sup>st</sup> 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 Segways 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.  
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.

### **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.

GIVEN IN PONTIAC, this 11th day of December 2012.

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Sylvain Bertrand  
Secretary-treasurer and  
Director General

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Edward J. McCann  
Mayor

