

MUNICIPALITY OF PONTIAC

MRC DES COLLINES-DE-L'OUTAOUAIS

BY-LAW No. 20-13

BY-LAW No. 20-13 ENTITLED: «BY-LAW TO ABROGATE BY-LAW 07-12 CONCERNING PUBLIC NUISANCES ON THE TERRITORY OF THE MUNICIPALITY OF PONTIAC »

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

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

WHEREAS article 96 of the same Act;

WHEREAS a notice of motion was given at a regular Council meeting held on August 13, 2013 to the effect that the present by-law would be submitted for approval;

CONSEQUENTLY, it is

Moved by: Roger Larose
Seconded by: Thomas Howard

AND RESOLVED THAT council decrees the following:

ARTICLE 1:

Definitions

Municipality
Municipality of Pontiac

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

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

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

Officer
A person designated by the urban planning department.

ARTICLE 2:

Property maintenance

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

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

Household appliances

Scrap metal / iron

Vehicle carcasses or parts of
Rubbish

Furniture
Tires

- 2.1.b) Also considered a nuisance, a building left in a dilapidated state in which it loses 50% of its original value on the assessment roll or which constitutes a danger to anyone who is in the area around it or presents a high risk fire hazard, or unfit for habitation.
- 2.2 The use of a vehicle or parts of a vehicle for storage is prohibited to any owner, tenant or person occupying a property.
- 2.3 It is forbidden for an owner, tenant or anyone occupying a property to set up a tent.
- The person may however fill out a request for a permit which may be authorized only for special events of short duration, such as a wedding, anniversary, civic holiday, etc.
- 2.4 It is forbidden for an owner, tenant or anyone occupying a property, to install a temporary structure/shelter and to use it for storing such things as garbage or other environmental nuisances, or to leave it in a dilapidated state.
- 2.5.a) It is forbidden for an owner, tenant or anyone to use a vacant lot for storage purposes.
- b) Notwithstanding article 2.5 a), it is possible to use a lot for storing purposes when it is owned by the same owner of an adjoining lot, or reputed adjoining lot, where there is an existing main building (i.e. lot located immediately beside or separated from the residential lot by a road or a water course).
- a) Storage must be accessory to the property temporarily and cannot exceed 5% of the total area of the property on which it is situated, for a maximum of 500 square meters.
- The maximum height of items stored is 1.5 metres.
- The items stored must not represent a source of danger with respect to the health and safety of people and must not constitute a risk of polluting or creating insalubrious conditions or a fire hazard.
- 2.6 The storage of a vehicle, not registered (plated) for the current year or that is not in working order is prohibited to any owner, tenant or person occupying a property.
- A vehicle having a “storage” plate may be stored and kept outside for one (1) year.
- 2.7 Grass and weeds (or plants)
- a) It is forbidden for an owner, tenant or any person occupying a property to tolerate the presence of the following on said property:
- Ragweed (*Ambrosia artemisiifolia* and *A. trifida*)
 - Poison ivy (*Toxicodendron radicans/ Rhus radicans*)
 - Giant hogweed (*Heracleum mantegazzianum*)
- Where appropriate, the owner must proceed with their eradication, or at the very least, cut them down in order to prevent them from flowering.
- b) The upkeep of lawns (max. 15 cm) is mandatory. It should not be invasive or unsightly so as to look shocking in its environment.
- Shoreline protection zones of lakes and water courses are however excluded from the implementation of article 2.7 b) and are subject to applicable rules in virtue of the current regulations.
- 2.8 It is prohibited to have an excavation done or to leave an accumulation of earth, stones or other similar materials that cannot be reasonably recognized as forming an integral part of the landscape of the said lot.
- 2.9 It is prohibited to leave any product recognized as being a pollutant in the environment, such as acid hydrocarbons, chemical products or smoke emitted from anything other than burning wood, branches and other products recognized for heating purposes.

- 2.10 In accordance with article 3.4 b of by-law 01-04, the smoke coming from a camp fire, a barbecue or other must not, at any given time, disrupt the neighbors or the traffic.

ARTICLE 3

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

ARTICLE 4

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

ARTICLE 5

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

ARTICLE 6

Penalties

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

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

ARTICLE 7

Effective Date

This by-law will be in force according to the Law.

Carried

GIVEN IN PONTIAC (QUEBEC), THIS September 13, 2013

Edward J. McCann
Mayor

Sylvain Bertrand
Director General / Secretary-treasurer