

CANADA
MUNICIPALITY OF PONTIAC
PROVINCE OF QUEBEC

BY-LAW 24-13

BY-LAW No. 24-13 AMENDING THE BY-LAW REGARDING THE ADMINISTRATION AND INTERPRETATION OF URBAN PLANNING BY-LAWS No. 176-01 TO INCLUDE THE DEFINITION OF "NATURAL HIGH WATER LINE"

WHEREAS THAT a notice of motion was filed by Councilor Dr. Jean Amyotte at the special meeting of November 19th 2013;

WHEREAS the draft by-law was submitted to the Special Meeting of November 19th 2013;

WHEREAS the municipal council wishes to adjust the provisions of the By-law regarding the administration and interpretation of urban planning by-laws no. 176-01 to include the definition of "natural high water line (*ligne naturelle des hautes eaux*)";

CONSEQUENTLY, it is resolved that by-law no. 24-13 be adopted by council, as follows:

Moved by: R. Denis Dubé
Seconded by: Inès Pontiroli

ARTICLE 1

The By-law regarding the administration and interpretation of urban planning by-laws no. 176-01 is amended to add the following definition to section 2.1 "*Interprétation du texte et terminologie* (interpretation of the text and terminology)", after the definition of "*ligne latérale* (side lot line)":

NATURAL HIGH WATER LINE (*LIGNE NATURELLE DES HAUTES EAUX*)

The natural high water line refers to the line used to delimit the littoral zone from the shores of the lakes and watercourses.

This natural high water line corresponds to the point of transition from a predominance of aquatic vegetation to a predominance of land vegetation. To this end, the following are considered aquatic plants: all water-loving plants including submerged plants, floating leaf plants, emergent plants and emerged herbaceous ligneous plants characteristic of marshes and swamps opened on bodies of water.

When there is no aquatic vegetation to help determine the natural high water line, it then corresponds to the point closest to the water where land vegetation no longer grows.

When there is a water retaining structure, the natural high water line corresponds to the maximum operating water level of the hydraulic structure for the upstream portion of the body of water.

When there is a legally erected retaining wall, the natural high water line corresponds to the top of the structure.

When the natural high water line cannot be determined using the above criteria, it is deemed to correspond to the 2-year recurring flood level, which is considered to correspond to the line established according to the botanical criteria.

ARTICLE 2

This by-law will come into force upon completion of the formalities required by law.

Carried


MAYOR


ASSISTANT DIRECTOR GENERAL

Adoption of by-law:

April 8, 2014

Coming into force:

June 4, 2014