

Municipalité de | Municipality of

Pontiac

**PROVINCE OF QUEBEC
PONTIAC COUNTY**

MINUTES of the regular Council meeting of the Municipality of Pontiac held on Tuesday, February 13, 2024, at 7:30 p.m. at the Luskville Community Centre, located at 2024 route 148, Pontiac, at which were present:

Mr. Roger Larose, Mayor and Councillors, Mrs. Diane Lacasse, Mrs. Caryl McCann, Mr. Garry Dagenais, and Mr. Serge Laforest.

Also present, Mario Allen, Acting Director General and a few citizens.

Excused absences: Mrs. Chantal Allen and Dr. Jean Amyotte, Councillors.

1. OPENING OF THE MEETING

Roger Larose, President, notes the quorum and opens the meeting. The meeting starts at 7:30 p.m.

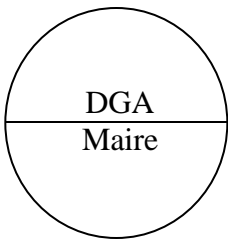
2. FLOOR TO THE PUBLIC AND QUESTIONS

Mayor, Roger Larose, takes note of the entries in the register of questions and gives the floor to the public.

3. ADOPTION OF THE AGENDA

- 1. Opening of the meeting**
- 2. Floor to the public and questions**
- 3. Adoption of the agenda**
- 4. Adoption of the minutes of the meeting of January 23, 2024**
- 5. Administration**
 - 5.1 List of incurred expenses
 - 5.2 Adoption - bylaw 02-24 regarding agreements in relation with municipal work
 - 5.3 Notice of motion - bylaw 04-24
 - 5.4 Tabling of the draft bylaw 04-24 to repeal bylaw 12-03 concerning tolerance roads
 - 5.5 Renewal of the service offer - Société d'Évaluation Immobilière de l'Outaouais
 - 5.6 Acceptance of service offer - Microrama - computer server
 - 5.7 Renewal of the electoral district division
 - 5.8 Creation of a committee for the negotiations of the collective agreement of the blue-collar and white-collar employees
 - 5.9 Acceptance of service offer - MC Perreault legal advisor - legal services
 - 5.10 Notice of motion - bylaw 08-24

24-02-5181



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5.11 Tabling of the draft bylaw 08-24 concerning the pricing of goods and services of the Municipality of Pontiac

6. Public Works

6.1 Purchase of equipment for Public Works

7. Urban Planning and zoning

7.1 Adoption of bylaw 03-24 concerning the occupancy and maintenance of buildings

7.2 Notice of motion - bylaw 05-24

7.3 Tabling of draft bylaw 05-24 concerning minor variances in the Municipality of Pontiac

7.4 Notice of motion - bylaw 06-24

7.5 Tabling of the draft bylaw 06-24 concerning minor variances in the Municipality of Pontiac

7.6 Notice of motion - bylaw 07-24

7.7 Tabling of the draft bylaw 07-24 concerning the operation of the Planning Advisory Committee (PAC)

7.8 Legal procedures - lot 5 814 420 - 2311 Westbrook Road

7.9 Legal procedures - lot 5 815 283 - 55 Frazer Road

7.10 Acceptance of the service offer - Drone Logik

8. Tabling of documents

8.1 Tabling of the report regarding the delegation of authorization of expenses from December 18, 2023 to January 25, 2024

9. Public question period

10. Closing of the meeting

IT IS MOVED BY the Mayor Roger Larose and seconded by Councillor Garry Dagenais.

AND RESOLVED to adopt the agenda as prepared and read.

Carried

24-02-5182

4. ADOPTION OF THE MINUTES OF JANUARY 23, 2024

IT IS MOVED BY the Mayor Roger Larose and seconded by Councillor Garry Dagenais.

AND RESOLVED to adopt the minutes of January 23, 2023.

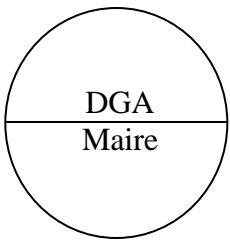
Carried

5. ADMINISTRATION

24-02-5183

5.1 Adoption of bylaw 02-24 regarding agreements in relation with municipal work





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WHEREAS, pursuant to section 145.21 of the Act respecting land use planning and development (L.R.Q., c. A-19.1), a municipality may adopt a bylaw regarding the issuance of a building or subdivision permit or a certificate of authorization or occupancy following the conclusion of an agreement between the applicant and the municipality concerning the execution of work related to municipal infrastructure and equipment and the assumption or sharing of costs relating to such work;

WHEREAS a notice of motion to adopt this bylaw was given at the regular Council meeting of January 23, 2024;

WHEREAS this bylaw replaces and repeals bylaw 08-12, entitled bylaw 02-24 regarding agreements in relation with municipal work;

THEREFORE, it is moved by Councillor Serge Laforest and seconded by Councillor Diane Lacasse.

AND RESOLVED THAT the Municipality of Pontiac's Council ordains, rules and decrees as follows:

CHAPTER 1 : DECLARATORY, INTERPRETATIVE AND ADMINISTRATIVE PROVISIONS

SECTION 1. Definitions

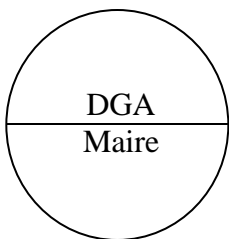
For the purposes of this bylaw and any agreement resulting therefrom, the following words and expressions shall have the meanings given to them as follows:

1.1 Work beneficiaries

Anyone having an immovable on the territory of the Municipality, other than the applicant identified in the agreement prepared for this purpose, who receives a benefit, following the completion of municipal work that is the subject of the said agreement concluded, under the provisions of the present bylaw.

For the purposes of this bylaw, the benefit is received not only when the person actually uses the good or service, but also when this good or service benefits or is likely to benefit the immovable in question, in accordance with the Act respecting municipal taxation L.R.Q., c. F-19.1).

1.2 Contribution for parks, playgrounds and natural areas



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Land or easement transferred to the Municipality used solely for the establishment or enlargement of a park or playground or for the maintenance of a natural area, all in accordance with the subdivision bylaw in effect.

1.3 Applicant

Anyone who submits a compliant application to the Municipality, pursuant to section 4, and who has entered into an agreement with the Municipality concerning municipal work, intended to become public, within the scope of the present bylaw.

1.4 Agreement

Any agreement entered into, relating to municipal works pursuant to the present bylaw.

1.5 Designated professional

A member in good standing of the *Ordre des ingénieurs du Québec*, whose services are retained by the applicant or, as the case may be, by the Municipality.

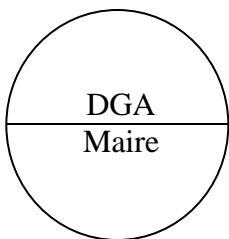
1.6 Municipal infrastructures, structures or equipment

Infrastructure, constructions or municipal equipment, intended to become public, must respect the provincial and municipal regulations in force, in particular, the following bylaws and their replacement in force, if any:

- Bylaw 178-01 : Subdivision bylaw ;
- Bylaw 28-13 to repeal bylaw 28-13 to amend the subdivision by-law no. 178-01, relating to land transfers, to be used for parks, playgrounds and natural areas, applicable when a subdivision permit is issued
- Bylaw 01-07 stipulating the conditions to municipalize roads
- Bylaw 01-02 : regarding taking charge of roads;
- Bylaw 01-09 : pertaining to connections to the sewage system
- Bylaw 07-14 to repeal bylaw no. 08-08 pertaining to the taxation and levy of taxes for the extension and connection to the water and sewer network.

1.7 Municipality

The Municipality of Pontiac.



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1.8 Final acceptance

The fact that the works related to the municipal work have been completed and all deficiencies have been corrected unconditionally. Final acceptance of the work is recommended and certified by the professional designated for the project and accepted by the Municipality.

1.9 Oversizing

Any work of a size or gauge exceeding that required for the needs of the project or exceeding that of standard infrastructure, constructions or equipment to provide service, in whole or in part, to buildings other than those of the applicant.

1.10 Municipal work

All work relating to municipal infrastructure, constructions and equipment, intended to become public, carried out at 100% at the applicant's expense, including in particular :

- any street construction and development work (including that part of the street bordering intersecting properties), from initial tree cutting and excavation or backfilling to paving, sidewalks, lighting and power supply networks, including all intermediate stages, street drainage work, ditches, culvert construction and development, bridge construction, as well as storm and drainage network work to provide an outlet for water ;
- any construction work and water and sewer lines, as well as the installation of fire hydrants;
- any work on pedestrian paths, bicycle paths and buffer screens, as well as landscaping.

SECTION 2. Targeted territory

The bylaw applies to the entire territory of the Municipality of Pontiac.

SECTION 3. Discretion of the Council of the Municipality

The Municipality is responsible for the planning and development of its territory. It retains, at all times, full discretion to decide on the possibility of entering into an agreement for municipal work, aimed at serving one or more properties, constructions or facilities destined to become public. When the Council agrees to allow such municipal works to be carried out, the provisions of the present bylaw shall apply.



CHAPTER 2 : PROVISIONS RELATING TO A MUNICIPAL WORKS AGREEMENT

SECTION 4. Subject to an agreement

The issuance of a building permit, subdivision permit or certificate of authorization for the following categories is subject to the prior conclusion of a municipal works agreement between the applicant and the Municipality:

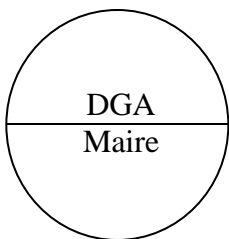
- All construction and development work on a street intended for municipalization (including the portion of the street bordering intersecting lots), from the initial cutting of trees and cut or fill to paving, sidewalks, lighting and power supply systems, including all intermediate stages, street drainage work, ditches, culvert construction and development, bridge construction, and storm and drainage system work to provide an outlet for water;
- All aqueduct and sewer construction and piping work, as well as the installation of fire hydrants;
- All work on footpaths, bicycle paths and buffer screens, as well as landscaping work;
- Infrastructure and equipment, wherever located, if required to serve other buildings on the Municipality's territory or in anticipation of a development project.

SECTION 5. Purpose of the agreement

The agreement covers municipal works intended to become public. The agreement may also cover infrastructure, constructions and equipment, regardless of where they are located on the territory of the Municipality, which is intended to serve not only the properties covered by the said agreement, but also other properties on the territory of the Municipality, in accordance with provincial and municipal laws and regulations.

In particular, the agreement may provide for the following:

1. Designation of the parties, including the applicant and, where applicable, the beneficiaries;
2. A description of the project and the work to be carried out, as well as the party responsible for all or part of the work, based on the final plans and specifications;
3. Determination of the costs of the work to be borne by the applicant;
4. Determination of the financial guarantee for execution and maintenance;



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5. Terms and conditions for the return of the performance and maintenance financial guarantees to the applicant;

SECTION 6. Process leading to the conclusion of a municipal works agreement

1. Analysis of preliminary plan and approval by Municipal Council resolution

Prior to the preparation of final plans and specifications, the applicant must provide a preliminary plan for analysis. During project analysis, various municipal departments may request modifications to the documents submitted, at the applicant's expense. A recommendation is then made for approval by the Municipal Council, which will designate the nature of the contribution for park purposes or easements, where applicable.

This approval of the preliminary plan cannot be considered as giving the applicant the right to carry out any work whatsoever. The Municipality retains full discretion as to whether or not to sign an agreement, despite the recommendation of its departments.

Required documents:

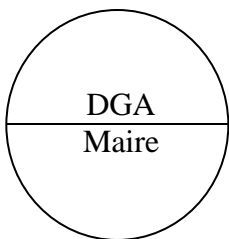
- 1.1 Signature of applicant's declaration provided by the Municipality.
- 1.2 Preliminary subdivision plan, prepared by a professional (e.g., engineer, land surveyor, urban planner, technologist) of the site targeted by municipal work, indicating all streets and lots in need of cadastral surveys, as well as any natural constraints on the entire lot to be developed. Note that the preliminary plan may also indicate contributions for park purposes and easements if required by the Municipality.
- 1.3 Property valuation of the lot(s) concerned, based on the development project provided for in the agreement.

2. Preparation of the draft agreement

For the Municipal Council to approve the final agreement and, consequently, authorize the beginning of municipal work, the applicant must provide the Municipality with the following documents:

Required documents:

- 2.1 The final subdivision plan, prepared by a professional (e.g., engineer, land surveyor, urban planner, technologist) of the site targeted for municipal work, showing all streets and lots in need of cadastral surveys, as well as any natural constraints on the entire lot to be developed.



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Mainly, the final plan must show :

- Roadway: street (including curb), collector, pedestrian path;
- Drainage and services (aqueduct, wastewater): aqueduct pipe, sanitary pipe, storm pipe, ditches, culverts, pumping stations;
- Road safety: street lighting, signage, postal kiosk;
- Technical services: electricity (Hydro-Québec, Internet, gas) ;
- Designation of contribution for park purposes, playgrounds and natural areas;
- Necessary servitudes;
- Natural constraints including: wetlands, flood zones (0-20 years, 0-100 years, mass movement zone, chorus frog habitat, etc.).

2.2 The applicant must provide the financial guarantees stipulated in article 11.

2.3 The applicant must provide a schedule for completion of the work to be carried out. This schedule must indicate the various stages of the project, and more specifically the following stages:

- Dates and staggering of the various phases up to completion of the work, if the applicant intends to divide the municipal work into more than one phase;
- Desired opening date of the street as a public street;
- Expected date of receipt of necessary authorizations from various ministries (Ministry of Environment, Ministry of Transports, etc.) or other public authorities, if applicable;
- Desired date for connection to municipal and technical services (Hydro-Québec, Internet, gas), if required;

2.4 Any other document, information, plan or study that may be required by the Municipality for approval of the application.

3. Approval of the final agreement by the Municipal Council and signature of the agreement by the parties.

4. Payment of permit or certificate fees and granting of permit by the Municipality.

5. Beginning of municipal work stipulated in the agreement.



- 6. Issuance of performance bond based on final acceptance of work certified by the designated professional, according to type of work and phasing determined in agreement.**
- 7. Transfer of municipal work by notarial deeds.**
- 8. Issuance of maintenance bond based on final acceptance of work by the designated professional.**

SECTION 7. Applicant's obligations under an agreement

To be authorized to begin work, the applicant must:

- 7.1 An agreement must be entered into with the applicant prior to carrying out the municipal work intended to become public, within 12 months of the transmission of the preliminary plans and specifications, failing to do so the applicant will be deemed refusing to sign the agreement.
- 7.2 If there is more than one applicant, each applicant must commit to the Municipality, jointly and severally, for each and every one of the obligations provided for in the present bylaw or in the agreement.

While the municipal work is being carried out, the applicant must :

- 7.3 The Municipal Council may assign responsibility for carrying out the municipal work to the applicant, in whole or in part, in accordance with the terms and conditions set out in this bylaw.
- 7.4 The applicant undertakes to pay 100% of all fees and costs associated with carrying out the municipal work listed in Chapter 3 of this bylaw and to transfer all municipal work provided for in the agreement free of charge;
- 7.5 Plans and specifications, notices of change, inspection reports, analyses and tests are binding on the applicant and constitute the Municipality's requirements for taking over municipal work by the Municipality.
- 7.6 The applicant must allow access for the works to be inspected and tested at all times;
- 7.7 The applicant shall bear the cost of any corrective work or inspections and tests and shall restore any works, if disturbed, all at the applicant's expense;



After completion of municipal work, the applicant must :

- 7.8 The applicant undertakes to indemnify the Municipality against any claim whatsoever that may arise from the execution of the work, inspections, tests or corrections and undertakes to take up the Municipality's defence in any legal proceedings.
- 7.9 The applicant undertakes to transfer, by notarial deed and at its own expense, the municipal work intended to become public.

CHAPTER 3. PROVISIONS RELATING TO MUNICIPAL WORKS

SECTION 8. Beginning of work under agreement

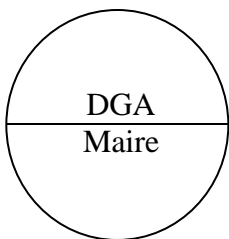
No work, unless expressly authorized by the Municipality and in cases of absolute necessity, may start prior to the signing of said agreement.

SECTION 9. Execution of municipal work

The applicant is the prime contractor for the municipal work, and, in this case, all costs associated with the municipal work to carry it out shall be borne by the applicant.

SECTION 10. Costs related to municipal work

1. Subject to paragraph 2.a), the applicant shall assume one hundred percent (100%) of all costs associated with the completion of the municipal work covered by the agreement. In addition, the applicant must assume the following costs (non-exhaustive):
 - Costs related to surveying, staking and topographical surveys;
 - Costs of any other studies required (e.g.: laboratory and soil studies, surveying, hydrology, environmental (phase 1 and 2), biological, watercourse, watershed, drainage, structural, traffic, signage, easement preparation, etc.), if required;
 - Costs related to the preparation of plans and specifications (preliminary and final plans);
 - Costs related to the preparation, execution, inspection, testing, correction and supervision of the municipal work in question;
 - Legal fees (lawyers, notaries and other professional fees) incurred for the transfer of the municipal work in question;
 - All taxes, including provincial and federal sales taxes;



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- Any other costs required for the design and execution of the municipal work covered by the agreement.
2. Subject to the exceptions set out below, the applicant shall assume 100% of the cost of carrying out the municipal work covered by the agreement:
- a) In the event that the Municipality requires oversizing as defined in the present bylaw, or the construction of a pumping station, retention basin or booster station and their interception and collection works, or any other equipment, infrastructure or construction of the same nature, and as a prerequisite to the issuance of a permit or authorization and the signing of the agreement, if, as a result of the execution of the agreement, the municipal work in question benefits a beneficiary, in this case a citizen other than the applicant, in a concrete and reasonable manner, by improving the municipal services available to his or her building or by improving his or her living environment, the latter must participate in the payment of the cost of the municipal work in proportion to the benefit received through a share levied in accordance with the Act respecting municipal taxation (L. R.Q., c.F-2.1).

CHAPTER 4. PROVISIONS RELATING TO REQUIRED FINANCIAL GUARANTEES

SECTION 11. Types of financial guarantees required under the agreement

In order to guarantee the proper performance of all of the applicant's obligations, the latter must provide, for the preparation of the draft agreement as indicated in section 6 and mandatory for the signing of the agreement, a duly authorized financial institution within the limits of the province of Quebec, payable to the order of the Municipality and, cashable upon request by the latter. The sum of the financial guarantee amounts is equivalent to the work estimate certified by the designated professional:

Financial performance bond: The applicant must provide a financial performance bond, including full payment for labour and materials. The financial performance bond may be segmented into performance phases, subject to agreement between the parties (e.g.: construction of phase 1 of a road may include a financial performance bond for the road's infrastructure and another financial performance bond for paving phase 1 of the road).

and

Maintenance financial guarantee: The applicant must provide a maintenance financial guarantee or maintenance bond equivalent to 10% of the total municipal work covered by the agreement. The maintenance financial guarantee is held for a period of two years from final acceptance of the work, before being returned to the applicant.



When the contribution for parks, playgrounds and natural areas is planned in surface area (land) and unattainable (undeveloped) according to the phasing of the project:

If the development project is to be carried out in several phases and the portion of land to be transferred as parks, playgrounds and natural areas under the subdivision bylaw is in a subsequent phase not included in the subdivision plan, the applicant must pay, either in cash or in the form of a bank letter of credit, an amount equivalent to the price of the land to be transferred based on the value determined according to the subdivision bylaw in effect for the land to be transferred.

The applicant must also undertake to dispose of the land when the subsequent phase is developed. Should the subsequent phase not be carried out according to schedule, the Municipality will either require the transfer or will keep the sums as compensation and pay them into its special fund for parks, playgrounds and natural areas.

SECTION 12. Methods of remitting financial guarantees

The applicant is automatically designated as the person responsible for carrying out the municipal work. For each remittance of a financial guarantee, the applicant must provide a certificate of completion of the work.

Terms of delivery of the performance bond :

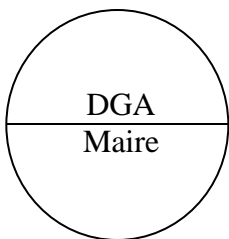
Delivery of the performance bond is made at the time of final completion of the work for the portion of the work completed, as worded in the financial guarantee and mandatorily attested by the designated professional.

Terms of delivery of the maintenance bond :

The maintenance bond shall be remitted two (2) years after receipt of the designated professional's attestation that all municipal work covered by the agreement has been completed, subject to the notarized transfer of said municipal work covered by the agreement and to be transferred to the Municipality.

Method of delivery of the financial guarantee in connection with the contribution for park purposes, playgrounds and natural spaces planned in surface area (land) and unattainable (undeveloped) according to the phasing of the project:

SECTION 13. Penalties for delay, non-completion of municipal work covered by the agreement and withholding of financial guarantees



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In the event of delay or non-completion by the applicant in carrying out the municipal work incumbent upon it in accordance with the schedule specified in the plans and specifications, the Municipality may exercise its rights under the financial guarantees provided by the applicant. The Municipality will be entitled to carry out and have certified the municipal work, still overdue or not completed, covered by the agreement, using the financial guarantee for execution or the financial guarantee for maintenance.

SECTION 14. Coming into force

This bylaw repeals and replaces bylaw 08-12.

The present bylaw will come into force after completion of the formalities provided for in the Act respecting land use planning and development (L.R.Q., chapter A-19.1) and may only be modified by means of another bylaw in accordance with the provisions of the said Act.

Carried

5.2 Notice of motion

Notice of motion is given by Councillor Serge Laforest of Ward 4 of the Municipality of Pontiac, to the effect that there will be adoption of bylaw #04-24 to repeal bylaw 12-03 concerning tolerance roads.

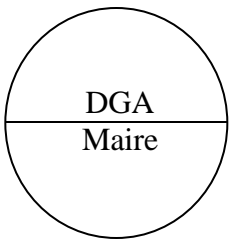
5.3 Tabling of draft bylaw 04-24 to repeal bylaw 12-03 concerning tolerance roads

WHEREAS bylaw 12-03 concerning tolerance roads, adopted December 9, 2003;

WHEREAS this bylaw is no longer applicable since the adoption of bylaw 09-22 concerning the maintenance of private roads open to the public by tolerance, on September 13, 2022, and bylaw 08-23, concerning the light maintenance service for private roads open to the public by tolerance, adopted on August 8, 2023;

THEREFORE, it is moved by Councillor XX and seconded by Councillor XX.

AND RESOLVED to repeal bylaw 12-03.



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5.4 Renewal of the service offer - Société d'Évaluation Immobilière de l'Outaouais

WHEREAS the amount of \$3,500.00 from resolution 24-01-5171 has been exhausted;

WHEREAS the 2024 budget forecast for various professional services, budget item 02 61000 411;

WHEREAS the service offer from the Société d'Évaluation Immobilière de l'Outaouais;

THEREFORE, it is moved by Councillor Caryl McCann and seconded by Councillor Diane Lacasse.

AND RESOLVED to renew the service offer from the Société d'Évaluation Immobilière de l'Outaouais.

THAT these expenses be authorized as needed, up to a maximum amount of \$3,500.00, plus applicable taxes.

THAT this expenditure be taken from budget item 02 61000 411.

Carried

24-02-5185

5.5 Acceptance of service offer - Microrama - computer server

WHEREAS the 2024 budget forecasts regarding the improvements to be implemented for the new computer system;

WHEREAS it is necessary to replace the server in order to improve computer performance;

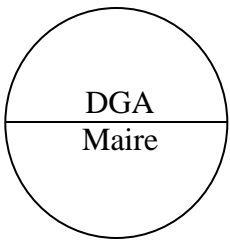
WHEREAS the offer received from Microrama for the server in the amount of 26,500.00, plus applicable taxes.

THEREFORE, it is moved by Councillor Chantal Allen and seconded by Councillor Serge Laforest.

AND RESOLVED to accept the service offer from Microrama for the server in the amount of \$26,500.00, plus applicable taxes.

THAT this expenditure be taken from the working capital.

Carried



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24-02-5186

5.6 Renewal of the electoral district division

WHEREAS the Municipality of Pontiac divides its territory into electoral districts every four years;

WHEREAS the Municipality of Pontiac complies with articles 9, 11 and 12 or as the case may be, 12.0.1 of the Act respecting elections and referendums in municipalities (L.R.Q. c. E-2.2);

WHEREAS the Municipality of Pontiac requests a renewal of the same division before March 15 of the calendar year preceding the year in which the general election is to take place;

WHEREAS the request for renewal is accompanied by the document provided for in section 12.1, and this document also indicates the number of electors for each of the current electoral districts;

WHEREAS the Electoral Representation Commission will send the Municipality of Pontiac a certified copy of the decision to confirm or not that the Municipality of Pontiac fulfills the conditions for renewing the same divisions;

THEREFORE, it is moved by Councillor Serge Laforest and seconded by Councillor Diane Lacasse.

AND RESOLVED THAT the Municipality of Pontiac asks the Electoral Representation Commission to confirm that it fulfills the conditions required to renew the division of the territory of the Municipality of Pontiac into electoral districts.

Carried

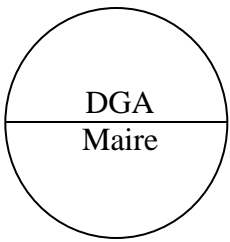
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5.7 Creation of a committee for the negotiations of the collective agreement of the blue-collar and white-collar employees

WHEREAS the collective agreement for blue-collar and white-collar employees must be renewed;

WHEREAS it is necessary to create a negotiating committee for this purpose;

THEREFORE, it is moved by Councillor Garry Dagenais and seconded by Councillor Caryl McCann.



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AND RESOLVED THAT Mr. Roger Larose, Mayor, and Mr. Louis-Alexandre Monast, Assistant Director General, sit on the negotiating committee for the preparation of the new collective agreement for blue-collar and white-collar employees.

THAT Mr. Larose and Mr. Monast retain the services of a legal advisor, if necessary.

Carried

24-02-5188

5.8 Acceptance of service offer - MC Perreault legal advisor - legal services

WHEREAS the 2024 budget forecast for various legal services;

WHEREAS the service offer submitted by MC Perreault legal advisor;

THEREFORE, it is moved by Councillor Diane Lacasse and seconded by Councillor Caryl McCann.

AND RESOLVED TO accept the service offer from MC Perreault legal advisor, based on a bank of hours of 40 hours for certain legal services, for the year 2024.

THAT this expenditure be allocated to budget items ending in 412 - legal services.

Carried

5.9 Notice of motion

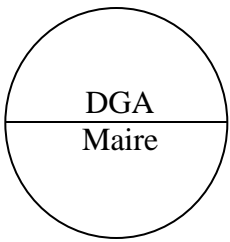
Notice of motion is given by Councillor Diane Lacasse of Ward 1 of the Municipality of Pontiac, to the effect that there will be adoption of bylaw 08-24 to repeal bylaw 05-23 concerning the pricing of goods and services of the Municipality of Pontiac.

5.10 Tabling of draft bylaw 08-24 to repeal bylaw 05-23 concerning the pricing of goods and services of the Municipality of Pontiac

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 is empowered to regulate the cases where a permit is required, to prescribe the cost, the conditions and terms of issuance as well as the rules for suspension or revocation;

WHEREAS the Municipality is empowered to prescribe the costs of renting its infrastructure, selling its equipment and offering its services;



WHEREAS it is necessary to update the pricing grid to that effect;

WHEREAS a notice of motion of this bylaw was duly given at the regular council meeting held on February 13, 2024;

THEREFORE, it is moved by Councillor XX and seconded by Councillor XX.

AND RESOLVED THAT this bylaw be adopted and that it be declared and decreed as follows:

SECTION 1 The preamble forms an integral part of this bylaw.

SECTION 2 DECLARATORY AND INTERPRETATIVE PROVISION

2.1 This bylaw prescribes the rates applicable to the issuance of permits, certificates of authorization, rental of municipal infrastructure, sale of equipment and municipal services offered.

2.2 **DEFINITIONS OF TERMS**

Individual: any person or persons;

Resident: a person domiciled on the territory of the Municipality of Pontiac;

Legal person: a legal entity of private or public law governed by the Civil Code and by other laws;

Non-resident: a person domiciled elsewhere than on the territory of the Municipality of Pontiac

SECTION 3 RATES FOR THE ISSUANCE OF PERMITS, CERTIFICATES, RENTAL OF INFRASTRUCTURE, SALE OF EQUIPMENT AND SERVICES OFFERED

Type	Cost	Notes
PERMITS		
New septic installation	\$600	Refund of \$400 upon receipt of a certificate of compliance
Septic system replacement/repair	\$250	Refund of \$100 upon receipt of the certificate of compliance
Underground water catchment	\$250	Reimbursement of \$100 upon receipt of the drilling report



Subdivision for the 1 st and 2 nd lot	\$100 each	\$50 for each additional lot
New construction (residential, commercial, industrial, community)	\$0.35/p ² or \$3.77/m ²	
Renewal of new construction permit for main building	\$0.20/p ² or \$2.15\$/m ²	
New construction in an area of PIIA	\$750\$ + permit fees	
Renovations/modifications of a building in an area of PIIA	\$400\$ + permit fees	
Building extension (including extension of living space/addition of a dwelling)	\$100	
Secondary building (gazebo, garage, shed, etc.)	\$25 if less than 10'X10'	\$50 if more than 10'X10'
Utility farm building (hay, farm tools, vehicle)	\$50	
Agricultural building for animals	\$150	
Renovation, modification, expansion, etc.	\$50	
Demolition/ relocation of a building	\$50	
Pool/spa (including fence and terrace)	\$50	
Gallery, patio, terrace, dock	\$25	
Veranda/solarium	\$50	
Work in wetlands or riparian areas	\$100	
Use of flood zone mapping	\$50 + permit fees	
Change of use of a building	\$50	
Minor variance	\$750	Including publication fees
SCAOPE	1000\$	
Business permit	\$50	
Mobile canteen	Annual : \$400 Seasonal (6 months) : \$200 Daily : \$25	
Commercial tree cutting	\$150	
Cancellation of a permit application	\$25	
Display	\$50	
Request for the construction/ installation of a telecommunication tower	\$2000	
CERTIFICATES OF AUTHORIZATION		
Party - event	Free of charge	Valid for 72 hours
Accès aux parcs après 23 heures	Free of charge	Valid for 72 hours
Feu /feux d'artifice - endroit public	Free of charge	Valid for 72 hours
Peddling/Solicitation N.P.O.	Free of charge	Duration of the campaign
Garage sale	Free of charge	Valid for 24 hours



ANALYSIS / CERTIFICATE OF CONFORMITY		
Spreading of RFM	\$300	
Application to the CPTAQ	\$300	
EQUIPMENT AND SERVICES		
Connection to the water network	\$750	The citizen is responsible for the cost of preparation work and any additional parts necessary for the connection
Connection to the sewage network	\$750	The citizen is responsible for the cost of preparation work and any additional parts necessary for the connection
Emptying of camper	\$20	Location: Quyon village
Request for backfill	Free of charge	According to availability
Grading	\$150/hour	For private roads without Public Work services
10-Wheeler truck	\$100/hour	
Backhoe	\$100/hour	
Excavator	\$150/hour	
Civic number	\$60	
Purchase of garbage bin 360 L - new	\$160	
Purchase of garbage bin 240 L - new	\$150	
Purchase of garbage bin 360 L - used	\$75	Based on inventory
Repurchase of garbage bin 360 L - used	\$50	The bin must be good condition
Purchase of recycling bin 360 L - new	\$160	
Purchase of recycling bin 360 L - used	\$75	Based on inventory
Repurchase of recycling bin 360 L - used	\$50	The bin must be good condition
Compost cone	Free	
Bin repair	Free	The bin must have been purchased at the Municipality
ADMINISTRATION		
Service of a Commissioner of Oaths	Free of charge	
Photocopy	\$0,75/sheet	
Copy of the zoning bylaw	\$60	Available online free of charge
Copy of the Subdivision bylaw	\$10	Available online free of charge
Copy of the construction bylaw	\$20	Available online free of charge
Copy of the Administration and Interpretation of the Planning bylaws	\$20	Available online free of charge
Municipality's pin	\$1.50	\$10 if sent via mail
Municipality's flag	Cost price plus applicable taxes	



NSF cheque	\$20			
PAC – participation token	\$100/\$50		For the president of the PAC / for the members of the PAC (15-04-2342)	
RENTAL OF THE MUNICIPAL INFRASTRUCTURE				
Daily fees	Luskville Community Centre	Quyon Women’s Institute / Breckenridge Community Hall	Quyon Community Centre	Quyon and Luskville libraries
Deposit (for all)	\$200	\$200	\$200	\$200
- Municipal organizations - Municipal schools (including alcohol sales and other fundraisers)	\$0	\$0	\$0	\$0
Instructors, artists, trainers - One-time session - Long-term session	\$25 \$75/ month	\$25 \$75/ month	\$25 \$75/ month	\$25 \$75/ month
Municipal daycares (parents-children activities)	\$75	\$75	\$75	\$50
- Visiting organizations (including alcohol sales and other fundraisers)	\$300	\$300	\$300	\$100 (alcohol prohibited)
Residents (including alcohol sales and other fundraisers)	150\$	50\$	200\$	\$50 (alcohol prohibited)
Non-residents (including alcohol sales and other fundraisers)	\$300	\$100	\$400	\$75 (alcohol prohibited)
Other activities (Classes and activities approved by the Municipality, for residents/ (without a license or selling of alcohol))	\$0	\$0	\$0	\$0

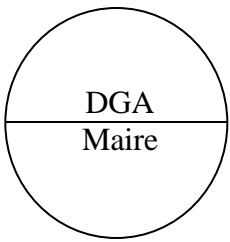


Funerals (residents or their family)	\$0	\$0	\$0	N/A
Wedding reception	\$350	\$50	\$350	N/A
- residents				
- Non-residents	\$400	\$100	\$400	
PARKS AND ICE RINKS				
	Luskville or Quyon skating rinks		Baseball / soccer field /park	
Deposit (except for non-profit organizations)	\$200		\$200	
- Non-profit organisations - Local organizations recognized by the Municipality of Pontiac -Governmental organizations (with or without a license or selling of alcohol))	Free of charge		Free of charge	
Residents - without a license or selling of alcohol	\$50		\$50	
Residents - with a license or selling of alcohol	\$75		\$75	
Non-residents - without a license or selling of alcohol	\$150		\$150	
Non-residents - with a license or selling of alcohol	\$175		\$175	
DAY CAMP				
Residents	\$150 per child, per week			
Non-residents	\$200 per child, per week			

SECTION 4 ABROGATION

This bylaw abrogates and replaces the bylaw 05-23.

SECTION 5 This bylaw will come into force according with the Law.



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6. PUBLIC WORKS

24-02-5189

6.1 Purchase of equipment for Public Works

WHEREAS the Municipality is responsible for snow removal in the village;

WHEREAS blue-collar workers have recommended the purchase of a snowplow for tractor No. 87;

WHEREAS a used snowplow is available from a supplier;

WHEREAS it is possible to proceed with the purchase by mutual agreement;

THEREFORE, it moved by Councillor Serge Laforest and seconded by Councillor Garry Dagenais.

AND RESOLVED to proceed with the purchase of a used snow scraper in the amount of \$3800.00 plus taxes from Excavation CMS.

THAT this expense be taken from budget item 02 33000 525.

Carried

7. URBAN PLANNING AND ZONING

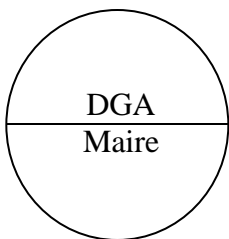
24-02-5190

7.1 Adoption of bylaw 03-24 concerning the occupancy and maintenance of buildings

WHEREAS, pursuant to sections 145.41 and 145.41.1 to 145.41.5 of the Act respecting land use planning and development (RLRQ, chapter A-19.1), any local municipality may provide for the adoption of a bylaw concerning the occupancy and maintenance of buildings, which allows a municipality to control dilapidated or dilapidated buildings located on its territory;

WHEREAS under sections 4, 6, 55 and 59 of the Municipal Powers Act (RLRQ, chapter C-47.1), any local municipality may provide for any prohibition and may adopt bylaws relating to sanitation and nuisances;

WHEREAS under sections 127 to 147 of the Cultural Heritage Act (RLRQ, chapter P-9.002), following the designation of a heritage immovable or site, any local municipality may establish, by resolution, conditions relating to the conservation of the heritage values of the immovable or site in question. These conditions are in addition to municipal bylaws and may apply to the entire building;



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WHEREAS several buildings in the Municipality of Pontiac have not been sufficiently maintained and that this dilapidation causes prejudice to neighbouring properties that comply with the bylaws;

WHEREAS a notice of motion of the present bylaw was duly given at the regular council meeting held on December 12, 2023;

THEREFORE, it is moved by Councillor Diane Lacasse and seconded by Councillor Garry Dagenais.

AND RESOLVED THAT Council decrees and adopts the following:

CHAPTER 1 : GENERAL PROVISIONS

SECTION 1 The preamble forms an integral part of the present bylaw.

SECTION 2 - TITLE

This bylaw is entitled " Bylaw 03-24 concerning the occupancy and maintenance of buildings ".

SECTION 3 - VALIDITY

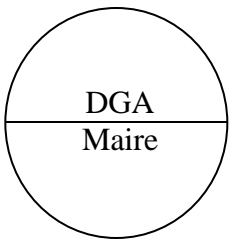
The Council adopts the present bylaw as a whole and also chapter by chapter, section by section, article by article, paragraph by paragraph, subparagraph by subparagraph and indent by indent. If any chapter, section, article, paragraph, subparagraph or indent of the present bylaw is declared null and void by an authorized body, the remainder of the bylaw shall continue to apply to the fullest extent possible.

SECTION 4 - SCOPE OF APPLICATION

The present bylaw establishes standards to control dilapidated or dilapidated buildings located on the territory of the Municipality of Pontiac and to compel building owners to maintain them.

This bylaw applies to any building or part of a building, as well as their accessories, including but not limited to warehouses, balconies, garages, carports and sheds hereinafter referred to as "buildings".

SECTION 5 - PRECEDENCE



In the event of any inconsistency between a provision of the present bylaw and a provision of any other municipal bylaw, the more restrictive provision shall apply.

SECTION 6 - TERMINOLOGY

In addition to the definitions contained in the zoning bylaws, the following definition applies for the purpose of interpreting the present bylaw. If a word or term is not specifically provided for hereinafter or in the zoning bylaws, it has the meaning commonly attributed to that word or term.

CHAPTER 2 - MAIN BUILDING AND MAINTENANCE REQUIREMENTS

SECTION 7 - GENERAL REQUIREMENTS

All parts of a main building must be strong enough to withstand the stresses to which they are subjected, and must be repaired or replaced as necessary, to prevent any cause of danger or accident.

All parts of a main building must be kept in good condition so that they can be used for their intended purpose and must be maintained in such a way that they do not appear dilapidated or in an apparent and continuous state of disrepair.

SECTION 8 - SPECIAL REQUIREMENTS

Without restricting the scope of the preceding section 7, the following special requirements apply:

a) Exterior walls:

Brick or stone siding and cladding, as well as stucco, wood or other materials, must be maintained in good condition and repaired or replaced as necessary to prevent air or water infiltration and keep them looking clean.

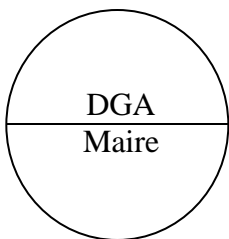
b) Foundation walls :

Foundation walls must always be maintained in a condition as to prevent air or water infiltration or the intrusion of vermin or rodents.

Parts of foundation walls in contact with the ground must be treated to prevent water infiltration into cellars and basements.

The part of the foundation walls visible from the outside must be maintained in a state that keeps it clean.

c) Roofs :



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All roofing components, including skylights, metalwork, gutters, rainwater pipes, etc., must be maintained in good condition and repaired or replaced as necessary to ensure that roofs are watertight, prevent water infiltration into the interior of buildings and maintain a clean appearance.

Eaves must be kept in good condition, repaired as necessary to maintain a clean appearance.

d) Exterior doors and windows:

Exterior doors and windows must be maintained to prevent air, rain or snow infiltration. Frames must be caulked, and all moving parts must be perfectly joined and function normally.

Doors and windows and their frames must be repaired or replaced when damaged or defective. Any broken glass must be replaced without delay.

e) Balconies, galleries, walkways, stairs, etc. :

Balconies, galleries, walkways, exterior or interior staircases and, in general, any construction projecting from the main building must be maintained in good condition, repaired or replaced as necessary to keep them looking clean.

CHAPTER 3 - REQUIREMENTS FOR ACCESSORY BUILDINGS AND THEIR MAINTENANCE

SECTION 9 - GENERAL REQUIREMENTS

Accessory buildings :

- a) which does not offer sufficient stability to withstand the combined forces of live loads, roof loads and wind pressure loads;

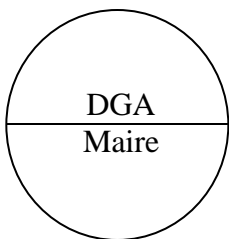
or

- b) constitute a danger to persons or property in any way;
 - must be modified, repaired or demolished.

SECTION 10 - MAINTENANCE OF ACCESSORY BUILDINGS

To comply with the present bylaw :

- a) An accessory building must be maintained in good condition and repaired as necessary to keep it looking clean;



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- b) The exterior walls and roof of an accessory building must be watertight;
- c) Any condition likely to cause the presence of vermin or rodents must be eliminated from an accessory building and, when infested, appropriate measures must be taken to destroy them and prevent their reappearance.

CHAPTER 4 - PROCEDURAL AND PENAL PROVISIONS

SECTION 11 - COMPETENT AUTHORITY

The administration and enforcement of this bylaw are the responsibility of the officials responsible for issuing permits and certificates, who constitute the competent authority.

The competent authority is responsible for enforcing this bylaw and issuing statements of offence.

SECTION 12 - POWERS AND DUTIES OF THE COMPETENT AUTHORITY

The powers and duties of the competent authority are :

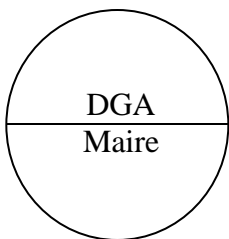
- a) To investigate any complaint and to take the necessary measures to put an end to any violation of the present bylaw;
- b) to visit and examine any immovable or movable property, as well as the interior or exterior of any house, building or edifice, to determine whether the present bylaw is being followed. The competent authority must, upon request, identify himself and exhibit the certificate issued by the Municipality attesting to his status;
- c) require that tests be carried out on materials and functional or structural elements of construction or on the condition of foundations;
- d) to establish a file for each building inspected and record all related information;
- e) to serve notices of non-compliance and issue or revoke all permits, authorizations and certificates arising from the application of this bylaw;
- f) to perform any other duty for the enforcement of the present bylaw.

SECTION 13 - REFUSAL OF ACCESS TO DESIGNATED OFFICIALS

It is an offence to refuse access to a property or building to a competent authority acting in accordance with the present bylaw.

SECTION 14 - NOTICE OF NON-COMPLIANCE

Any notice of non-compliance sent pursuant to this bylaw must be addressed to the owner's residence or place of business on the territory of the Municipality of Pontiac.



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If the owner has neither a residence nor a place of business on the territory, the notice may be sent by registered mail to the address shown on the assessment roll.

In addition to providing a description of the building in question, this notice must clearly and precisely indicate the following elements:

- 1) the nature of the contravention;
- 2) the measures to be taken to remedy it;
- 3) the time allowed for compliance.

SECTION 15 - COMPLIANCE PERIOD

The deadline for compliance is determined by the competent authority based on the importance of the work, and for the same reasons, it may grant an additional deadline.

SECTION 16 - VIOLATION

Failure to comply with a notice of nonconformity within the prescribed time constitutes a violation of this bylaw.

SECTION 17 - FAILURE TO COMPLY WITH NOTICE OF NON-COMPLIANCE

If, upon expiry of the compliance period(s), the person in question has not carried out the work required to bring the building into compliance with the standards and measures set out in this bylaw, as well as the deadline for doing so, the competent authority may report the contravention to the Council and recommend that legal action be taken. If the work is required to correct a dangerous situation, the competent authority will immediately take the appropriate legal action.

SECTION 18 - PERMITS

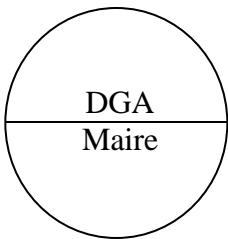
When a permit is required to carry out compliance work, it must be obtained in accordance with the procedure set out in the applicable bylaws.

SECTION 19 - OWNER'S LIABILITY

The owner of an immovable is responsible for any violation of section 16 of the present bylaw.

SECTION 20 - STATEMENT OF OFFENCE

In the event of a breach of any of the provisions of the present bylaw, the competent authority is authorized to issue a statement of offence.

**SECTION 21 - PENALTIES AND LEGAL RECOURSE**

21.1 Anyone who contravenes to sections 13 and 16 of the present bylaw, whether a natural person or a legal entity, commits an offence and is liable to a fine as follows, each day constituting a separate and distinct offence:

Enforcement of section 13 - REFUSAL OF ACCESS TO DESIGNATED OFFICIALS		
Sanction	Penalty for individual	Penalty for legal entities
1 st	\$300	\$600
2 nd	\$300	\$600
3 rd and more	\$300	\$600

Enforcement of section 16 – VIOLATION		
Sanction	Daily penalty for individual	Daily penalty for legal entities
1 st	\$300	\$600
2 nd	\$300	\$600
3 rd and more	\$300	\$600

21.2 In addition to the recourses provided for in the present article, the Council may, for the purpose of enforcing the provisions of the present bylaw, exercise any other recourse of a civil or penal nature including, in particular, all recourses provided for in the Act respecting land use planning and development (R.S.Q., c. A-19.1) or in the Environmental Quality Act (R.S.Q., c.Q-2).

21.3 In the event of a repeat offence under sections 13 and 16, all fines will be doubled for both individuals and legal entities.

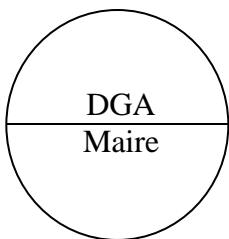
SECTION 22 - REPEAL

This bylaw repeals and replaces bylaw 608-2016.

SECTION 23 - COMING INTO FORCE

This bylaw comes into force in accordance with the provisions of the Law.

Carried



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7.2 Notice of motion

Notice of motion is given by Councillor Garry Dagenais of Ward 3 of the Municipality of Pontiac, to the effect that there will be adoption of bylaw #05-24 concerning minor variances in the Municipality of Pontiac.

7.3 Tabling of draft bylaw 05-24 concerning minor variances in the Municipality of Pontiac

WHEREAS Council deems it necessary for the Municipality of Pontiac to adopt a bylaw concerning minor variances;

WHEREAS a notice of motion of the present bylaw was given at the regular council meeting of xx;

THEREFORE, it is moved by Councillor xx and seconded by Councillor xx.

AND RESOLVED THAT Council decree and adopt the following:

SECTION 1: DECLARATORY PROVISIONS

1.1 TITLE OF THE BYLAW

The title of the bylaw is "Bylaw 05-24 concerning minor variances in the Municipality of Pontiac."

1.2 PURPOSE

The purpose of this bylaw is to govern any request for a minor variance within the territory of the Municipality of Pontiac, all in connection with the guidelines and the objective of improving the living environment proposed in the Municipality's urban and sustainable development plan.

This regulation is adopted under the powers conferred by the Planning and Urbanism Act, in sections 145.1 to 145.8.

1.3 SUBJECTED TERRITORY (L.A.U, ART. 145.3, 2)

The present regulation applies, except for exceptions, to all zones provided for in the current zoning bylaw and its amendments, of the Municipality of Pontiac.

However, it does not apply to zones where land use is subject to special constraints for reasons of public safety (L.A.U., art. 145.2).



1.4 PEOPLE CONCERNED

These rules apply to all individuals and legal entities.

SECTION 2: INTERPRETATIVE AND ADMINISTRATIVE PROVISIONS

2.1 LINK BETWEEN DIFFERENT URBAN PLANNING REGULATIONS

The use of the words "present bylaw" refers both to the present bylaw and to all urban planning bylaws. It applies concurrently with other urban planning bylaws, which, if applicable, may be used to interpret the present provisions.

All interpretative and administrative provisions, as well as penalties applicable in the event of failure to comply with the present bylaw, are found in the Permits and Certificates bylaw.

SECTION 3: GENERAL PROVISIONS APPLICABLE TO A REQUEST FOR A MINOR VARIANCE

3.1 ADMISSIBILITY OF A REQUEST FOR A MINOR VARIANCE

- 1) An application for a minor variance may be made at the time of an applying for a permit or authorization certificate;
- 2) A minor variance may also be granted in cases where the work is in progress or already completed, and the applicant has previously obtained, when required, a construction permit or authorization certification for such work (L.A.U., art. 145.5).

3.2 PREREQUISITES FOR OBTAINING A MINOR VARIANCE

A minor variance to the current zoning bylaw and subdivision bylaw cannot be granted when any of the following conditions is met:

- 1) Application of the bylaw would cause serious prejudice to the applicant (L.A.U., art. 145.4);
- 2) The variance does not infringe upon the enjoyment, by neighbouring property owners, of their property rights (Planning and Urbanism Act, Article 145.4).
- 3) The minor variance complies with the objectives of the current urban and sustainable development plan (R.S.Q., art. 145.2);



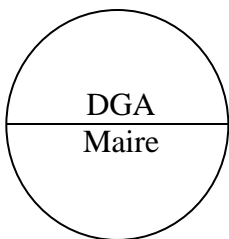
- 4) When the request for a minor variance pertains to ongoing or completed works, they have been granted a permit or certificate and have been carried out in good faith (L.A.U., art. 145.5);
- 5) In the case of a proposed construction or work, the applicant is unable to comply with the provisions of the zoning bylaw;
- 6) In the case of a proposed cadastral operation, the applicant is unable to comply with the provisions of the Subdivision Bylaw;
- 7) In the case where the cadastral operation is in progress or already completed, the applicant has obtained a subdivision permit for this cadastral operation and has carried it out in good faith;
- 8) The variance must not exacerbate risks to public safety;
- 9) The variance must not exacerbate risks to public health;
- 10) The derogation must not adversely affect the environment quality;
- 11) The variance must not undermine the general well-being;
- 12) The variance must have a minor character.

3.3 PROVISIONS OF THE ZONING AND SUBDIVISION BYLAWS THAT MAY BE THE SUBJECT OF A MINOR VARIANCE (L.A.U., ART. 145.3, 3)

All provisions contained in the zoning and subdivision bylaws, including their amendments, may be the subject of a request for a minor variance, with the exception of the following provisions:

- 1) Land uses (L.A.U., art. 145.1) ;
- 2) Land use density (L.A.U., art. 145.1) ;
- 3) Any construction, work or structure located within a fifteen (15) metres shoreline protection strip, calculated from the high-water mark in accordance with applicable provisions;
- 4) The height of a main building is limited according to the equipment provided by the municipal fire department at the time of application.

3.4 APPLICATION PROCEDURES FOR A MINOR VARIANCE



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Any person wishing to make a request for a minor variance must address the request to the designated officer and the request must meet the following conditions:

- 1) Complete the form prescribed by the Municipality, which must include :
 - a. Applicant's full name and address. If the applicant is not the owner of the property concerned, a power of attorney from the owner is required;
- 2) Provide a text explaining the reasons for the request;
- 3) Provide the reasons why the applicant cannot comply with the bylaw in force, and the prejudice caused by the strict application of the bylaw;
- 4) The description of the land by means of a notarial deed or a cadastre plan as well as the property titles;
- 5) A site plan to scale. This plan must be prepared by a land surveyor in the case of a variance concerning a proposed construction, surface area or distance. For other variances, a site plan may be required and requested by the municipal officer;
- 6) Provide clear, recent photographs illustrating the subject of the variance request;
- 7) The payment of fees applicable to the request at the time of its submission.
- 8) Any other information the designated officer deems necessary for a full understanding of the application.

3.5 PROCEDURE (L.A.U., ART. 145.3.1)

The application must be submitted at least fourteen (14) working days prior to the CCU meeting.

Anyone wishing to apply for a minor variance in accordance with this bylaw is subject to the following procedure:

- 1) **Officer's review:** Upon receiving all required information and documents, the municipal officer takes the following actions, depending on the situation:
 - a. **Non-compliant application:** When the subject of the application does not comply with the provisions of this regulation, the designated officer notifies the applicant in writing (a compliant request does not imply the reimbursement of fees associated with a compliant variance request).



- b. **Suspended application:** If the request or accompanying plans are incomplete or unclear, the designated officer notifies the applicant in writing. The review of the request is suspended until the necessary information is provided by the applicant, and at that point, the request is deemed to have been received on the date of receipt of such additional information.
 - c. **Compliant application:** Following the examination of the file, allowing for the determination of the request's compliance, and depending on the type of project, the municipal officer forwards the request to the CCU and to Council before issuing any permit or certificate, in order to obtain a resolution from Council.
 - 2) **Forwarding the application to other departments:** The officer may forward a copy of the application to other departments of the municipality for their concerns and recommendations.
 - 3) **CCU study**
 - a. Any request covered by this regulation must undergo an assessment in accordance with the requirements defined in this regulation by the Urban Planning Advisory Committee. The committee adopts a resolution stating its recommendations and forwards them to the municipal council for a decision.
 - 4) **Public notice (L.A.U, art. 145.6)**

The secretary-treasurer of the Municipality shall publish, at least 15 days before the meeting where the Council is to decide on the minor variance request, a notice in accordance with the law governing the Municipality.

 - b. The notice must indicate :
 - i. The date, time and location of the Council meeting;
 - ii. The nature and effects of the requested variance;
 - iii. the designation of the concerned building, including the traffic lane and the address of the building or the cadastral number;
 - iv. That any interested party may be heard by the Council regarding this request.

5) Council decision



- a. Any request covered by this regulation must be the subject of a decision by the Council.
- b. Council renders its decision by resolution. This resolution may be conditional, within the Municipality's powers, with the aim of mitigating the impact of the variance and ensuring compliance with the guidelines and objectives of the current Urban Plan. In addition, the resolution to approve such a request may include conditions to be fulfilled concerning existing municipal regulations, particularly regarding the location or operation of the use.
- c. The resolution disapproving a request must be justified.
A copy of the resolution will be sent to the applicant;
- d. When the request is approved by the Council, the applicant must also obtain any permits and certificates required by the urban planning regulations.

6) Issuance of permit or certificate

- a. Upon presentation of a copy of the resolution granting the minor variance, the municipal officer issues the requested permit or certificate to the applicant in accordance with the regulations on permits and certificates.
- b. The minor variance granted under the present bylaw does not exempt the applicant from the application of other provisions of the planning bylaws.

3.6 VALIDITY DEADLINE

- 1) Thirty-six (36) months after the adoption of a resolution granting a minor variance, if the work covered by the resolution has not been carried out or is not in the process of being carried out under a valid permit or certificate of authorization, the resolution becomes null and void.
- 2) In this specific case, a request for a minor variance for the same subject can be submitted and will be processed as a new request.

3.7 REQUEST FOR A COMBINED MINOR VARIANCE

A request for a minor variance can cover multiple subjects. The fees for the request apply per lot.

SECTION 4 : COMING INTO FORCE

This bylaw will come into force according with the law.



7.4 Notice of motion – bylaw 06-24

Notice of motion is given by Councillor Caryl McCann of Ward 2 of the Municipality of Pontiac, to the effect that there will be adoption of bylaw #06-24 concerning nuisances.

7.5 Tabling of draft bylaw 06-24 concerning nuisances

WHEREAS the Municipality of Pontiac has adopted a bylaw concerning public nuisances to ensure peace, order and cleanliness on the territory of the Municipality of Pontiac;

WHEREAS bylaw number 20-13 concerning public nuisances on the territory of the Municipality of Pontiac came into force on August 13, 2013, and is obsolete;

WHEREAS it is necessary to add definitions to the bylaw;

WHEREAS it is necessary to add clarifications on what is a nuisance, on the storage of non-functional vehicles, on advertisements, on nuisances and maintenance of municipal property;

WHEREAS the Municipal Council of the Municipality of Pontiac deems it advisable and in the public interest to revise the current nuisance bylaw;

WHEREAS a notice of motion for the present bylaw was duly given at the Council meeting held February 13, 2024, and that the draft was presented and tabled at the same meeting;

THEREFORE, it is moved by Councillor XX and seconded by Councillor XX.

AND RESOLVED THAT the Council of the Municipality of Pontiac enact the following:

CHAPTER 1 – DECLARATORY PROVISIONS

1.1 The preamble is an integral part of this bylaw.

1.2 Bylaw number 20-13 concerning public nuisances on the territory of the Municipality of Pontiac and its amendments is repealed and replaced by the present bylaw.

CHAPTER 2 - PURPOSE OF THE BYLAW

2.1 The purpose of this bylaw is to enable the Municipality of Pontiac to enact behaviour standards in society and to constitute measures for the protection of collective interests and public order.



2.2 The present bylaw defines what constitutes a nuisance and provides the Municipality with a tool that allows it to require a property owner, lessee, occupant or possessor of the building, within a timeframe it determines, to eliminate the nuisance or carry out the necessary work to prevent it from recurring. In the event of non-compliance, this bylaw allows the imposition of fines on individuals who create or allow nuisances to persist.

2.3 This bylaw does not recognize acquired rights regarding nuisances.

CHAPTER 3 - GENERAL PROVISIONS

3.1 Terminology

In these rules, the following words mean:

"Parking space":	A unitary space designed specifically for parking a single motor vehicle.
"Construction":	An assembly of materials connected or not to the ground or attached to any object connected to the ground, including, but not limited to, tanks, gas pumps, platforms, swimming pools, sheds, and buildings.
"Contaminant":	Solid, liquid, or gaseous material likely to alter the quality of the environment in any way, including but not limited to resin, lacquer, paint, oil, or grease of mineral origin, or a combustible or explosive material, including motor or heating fuels and aerosols.
"Watercourse":	Any body of water that flows in a bed with a regular or intermittent flow, including those created or modified by human intervention, excluding a public or private road ditch, a common boundary ditch, and a drainage ditch used solely for drainage and irrigation purposes, which exists solely due to human intervention and whose watershed area is less than 100 hectares.
"Waste":	Includes, but is not limited to, abandoned, or deteriorated personal property, household refuse, paper, empty bottles, scrap metal, rejects from a commercial or industrial process, animal carcasses, construction, and demolition debris, mechanical or electrical appliances no longer in working order or discarded, and unused containers.



"Right-of-way":	Area of land occupied or intended to be occupied by a thoroughfare or utility infrastructure.
" Advertising insert ":	Any pamphlet, leaflet, flyer or any other advertising item designed for the purpose of announcing or advertising.
"Light maintenance":	Action aimed at ensuring the normal flow of water in a ditch and consisting of cutting or removing by hand, using a shovel, a lawnmower or all other similar tools, all vegetation, waste or materials. Light maintenance does not include work requiring the use of heavy machinery, or excavation, backfilling, digging, reprofiling, slope adjustment or slope stabilization.
"Off-street parking space":	Developed space outside of a road, surfaced area, or structure, intended for the parking of motor vehicles and including parking spaces and the driveways providing access to the spaces or rows of spaces.
"Scrap metal":	Iron or steel waste, iron instruments or old pieces, carcasses, or parts of carcasses of vehicles or household appliances.
"Responsible official":	<ul style="list-style-type: none"> a) The Director of the Department of Urban Planning and Sustainable Development and their representatives; b) The Director of the Department of Public Works and Infrastructure and their representatives.
"Maintainable ditch":	Any roadside ditch bordering a lot over a maximum length of 120 metres and having a side slope of 2 in 1 on each side and a maximum depth of 1 metre or having a side slope of 3 in 1 on each side and a maximum depth of 1.5 metres.
"Public Road ditch":	A small depression in the ground used for surface water runoff and drainage of a public road.
"Common ditch":	A common ditch serves as a dividing line between neighbouring properties and is a drainage device for stormwater management.
"Drainage ditch":	The drainage ditch is used solely for drainage purposes.
"Grass":	Lawn or any small, flexible vegetation devoid of bark.



"Ragweed":	Ambrosia artemisiifolia L. and Ambrosia trifida.
"building":	A lot or a structure.
"Inhabited place":	Any building occupied or frequented by people who reside, work, or stay there, and includes, non-exhaustively, a dwelling, a business, an office building, a hospital, a vessel, a camp, or any similar place or part of such a place that constitutes a distinct space.
"High-water line":	<p>Line used to delimit the littoral and shoreline of lakes, watercourses, and wetlands. It is determined, as the case may be, by one of the following methods:</p> <ol style="list-style-type: none"> Where there is a water retention structure, the limit of the littoral is located at the maximum operating elevation of the hydraulic structure for the part of the water body located upstream of the structure, within its zone of influence; Where there is a retaining wall, the limit of the littoral is located at the top of this structure; In cases other than those mentioned in paragraphs a) & b), by the expert botanical or biophysical method, based on the plant species or physical marks present; Where none of the above methods is applicable, to the flood limit associated with a 2-year flood.
"Lot":	A parcel of land identified and delimited on an official cadastral plan made, deposited and published in accordance with the Cadastre Act (R.S.Q., c. C-1) or the Civil Code of Québec (R.S.Q., 1991, c. 64).
"Invasive and noxious plants":	<ol style="list-style-type: none"> Giant Hogweed (<i>H. mantegazzianum</i>) ; Manitoba maple (<i>A. negundo</i>) ; Ragweed (<i>A. artemisiifolia</i>) ; Japanese butterbur (<i>P. japonicus</i>).



"Slash":	Plant debris left on the ground after silvicultural or arboricultural treatment or following natural disturbance.
"Servitude":	Right imposed on a property in favour of the Municipality in the name of the general interest.
"Natural land":	Land preserved for the purpose of conserving or protecting biodiversity, including but not limited to parks, woodlands, and wetlands.
"Motor vehicle":	A motorized road vehicle that is adapted primarily for the transportation of a person or property.
"Immobilized vehicle":	Anything that is not a road vehicle as defined in the Quebec Road Safety Code (c. C-24.2).
"Public Thoroughfare":	Land maintained by or on behalf of a public body that is used for traffic, including, but not limited to, a right-of-way, road, lane, sidewalk, bridge, pedestrian path, bicycle path, snowmobile trail, hiking trail, public square, railway, or public parking area.

Scope: The bylaw applies to the entire territory of the Municipality of Pontiac.

CHAPTER 4 - LOT CLEANLINESS AND MAINTENANCE

Any person who leaves, deposits or tolerates on a lot the presence of:

- a) garbage or foul-smelling substances ;
- b) building materials or piles of soil, sand, stones or gravel that are not incorporated or intended to be incorporated into a construction on this lot for which a building permit has been previously issued if required;
- c) scrap metal ;
- d) a diseased or dead tree, or a tree in such a precarious condition that it is likely to fall onto the public thoroughfare;
- e) any tree, shrub, landscaping, hedges or other vegetation that encroaches on the public highway, conceals road signs, diminishes the illumination of the public lighting system, interferes in any way with municipal property or its use, or constitutes a danger to users of a public highway;



- f) tires, whatever their condition, outside an enclosed building;
- g) stagnant water, other than a watercourse, between June 1 and October 1.

For the purposes of paragraph d) above, any tree, shrub, landscape or hedge must be pruned or trimmed so that the clearance under any branch complies with the minimum prescribed in the following paragraphs. The clearance must be measured between the underside of the branch and the highest point of the reference element, at the vertical of the branch:

- i. 4.85 m above the pavement of a road on which heavy vehicle traffic is authorized, above an access road for fire department vehicles required by the applicable building code, and above a footpath or emergency road required for a dead-end road by the subdivision bylaw in force;
- ii. 4 m above the pavement of a road other than that referred to in paragraph i.;
- iii. 3 m above a sidewalk or footpath other than a footpath referred to in paragraph i.

4.1 Any property owner, lessee, occupant or possessor of a lot who tolerates a general state of uncleanness or condition of the lot such that its visual appearance causes aesthetic prejudice to neighbouring buildings and the neighbourhood commits a nuisance.

4.2 Commits a nuisance, anyone who leaves, deposits, or tolerates on a lot, the presence of residues.

For the application of article 4.2, the presence of residues is authorized on a natural lot if the owner, lessee, occupant or possessor of the lot satisfies all the following conditions:

- i. The residues are located within a radius of 30 metres from their point of origin;
- ii. The residues must occupy a height of less than 60 centimetres from ground level, with the exception of shavings whose maximum height is set at 20 centimetres;
- iii. All residues must not harm residual trees over 2 metres in height;
- iv. The residues must not fall within the following boundaries:
 - ☐ 5 metres from a footpath
 - ☐ 5 metres from a sidewalk
 - ☐ 5 metres from a road
 - ☐ 1.5 metres from a property line
 - ☐ Riparian zone of a watercourse, determined by the high-water line.



- 4.3** Commits a nuisance, the owner, lessee, occupant or possessor of a built lot who leaves or tolerates the presence of invasive and harmful plants.

This article does not apply to a right-of-way maintained by the Municipality, to natural land or to land designated as agricultural land protected by the Act respecting the preservation of agricultural land and agricultural activities (LRQ, c. P-41.1).

- 4.4** For the application of Article 4.3, the owner, lessee, occupant or possessor of a plot of land on which invasive and harmful plants are found must proceed with their eradication or, at a minimum, their cutting to ensure that these plants do not come into bloom.
- 4.5** The riparian strips of watercourses and ditches are excluded from the application of article 4.3.

CHAPTER 5 - PUBLIC ROAD MAINTENANCE AND EASEMENTS

- 5.1** Commits a nuisance, anyone who deposits, leaves, or tolerates any materials, waste, or vegetation that obstructs or impede the flow of water in a public road ditch.
- 5.2** Commits a nuisance, anyone who deposits, leaves or tolerates any material, waste or vegetation that obstructs or prevents the surface water flow in a stormwater structure, such as a catch basin, culvert, common ditch, drainage ditch, swale, retention basin, etc.,
- 5.3** Commits a nuisance, anyone who fills in, diverts or otherwise carries out work that alters the shape, end or course of a public road ditch without prior written authorization from the Municipality.
- 5.4** Commits a nuisance, anyone who fills in, diverts or otherwise carries out work that alters the shape, end or course of a common ditch, drainage ditch or gully in a servitude, without prior written authorization from the Municipality.
- 5.5** Commits a nuisance, the owner, lessee, occupant or possessor of a lot bordered by a public road ditch who fails to ensure its maintenance for the normal flow of water. This obligation falls on the owner, lessee, occupant or possessor of a lot when the necessary maintenance is minor, and it concerns a maintainable ditch.
- 5.6** Commits a nuisance, the owner, lessee, occupant or possessor of a lot bordered or crossed by a common boundary ditch, a drainage ditch, or a channel established in an easement who fails to ensure its maintenance for the normal flow of water.



- 5.7** Commits a nuisance, any property owner, lessee, occupant or possessor or possessor of a built lot who fails to maintain the portion of the right-of-way adjacent to his or her lot.

Landscaping installed by the Municipality and trees in the right-of-way is excluded from the application of this article.

- 5.8** Commits a nuisance, any property owner, lessee, occupant or possessor of a built lot who fails to maintain the portion of the right-of-way adjacent to his or her lot.
- 5.9** Commits a nuisance, any person who soils municipal property, including but not limited to a public thoroughfare or public building, by depositing, leaving or disposing of waste, foul-smelling substances, sewage, snow, contaminants, construction materials, signs or any other object, material or substance.
- 5.10** Commits a nuisance, anyone who leaves on municipal property, during the execution of works, a tree stump or a tree cut halfway.
- 5.11** Commits a nuisance, anyone who installs or has installed a dispenser that distributes, offers, or displays periodicals, printed materials, articles, or any consumer goods within the right-of-way of a public road.
- 5.12** Commits a nuisance, any property owner, lessee, occupant or possessor who tolerates the accumulation of snow, ice or icicles on a sloped roof that spills or may spill onto a public thoroughfare.

CHAPTER 6 - ENVIRONMENTAL PROTECTION

- 6.1** Commits a nuisance, any person who dumps or allows to be dumped any contaminant or waste on or in any building or in any wetland, water body or ditch.
- 6.2** Commits a nuisance, every person who tolerates on a lot the presence of a contaminant outside its container or in an unsealed or damaged container.
- 6.3** Commits a nuisance, any person who does, tolerates or allows any work to be carried out in a watercourse or performs any act likely to stop, modify, increase, reduce, divert or otherwise alter or affect the said watercourse in any way whatsoever without prior authorization from the authorities having jurisdiction in the matter.
- 6.4** Commits a nuisance, any person who uses or permits the use of a watercourse for recreational or any other purposes in such a way as to alter, damage or interfere with the peaceful enjoyment of the same watercourse by persons entitled to use it.



- 6.5** Commits a nuisance, any person who buries or allows to be buried construction materials, contaminants, household garbage, recyclable materials, compostable materials, waste, hazardous products or any other product harmful to the environment.

CHAPTER 7 - RESIDUAL MATERIAL

- 7.1** Commits a nuisance, any property owner, lessee, occupant or possessor who leaves, deposits or tolerates the presence of :
- a) residual materials or residual material bags not stored in a shed, container or garbage can;
 - b) unsealed or damaged plastic bags or other containers containing residual materials;
 - c) a container for residual materials or a garbage bin containing residual materials, whose lid is in the open position or not equipped with a tight-fitting lid;
 - d) a container for residual materials or garbage can with a soiled exterior or interior;
 - e) a grease or cooking oil container with its lid open or not equipped with a tight-fitting lid;
 - f) a grease or cooking oil container with a soiled exterior.

SECTION 8 - ROAD VEHICLES AND SCRAP METAL

- 8.1** Commits a nuisance, the owner, lessee, occupant or possessor of a building who leaves, deposits, or tolerates the presence, outside of a closed structure:
- a) scrap metal;
 - b) out of working order road vehicles;
 - c) one or more carcasses of road vehicles;
 - d) road vehicles parts or debris;
 - e) mechanical appliances not in working order;
 - f) parts or debris of mechanical appliances;
 - g) parts or debris of vehicles of any kind;
 - h) road vehicle(s) not registered for the current year or out of working order.

This article does not apply to a lot on which an authorized use is exercised under the zoning bylaw allowing the presence of such vehicles.



8.2 Despite the preceding article, a vehicle with a storage plate may be stored outdoors for one year. However, the presence of the said vehicle must not have an impact or be detrimental to public safety, health, the environment (traces of contamination or loss of liquid) or the well-being of the community (carcass visible from the road).

8.3 Commits a nuisance, anyone who performs or allows to be performed repeatedly or frequently on or within the same building, the maintenance, repair, dismantling, or modification of vehicles outside of a closed structure.

CHAPTER 9 – STORAGE

9.1 Commits a nuisance, anyone who uses or allows the use of any vehicle or part thereof for storage.

9.2 Commits a nuisance, anyone who uses or allows the use of a temporary shelter for storage purposes (between April 16 and October 14) or leaves it in a state of disrepair.

9.3 Commits a nuisance, anyone who uses or allows the use of a vacant lot for storage purposes."

CHAPTER 10 - ADVERTISING INSERTS

Commits a nuisance, anyone who distributes advertising inserts on public property or door-to-door, without placing them in mailboxes or, failing that, without depositing them in a manner that prevents them from being blown away by the wind.

CHAPTER 11 – PROJECTILES

11.1 Commits a nuisance, anyone who intentionally throws or allows to be thrown a ball or other projectile onto another property without the consent of its owner.

11.2 Commits a nuisance, the owner, occupant or possessor, or operator of public or private land, who does not take appropriate measures to prevent the repeated throwing or projecting of a ball or other projectile that could endanger the safety of persons or property outside the area from which it originates.

CHAPTER 12 – DUST

12.1 Commits a nuisance, anyone who creates or allows the creation of dust that impairs the well-being and comfort of the public by using any motor vehicle, street sweeper, leaf blower, or any similar motorized device in an off-street parking area consisting of more than ten parking spaces.



- 12.2** Commits a nuisance, anyone who engages in or allows the use of a product, substance, object, means, or device emitting dust or any particles in a manner that inconveniences or disturbs the well-being of one or more persons in the neighbourhood.

CHAPTER 13 - MANURE SPREADING AND ODOURS

- 13.1** Commits a nuisance, the owner, lessee, occupant or possessor who tolerates the storage or spreading of non-deodorized manure on land that is not in cultivation or pasture.
- 13.2** Commits a nuisance, anyone who emits or allows the emission of nauseating or unpleasant odours, through or by using any substance or product in a manner that disturbs or inconveniences one or more persons in the neighbourhood.
- 13.3** Articles 13.1 and 13.2 do not apply to activities permitted and in compliance with the provisions of the Act respecting the preservation of agricultural land and agricultural activities (LRQ, c. P-41.1), and manure must be stored in accordance with provincial Environmental Quality regulations.

CHAPTER 14 - VERMIN AND RODENTS

Commits a nuisance, anyone who causes or tolerates any condition conducive to the presence or proliferation of vermin or rodents in a building or on a property.

CHAPTER 15 - POWERS OF THE RESPONSIBLE OFFICIAL

- 15.1** The responsible official is authorized to visit and examine any building or movable in application of the bylaw to ensure that the provisions of the bylaw are being complied with.

Upon request, the inspecting officer must establish his or her identity.

- 15.2** Where a responsible officer has reasonable grounds to believe that a person has committed an offence, he or she may require the person to declare his or her name, address and date of birth.

The officer in charge may also require such person to provide information to confirm the accuracy of such information.

A person may refuse to declare his or her name, address and date of birth, or to provide information to confirm their accuracy, until he or she is informed of the offence alleged against him or her.



15.3 Any property owner, lessee, occupant or possessor of an immovable or piece of furniture must allow access to the official in charge and allow the latter to carry out an inspection. Any person present during such an inspection must refrain from insulting, molesting, intimidating or threatening the official in charge and must not at any time interfere with the performance of his duties in any way whatsoever. Any person using or storing a hazardous material must notify the officer in charge during the inspection.

15.4 The responsible official shall give written notice to any owner, lessee, occupant or possessor of an immovable to cease, within a given time, any nuisance decreed by the present bylaw.

Any notice to be given pursuant to this article shall be served in accordance with the provisions of articles 424 to 430 of the Quebec Municipal Code (LRQ, c. C-27.1).

15.5 Any person who soils municipal property must carry out the clean-up in such a way as to restore the property to the condition it was in before it was soiled. Clean-up must be carried out immediately or, as the case may be, within a time limit set by the responsible official. In the event that clean-up requires the interruption or detour of road or pedestrian traffic, the party responsible for clean-up must give prior notice to the official in charge.

Upon expiry of the time limits mentioned in the preceding paragraph, the responsible official may have the work carried out at the offender's expense, and any expenses incurred under this article, including administrative costs, will be billed to the offender as soon as the cost is established.

CHAPTER 16 - PENALTIES AND SANCTIONS

16.1 The Council generally authorizes the responsible official to initiate criminal proceedings against any violator of any provision of the regulation and generally authorizes these individuals to issue offence notices for this purpose; these individuals are responsible for enforcing the regulation.

16.2 Anyone who contravenes or fails to comply with any of the provisions of this regulation commits an offence and is liable, in addition to the costs for each offence, to a fixed fine of \$1,000.00 if the offender is a natural person, or a fixed fine of \$2,000.00 if it is a legal entity.

In the case of a repeat offence, within two years of the guilty verdict for the same offence, the offender is liable, in addition to the costs for each offence, to a fixed fine of \$2,000.00 if the offender is a natural person, or a fixed fine of \$4,000.00 if the offender is a legal entity.



In all cases, prosecution costs are additional. The deadlines for the payment of fines and costs imposed under this section, and the consequences of failing to pay such fines and costs within the prescribed deadlines, are established in accordance with the Code of Criminal Procedure of Quebec (LRQ, c. C-25.1).

16.3 The payment of the fine does not exempt the offender from complying with the provisions of this regulation.

16.4 When an offence lasts more than one day, as many separate offences are counted as there are days or fractions of a day it has lasted, and these offences can be described in a single charge.

16.5 In the event that the court pronounces a sentence regarding a violation of the regulation, it may, in addition to the fine and costs, order that the nuisances that are the subject of the offence be removed by anyone found guilty of the offence.

In the event of failure by that person or those people to comply within the specified timeframe, the municipality may remove the nuisance at the expense of that person or those persons.

A notice of the application for the order must be given by the prosecutor to the person whom the order may require removing the nuisance unless that person is in the presence of the judge.

16.6 The Municipality reserves the right to exercise any other recourse provided by law.

CHAPTER 17 - COMING INTO FORCE

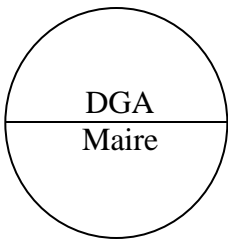
This bylaw will come into force once the formalities prescribed by law have been completed.

7.6 Notice of motion

Notice of motion is given by Councillor Garry Dagenais of Ward 3 of the Municipality of Pontiac, to the effect that there will be adoption of bylaw #07-24 concerning the operation of the Planning Advisory Committee (PAC).

7.7 Tabling of the draft bylaw 07-24 concerning the operation of the Planning Advisory Committee (PAC)

WHEREAS the Municipality of Pontiac is authorized to amend its urban planning bylaws;



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WHEREAS under sections 146, 147 and 148 of the “Act respecting land use, planning and development” (R.S.Q., c. A-19.a), the municipal council may form an Urban Planning Advisory Committee;

WHEREAS a notice of motion for the present bylaw was given at the meeting of February 13, 2024;

WHEREAS a copy of the draft bylaw was tabled at the same time as the notice of motion;

WHEREAS this bylaw terminates the current mandates of all members of the Urban Planning Advisory Committee;

WHEREAS following adoption of this bylaw, Council wishes to issue a new public notice to reconstitute the Planning Advisory Committee;

THEREFORE, it is moved by Councillor xx and seconded by Councillor xx.

AND RESOLVED THAT Council decrees and adopts the following :

SECTION 1 The present bylaw is entitled « Bylaw 07-24 concerning the operation of the Planning Advisory Committee (PAC) ».

SECTION 2 The preamble is an integral part of the present bylaw as if it were reproduced in its entirety.

SECTION 3 The committee will be known as the « Planning Advisory Committee (PAC) » and designated in the present bylaw as the « Committee ».

SECTION 4 COMMITTEE’S MANDATE

The present bylaw gives the Committee powers to study and recommend in matters of urban planning, zoning, subdivision and construction. These powers of study and recommendation pertain to:

- Minor variances to urban planning bylaws;
- Comprehensive development plans;
- Site Planning and Architectural Integration Plans (PIIA);
- Conditional uses;
- Specific construction, alteration or occupancy proposal for an immovable (SAOPI);



Notwithstanding this enumeration, these powers of study and recommending can also pertain to any other subject provided by the Land Use Planning and Development Act and on any other subject pertaining to urban planning, zoning, subdivision and construction, submitted by the Municipal Council through the Urban Planning Department.

The Committee will act as a local heritage council in the citation of heritage assets under the Cultural Heritage Act (LRQ section P-9.002).

SECTION 5 COMPOSITION OF THE COMMITTEE

- The Committee's quorum is formed by a minimum of two (2) members;
- The committee is composed of three (3) members chosen among citizens residing on the territory of the Municipality of Pontiac;
- The Mayor is de facto a member of the committee;
- The Director of the Urban Planning Department and the person in charge of the permits and requests are automatically members of the committee but are not entitled to vote; he assumes the responsibility of the committee's secretary.

The Municipal Council may also appoint other individuals to the committee, upon request of the committee or the Council, by resolution, whose services may be necessary to fulfill its duties. These individuals may attend the committee's meetings or participate in the deliberations; however, these individuals do not have the right to vote.

SECTION 6 DURATION OF THE MANDATE

The first term of office for members chosen from the public is (2) years from the date of appointment by resolution.

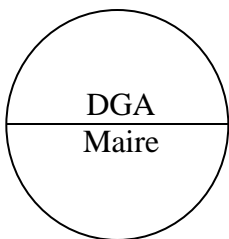
Members must be reappointed at the end of their term by resolution of the Council.

The mandate of a Council member ends when he ceases to be a member or when the Council decides to review his tasks.

The Council has the right to revoke the mandate of a member or of a resource person acting for the committee, anytime, by resolution.

SECTION 7 MEMBER TRAINING OBLIGATION

An appointed member must, within six (6) months of the date of confirmation of the mandate by municipal resolution, submit his or her training certificate in accordance with provincial



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obligations (e.g. obligation under PL 16).

SECTION 8 CHAIRMAN OF THE COMMITTEE

The Chairman of the committee leads the meetings. As such, he notes that there is a quorum. He is consulted in the drafting of the agenda, sees to the adoption of the meeting's agenda, sees to it that the items on the agenda are discussed, and generally, sees to the smooth running, order and the maintenance of the decorum of the meeting.

In case of the Chairman's absence, the committee chooses one of its members to preside the meeting.

The Chairman of the committee is recommended by the members of the committee. He is then appointed by resolution of the Municipal Council. He is subject to the same regulation as that enacted in section 6 regarding the term of his mandate.

SECTION 9 SECRETARY OF THE COMMITTEE

The secretary of the committee prepares the agenda and the minutes of the committee's meeting. He calls the members to the committee's meeting and transmits the documentation related to the items to be studied and recommended during the meeting.

SECTION 10 RULES OF INTERNAL MANAGEMENT

The committee establishes the rules of internal management which are necessary for the performance of its duties in accordance with the present bylaw and with section 146, 3rd paragraph of the Act respecting land use, planning and development.

SECTION 11 NOTICE OF MEETINGS

The committee's secretary convenes the PAC's meetings.

The members' notice of meeting is sent by e-mail at the address found on the list of members.

In addition to the scheduled and convened meetings by the Committee, the Municipal Council may also convene the members of the committee to a meeting by giving written notice by mail or e-mail, one week before the meeting, and specifying the reason for the meeting.

SECTION 12 RECOMMENDATION AND OPINION

After the Committee has studied a file, the members vote on it. The Chairman has the right to



vote but is under no obligation to exercise it. In the event of a tie, the decision rests with the Municipal Council.

The Committee's studies, recommendations and opinions are submitted to the Municipal Council in the form of recommendations. The Committee's recommendations are then submitted to the Municipal Council for consideration and adoption.

SECTION 13 HEARING OF THE APPLICANT

Following a refusal or deferral of the file by the committee, the applicant or the person in charge of the file may ask to be heard during a meeting. The committee is under no obligation to accept the request for a hearing. If the committee considers it appropriate to hear the applicant or the person in charge of the file, the committee will render its recommendation behind closed doors.

SECTION 14 FUNDS AND ALLOWANCE TO THE MEMBERS

The Municipal Council may vote and provide the committee with the amount of money that is needed to perform its duties. It may also give to the members of the committee an « attendance fee» and reimburse the expenses incurred during the performance of their duties. The Council may, during the preparation of the budget, provide funds for the training of committee members.

SECTION 15 DUTIES TOWARDS THE POPULATION

The member of the committee must carry out his duties in the public interest and must take all necessary measures to promote the public interest.

The member must carry out his duties faithfully in compliance with the applicable laws and bylaws.

The member must pay special attention to each file that is submitted to the committee in order to assess it correctly taking into account its advantages, its disadvantages and its impacts on the entire community.

The member must subscribe and adhere to a healthy municipal administration.

The member must fulfill his duties and responsibilities with integrity, dignity and impartiality.

The member must refrain from any activity that is incompatible with his duties, avoid any conflict of interest and prevent any situation susceptible to cast a doubt on his objectivity or his impartiality.



Any member of the committee must obtain the authorization from the members of the committee and from the owner or occupant of a building before conducting a visit of a property or building. It is the secretary's duties to contact the owner or the occupant, to inform him of a visit.

SECTION 16 DUTIES TOWARDS THE MUNICIPALITY

The member shall not damage the reputation of the committee and of the Municipal Council.

The member must demonstrate his availability and due diligence and ensure full collaboration when carrying out his mandates.

The member must show respect and courtesy in his dealings with other members, municipal employees and members of the Municipal Council.

The member must try to establish a trusting relation with the other members or with the resource people.

The member must follow the legal and administrative rules governing the decision-making process.

SECTION 17 CONFIDENTIALITY OF INFORMATION

Under the Act respecting Access to documents held by public bodies and the protection of personal information (L.R.Q., Chap., A-2), any information given to the committee regarding applications that were submitted or revealed during a meeting, is confidential.

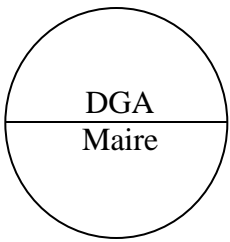
As part of his work, each member of the committee is required to respect the confidentiality of the information he receives and to exercise caution with respect to the privacy of others.

SECTION 18 CONFLICT OF INTERESTS

A member of the committee having an interest in a file or a question that is submitted to the committee must declare the nature of his interest, withdraw himself from the meeting and refrain from voting on any proposed resolution during the meeting, until the committee has ruled on the said file or question.

The committee's secretary must write the declaration of interest in the minutes of the meeting and indicate that the member left the meeting for the duration of the discussion on the said file or question.

SECTION 19 TRANSITORY PROVISIONS



The member of the Planning Advisory Committee constituted under a previous bylaw and abrogated by the present bylaw becomes a member of the Planning Advisory Committee under the present bylaw, as if he was appointed by resolution, in accordance with sections 5 and 6 of this bylaw.

SECTION 20 ADMINISTRATIVE PROVISION

The masculine and the singular are used in the present bylaw without discrimination and include the feminine and the plural in order to avoid a lengthy text.

SECTION 21 ABROGATION

The present bylaw abrogates and replaces bylaws 115-92, 06-18 and 10-22.

The bylaw will come into force in accordance with the Law.

24-02-5191

7.8 Legal procedures - lot 5 814 420 - 2311 Westbrook Road

WHEREAS the MRC des Collines-de-l'Outaouais assessment Department recognizes that the building located on lot 5 814 420 has lost more than 60% of its value;

WHEREAS the building located on lot 5 814 420 is in a condition that requires its demolition in accordance with the bylaws and the law, due to its abandoned, unmaintained, and dangerous condition;

WHEREAS Council wishes to retain the services of DHC Avocats to undertake the appropriate legal proceedings before the Superior Court to require the demolition of this building;

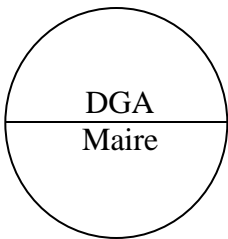
WHEREAS the service offer received from DWB Consultants to perform a building audit;

THEREFORE, it is moved by Councillor Diane Lacasse and seconded by Councillor Serge Laforest.

AND RESOLVED THAT, in the absence of cooperation from the building owner, Me Rino Soucy of DHC Avocats be mandated to undertake the necessary legal proceedings for demolition of the building located on lot 5 814 420 of the Quebec cadastre.

THAT Council mandates the MRC des Collines-de-l'Outaouais preventionist to certify the fire safety of the building.

THAT Council mandates a chartered appraiser to certify the residual value of said building in the lump sum amount of \$875.00, plus taxes.



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THAT Council accepts the service offer from DWB Consultants to perform an audit of said building at a cost of \$2,860.00, plus taxes.

THAT this expenditure be affected to budget items 02 61000 411 and 02 61000 412.

Carried

24-02-5192

7.9 Legal procedures - lot 5 815 283 – 55 Frazer Road

WHEREAS the MRC des Collines-de-l'Outaouais evaluation Department recognizes that the building located on lot 5 815 283 has lost more than 60% of its value;

WHEREAS the building located on lot 5 815 283 is in a condition that requires its demolition according with the bylaws and the law, due to its state of abandonment, lack of maintenance and dangerousness;

WHEREAS Council wishes to mandate the services of the firm DHC Avocats to undertake the appropriate legal proceedings before the Superior Court for the purpose of requiring the demolition of this building;

WHEREAS the service offer received from DWB Consultants to perform a building audit;

THEREFORE, it is moved by Councillor Diane Lacasse and seconded by Councillor Garry Dagenais.

AND RESOLVED THAT, if there is no cooperation from the owner of the building, Me Rino Soucy, lawyer with DHC Avocats, be mandated to undertake the necessary legal demolition procedures with respect to the building located on lot 5 815 283 of the Quebec cadastre.

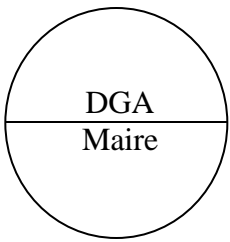
THAT Council mandates the MRC des Collines-de-l'Outaouais prevention specialist to certify the fire safety of the building.

THAT Council mandates a chartered appraiser to certify the residual value of said building in the lump sum amount of \$875.00, plus taxes.

THAT Council accepts the service offer from DWB Consultants to perform an audit of said building at a cost of \$2,860.00, plus taxes.

THAT this expenditure be affected to budgets items 02 61000 411 and 02 61000 412.

Carried



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24-02-5193

7.10 Acceptance of service offer - Drone Logik

WHEREAS sections 78.3 and 78.4 of the Municipal Powers Act (chapter C-47.1) establish the rate of the amount applicable for calculating the municipal fee payable by the operator of a quarry or sandpit;

WHEREAS the orthophotos of the village of Quyon and the ecocenter are of low definition and are from 2020;

WHEREAS two service providers were contacted and that only one was able to provide a service offer in line with our needs in order to obtain Lidar data from the sand pit sampling and high-definition photos of the village of Quyon and the ecocenter;

WHEREAS the service offer received from Drone Logik;

THEREFORE, it is moved by Councillor Serge Laforest and seconded by Councillor Garry Dagenais.

AND RESOLVED THAT the Council accepts Drone Logik's service offer with the option of two (2) surveys per year for one (1) year.

THAT the expense for the photos of the sandpit be paid by the sandpit fund.

THAT the expense for the village be paid by budget item 02 61000 411.

Carried

8. TABLING OF DOCUMENTS

8.1 Tabling of the report regarding the delegation of authorization of expenses from December 18, 2023, to January 25, 2024

9. PUBLIC QUESTION PERIOD

Roger Larose, President, asks the people present if they have questions.

10. CLOSING OF MEETING

IT IS MOVED BY Councillor Garry Dagenais and seconded by Councillor Diane Lacasse.

AND RESOLVED to close the meeting at 8:02 p.m. having gone through the agenda.

24-02-5194



Louis-Alexandre Monast
ASSISTANT DIRECTOR GENERAL

Roger Larose
MAYOR

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».