Municipalité de | Municipality of Pontiac

ADMINISTRATIVE COMPILATION
STANDARDIZED BYLAW 22-RM-03

BYLAW 22-RM-03 TO REPEAL AND REPLACE BYLAW NUMBER 12-RM-03 NUMBER 12-RM-03 RESPECTING TRAFFIC AND PARKING WITHIN THE BOUNDARIES OF THE MUNICIPALITY OF PONTIAC - TO REGULATE TRAFFIC, PARKING AND STOPPING WITHIN THE BOUNDARIES OF THE MUNICIPALITY OF PONTIAC

Adopted by Municipal Council on March 8, 2022
Coming into force on March 23, 2022

Name and/or number of bylaw, policy, resolution	Date of approuva by Council	Coming into force	Status
12-RM-03	December 11, 2012	December 13, 2012	Abrogated/replaced

PREFACE

The reader is hereby advised that any errors or omissions that may be identified in the text below do not affect the enforceability of the regulations and amendments referred to therein, as sanctioned in their original version.

CANADA
PROVINCE OF QUÉBEC
MUNICIPALITY OF PONTIAC

BYLAW 22-RM-03 TO REPEAL AND REPLACE BYLAW NUMBER 12-RM-03 NUMBER 12-RM-03 RESPECTING TRAFFIC AND PARKING WITHIN THE BOUNDARIES OF THE MUNICIPALITY OF PONTIAC - TO REGULATE TRAFFIC, PARKING AND STOPPING WITHIN THE BOUNDARIES OF THE MUNICIPALITY OF PONTIAC

REGULAR meeting of the Council of the Municipality of Pontiac, held on March 8, 2022, at 7:30 p.m., at the Luskville Community Centre, at which meeting were present:

The Mayor, Mr. Roger Larose

The Council Members:

Diane Lacasse
Caryl McCann
Garry Dagenais
Serge Laforest
Chantal Allan
Jean Amyotte

All Council members and being a quorum.

WHEREAS the Municipality of Pontiac, at a regular meeting of its Municipal Council held on December 11, 2012, adopted resolution number 12-12-1387, for the purpose of adopting bylaw number 12-RM-03 for the purpose of regulating traffic and parking within the boundaries of the Municipality of Pontiac;

WHEREAS the standardized bylaw 22-RM-03 regulates in a general way the terms and conditions of application in matters of traffic and parking without, however, regulating by location;

WHEREAS section 295 paragraph 1 of the Quebec Highway Safety Code (R.S.Q., c. C-24) stipulates that the person responsible for the maintenance of a public road may, by means of appropriate signage, determine the stopping zones;

WHEREAS section 295 paragraph 7 of the Quebec Highway Safety Code (R.S.Q., c. C-24) stipulates that the person responsible for the maintenance of a public road may, by means of appropriate signage, prohibit, restrict, or otherwise regulate the stopping or parking of road vehicles;

WHEREAS Council considers that it has become opportune to legislate with respect to traffic, parking, mandatory stops on certain roads in the Municipality of Pontiac and other rules concerning roads and road safety;

WHEREAS a notice of motion was given at a regular meeting of the Municipal Council, on February 8, 2022, to the effect that this bylaw would be submitted for approval;

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

AND RESOLVED THAT it be ordained and enacted by the Council of the Municipality of Pontiac, and the said Council hereby ordains and enacts as follows:

SECTION 1 - RULES OF INTERPRETATION

1.1 This bylaw supplements and adds to the rules set out in the Highway Safety Code of Quebec (R.S.Q., c. C-24.2) and, in certain respects, is intended to provide for the rules of operation and immobilization of road vehicles as well as other rules relating to the use of public roads and other lands where the public is permitted to travel.

All schedules attached to this bylaw form part of this bylaw and any standards, requirements or directions contained in the schedules form part of this bylaw as if enacted herein.

1.2 The provisions of this bylaw that apply to owners of road vehicles shall also apply to any person who acquires or possesses a road vehicle under a title with a condition or term that entitles him or her to ownership or under a title that entitles him or her to enjoy it as a chargeable owner. It also applies to any person who leases a road vehicle for a period of at least one year.

1.3 The person in whose name a road vehicle is registered is liable for an offence against the owner under this bylaw.

1.4 This bylaw replaces bylaw 12-RM-03 and its amendments concerning traffic and parking.

However, this bylaw does not abrogate all resolutions that have been or may be adopted by the Municipality and that decree the installation of signs and the obligation to respect them.

1.5 The replacement of the former provisions by this bylaw does not affect any proceedings taken under the authority of the bylaws so replaced, nor does it affect any offence for which proceedings have not yet been taken, which shall continue under the authority of the said replaced bylaws until final judgment and execution.

SECTION 2 - DEFINITIONS

In this bylaw, words have the same meaning as in the Highway Safety Code (R.S.Q., c. C24.2) unless the context indicates otherwise:

2.1 Agricultural Animals:

Means any animal reserved for breeding on a farm such as sheep, cattle, swine, horses, wild boar, bison, etc., except dogs.

2.2 Post Office Box:

For the purpose of this bylaw, a post office box is defined as any object, receptacle or facility capable of being used for the placing, depositing or storing of mail, parcels or correspondence by mail, courier or any other method of delivery.

2.3 Private road :

Means any road between buildings or between properties owned by one or more individuals and on a portion of which is provided one or more roadways open to public vehicular traffic and, where applicable, one or more bicycle lanes.

2.4 Public road:

Means the surface of land or a structure whose maintenance is the responsibility of the Municipality, a government or one of its agencies and on a portion of which one or more roadways open to public vehicular traffic and, where applicable, one or more bicycle lanes, except roads under the administration of or maintained by the Ministry of Forests, Wildlife and Parks, the Ministry of Energy and Natural Resources or the Ministry of Agriculture, Fisheries and Food.

2.5 Public space :

Means any property, roadway, public land and park in the Municipality.

2.6 Municipality :

Means the Municipality of Pontiac.

2.7 Parks :

Means the parks located on the territory of the Municipality and also includes rest areas, promenades, recreational paths, recreational or tourist infrastructures and generally all public spaces, whether grassed or not, to which the public has access for the purpose of rest or relaxation, play or sport or for any other similar purpose, but does not include public roads, lanes, alleys and sidewalks adjacent to public roads and other areas dedicated to vehicular traffic.

2.8 Person :

Refers to any natural or legal person.

2.9 Vehicle :

Means any vehicle propelled by a motor that can accommodate at least one person. Trailers, semi-trailers and removable axles are considered vehicles.

Excluded are vehicles running on rails and electric wheelchairs.

2.10 Heavy vehicle:

For the purposes of this bylaw, "heavy vehicle" means:

a) road vehicles, as defined in the Highway Safety Code, with a gross vehicle weight rating of 4,500 kg or more and combinations of road vehicles, as defined in that Code, with a combined gross vehicle weight rating of 4,500 kg or more;

b) buses, minibuses and tow trucks, as defined in that Code;

c) road vehicles subject to a regulation made under section 622 of the Highway Safety Code.

2.11 Emergency vehicle :

A road vehicle used as a police vehicle *pursuant to the Police Act* (R.S.Q. c. P-13), a road vehicle used as an ambulance pursuant to the Public Health Protection Act (R.S.Q., c. P-35) and a fire department road vehicle including a first responder vehicle.

2.12 Traffic lane :

Means any public road, alley, public way, private road with public access, parking space or lot, sidewalk or other.

SECTION 3 – ENFORCEMENT OF BYLAW

The peace officers of the MRC des Collines-de-l'Outaouais as well as any other person designated by the Director of Public Security of the said MRC are authorized to undertake penal proceedings against any contravener of any of the provisions of the present bylaw and generally authorize these persons to issue the relevant statements of offence for this purpose. These persons are responsible for the application of the present bylaw.

The Municipality further authorizes the Director General and any person designated by him or her to undertake penal proceedings against any contravener of any provision of the present bylaw concerning parking and consequently authorizes these persons to issue the necessary statements of offence for this purpose. These persons are responsible for the enforcement of any provision of this bylaw concerning parking.

SECTION 4 – PARKING PROVISIONS

4.1 The Municipal Council is authorized, by resolution, to restrict or prohibit the parking of vehicles on any street, portion of a street or public place.

4.2 Municipal Council is authorized by resolution to establish delivery zones on any street, portion of a street or public place.

4.3 No one shall stop, park or stand a road vehicle on a highway or part thereof for a longer period of time than the time indicated on the signs or where it is prohibited to do so.

4.4 No one shall park or stand a road vehicle on a traffic lane or part of a traffic lane longer than the period of time indicated on the sign.

4.5 Notwithstanding any other provision of this bylaw, parking is prohibited on the public roads of the Municipality during the period from and including November 15th to and including April 1st of each year, between the hours of midnight and 7:00 a.m.

4.6 No one shall park or stop a tractor-trailer perpendicular to the sidewalk or lane of traffic.

4.7 No one shall stop, stand or park a road vehicle in the following locations:

- On a pedestrian crossing
- On a sidewalk
- On a bridge
- In a roadway improvement zone
- In an emergency vehicle priority lane
- On a marked bicycle crossing

4.8 No person who has parked his or her vehicle where parking is permitted, but for a specified period of time, shall move or cause to be moved the said vehicle a short distance so as to avoid the restrictions.

4.9 No person shall permit a highway vehicle to be parked on any highway for the purpose of sale or trade.

4.10 No person shall repair or cause to be repaired any vehicle on any highway or roadway unless it is absolutely urgent and necessary.

It is prohibited to stop or park a highway vehicle on any highway for the purpose of repairing or servicing it except in the case of absolutely urgent and necessary repairs following a breakdown.

4.11 The Municipality authorizes its employees to place and maintain signs indicating the prohibition of parking or the time limits for such parking issued pursuant to the provisions of section 3 of this bylaw.

4.12 No owner or driver of a road vehicle shall immobilize his vehicle in such a manner as to obstruct snow removal operations or other road works.

4.13 A peace officer or officer may, in the performance of his or her duties under this bylaw, move or cause to be moved a road vehicle parked in contravention of the sections of Chapter IV or if it poses any hazard to public safety.

4.14 The towing of a vehicle under the provisions of this bylaw shall be at the expense of the owner of the vehicle who shall not recover possession of the vehicle except upon payment of the towing and storage charges which shall not exceed a rent based on the current rates of the garage concerned for the storage of vehicles.

4.15 The Municipality may enter into an agreement with the owner of a parking lot or building to make certain provisions of this bylaw applicable to such lot or building.

4.16 It is prohibited to stop a vehicle on a public roadway for the purpose of displaying advertisements or signs.

4.17 Notwithstanding anything to the contrary contained in this bylaw or any other municipal bylaw, no person shall park a heavy vehicle, trailer, semi-trailer or recreational vehicle between the hours of 12:00 midnight and 6:00 a.m. on a public road.

When proof of ownership of the heavy vehicle, trailer, semi-trailer or recreational vehicle is provided, the owner of the vehicle is presumed to have committed the offence under this bylaw.

Private Parking Areas Open to Public Traffic

4.18 No person shall park a road vehicle in an area controlled by a parking meter, time clock or any other type of device, except for the holders of a parking permit that authorizes such parking, without having first paid the fee prescribed by the rate bylaw in effect at the time of parking, sufficient to cover the period of time during which the road vehicle is parked there. Where applicable, the permit or receipt shall be displayed at all times in accordance with the bylaw.

For the purposes of this section, a private parking area is any location where the use may be the parking of a road vehicle for which monetary consideration is required to park a road vehicle.

4.19 Except where required by necessity, signage to the contrary, other provisions of the bylaw permitting, or for holders of a parking permit that authorizes it, no person shall park a road vehicle in the following areas:

- in front of a driveway and within 0.6 metres of the driveway;
- in front of a post office box or within 10 metres upstream and 2 metres downstream of a post office box, where prohibited by signage;
- In front of a post office box or within 10 metres of the post office box, the distance is calculated from the nearest point of the post office box to the parked road vehicles.

SECTION 5 – PARKING AND TRAFFIC IN PARKS AND OTHER MUNICIPAL LANDS

5.1 No one shall ride a bicycle, motorcycle, snowmobile, all-terrain vehicle, Segways or electric or gas-powered scooter or road vehicle on sidewalks, boardwalks or other areas, in a municipal park, municipal green space, playground or on any property of the Municipality except in those areas or on those trails identified for that purpose and authorized by the Municipality.

5.2 No person shall immobilize or park a road vehicle in a park or other municipal property for the purpose of repair or maintenance.

5.3 No person shall immobilize or park a road vehicle in parks and other municipal properties for the purpose of offering it for sale.

SECTION 6 – TRAFFIC

6.1 Members of the Fire Department, at and around the scene of a fire, are authorized to divert traffic.

6.2 A person who is employed by the Municipality and who is designated by the proper authority for this purpose is authorized to direct traffic at the scene of road work and snow removal.

6.3 No person shall follow an emergency vehicle to the scene of an emergency.

6.4 No person shall drive or stop a vehicle between intersections of public roads where fire apparatus is stopped.

6.5 No driver of a vehicle shall drive over an unprotected hose that has been laid on a public roadway or private driveway for the purpose of extinguishing a fire, except with the consent of a police officer or fire department member.

6.6 It is prohibited to erect or cause to be erected, place or cause to be placed or maintain in place, on or near a public roadway a traffic signal or its imitation for the purpose of advertising a business or industry.

6.7 It is prohibited to damage, move or obscure a traffic signal.

6.8 It is prohibited to place or cause to be placed, keep or maintain on any building any awning, canopy, banner, advertisement, sign or any other obstruction that obstructs the visibility of a traffic signal.

6.9 It is prohibited to maintain shrubs or trees with branches or leaves that obscure the visibility of a traffic signal in whole or in part.

Municipal employees may cut down, remove any shrub, branch, foliage or plant material or other matter that obstructs the visibility of a traffic sign.

6.10 No person who is not the driver or owner of a vehicle shall remove a copy of a traffic ticket or any notice placed by an authorized person.

6.11 No driver of a vehicle shall drive in a marked bicycle path unless authorized by the proper authority or to access a driveway.

6.12 No person shall hold or participate in a parade, demonstration or procession that is likely to interfere with, obstruct or impede the movement of traffic on a public roadway or the movement of highway vehicles.

This provision does not apply where the parade, demonstration or procession has been authorized by the appropriate authority and is conducted in accordance with the conditions and restrictions of the authorization.

6.13 It is prohibited to conduct or participate in a vehicle race, foot race or bicycle race on any public road in the Municipality.

This provision shall not apply where the race has been authorized by the proper authority and is conducted in accordance with the conditions and restrictions of the authorization.

6.14 No driver of a vehicle shall interfere with:

1) a procession, parade or demonstration;
2) a funeral procession of vehicles identified by fluorescent banners or any other distinctive sign.

6.15 It is prohibited to drive a vehicle that is littering the roadway with debris, garbage, mud, dirt or other materials that may obstruct the roadway.

6.16 It is prohibited to operate a highway vehicle with an open drop panel unless it is carrying material that is longer than the vehicle box.

6.17 It is prohibited to operate skis, roller skates, ice skates, skateboards, Segways, electric or gas-powered scooters or other similar games or sports on the roadway, driveway or sidewalk, with the exception of bicycles, which may be operated on the roadway provided that the traffic rules of the Highway Safety Code are observed.

6.18 It is prohibited to ride a scooter, tricycle or buggy or other vehicle on the roadway except to cross the roadway at a crosswalk where the property exists in the same manner as the pedestrian crossing.

6.19 It is prohibited to operate a vehicle, motorcycle, ATV, snowmobile or bicycle on a sidewalk.

6.20 It is prohibited to play or participate in any game or activity on a public roadway, public place or public passageway.

The Municipality may authorize, under the conditions that it determines, that a public road, a park, a public place be closed to traffic for a period that it determines

in order to allow such an activity to be held. The authorization is valid only if the holder complies with the safety standards imposed by the competent authority.

6.21 No driver of a vehicle shall make noise while operating the vehicle, either by accelerated rubbing or skidding of the tires on the roadway, or by rapid starting or acceleration, or by sudden and unwarranted application of the brakes, or by running the engine at a speed higher than that intended when the clutch is in neutral.

6.22 No stray agricultural animal shall be allowed on any roadway.

The owner and/or keeper of such agricultural animals shall be presumed to have committed the violation of this bylaw.

SECTION 7 – HORSE-DRAWN VEHICLES AND HORSES

7.1 The driver or person in charge of a horse-drawn vehicle or horse shall, while in motion, ride or walk beside it.

7.2 No driver or person having the care and custody of a horse or animal-drawn vehicle shall enter or drive upon any sidewalk, park or green space of any kind owned by the Municipality except in designated areas.

7.3 It is an offence for a person having the care and custody of a horse to neglect or fail to pick up or cause to be picked up the manure of a horse that he or she is driving or has the care and custody of.

SECTION 8 – PROVISIONS RELATING TO STOPS

8.1 Municipal Council is authorized, by resolution, to determine the locations of mandatory vehicle stops.

8.2 Unless otherwise signed, when facing a stop sign, the driver of a road vehicle or bicycle shall bring the vehicle to a complete stop and yield the right-of-way to any vehicle entering the intersection from another roadway at a distance that is likely to cause an accident.

8.3 The driver of a road vehicle or bicycle facing a stop sign shall bring the vehicle to a complete stop and comply with sections 8.2 and 8.4.

8.4 At an intersection regulated by stop signs installed for a single roadway, the driver of a road vehicle or bicycle facing a stop sign shall bring his or her vehicle to a complete stop and yield the right-of-way to pedestrians and cyclists crossing the roadway he or she is about to cross or use.

8.5 The Municipality authorizes its employees to place and maintain signs indicating the requirement to come to a complete stop issued under the provisions of chapter 8 of this bylaw.

SECTION 9 – PENAL PROVISIONS

9.1 Any person who contravenes the provisions of sections 4.3, 4.4, 4.5 and 4.18 of this bylaw commits an offence and is liable to a fine of $75.00.

9.2 Any person who contravenes the provisions of sections 4.6, 4.7, 4.8, 4.9, 4.10, 4.16, 4.17, 5.2, 5.3, 6.3, 6.7, 6.10, 6.11, 6.15 and 6.21 of this bylaw is guilty of an offence and is liable to a fine of $350.

9.3 Any person who contravenes the provisions of sections 4.19, 6.5, 6.6, 6.17, 6.18, 6.19, 7.1, 7.2, 8.2, 8.3 and 8.4 of this bylaw is guilty of an offence and liable to a fine of $100.00.

9.4 Any person who contravenes the provisions of Section 6.13 of this bylaw with respect to the organization of or participation in a vehicle race is guilty of an offence and liable to a fine of $1,000.00.

Any person who contravenes the provisions of section 6.13 of this bylaw with respect to the organization of or participation in a foot race or bicycle race is guilty of an offence and liable to a fine of $200.00.

9.5 Any person who contravenes the provisions of sections 4.12, 5.1, 6.4, 6.8, 6.9, 6.12, 6.14, 6.16, 6.20, 6.22 and 7.3 of this bylaw is guilty of an offence and is liable to a fine of $200.00.

9.6 If an offence lasts for more than one day, the offence committed on each day shall constitute a separate offence and the penalties for each offence may be imposed for each day that the offence continues.

SECTION 10 – INTERPRETATION

10.1 The masculine and singular genders are used in these rules without discrimination and include the feminine and plural genders in order to avoid excessive text.

10.2 In the event of a discrepancy between the French and English versions, the French version shall prevail for the application of the Rules.

SECTION 11 – ABROGATION AND COMING INTO FORCE

11.1 This bylaw repeals and replaces bylaw 12-RM-03 and all its amendments for all purposes.

11.2 The bylaw shall come into force in accordance with the Law.

GIVEN at Pontiac, this March 18, 2022.

Pierre Said
Director General
and Secretary-treasurer

Roger Larose
Mayor

Notice of motion :	February 8, 2022
Tabling of the draft bylaw :	February 8, 2022
Adoption of the bylaw :	March 8, 2022
Resolution :	22-03-4580
Public notice:	March 23, 2022
Date of transmission to the MRC :	March 23, 2022