

BY-LAW S.Q. 2011-01  
CONCERNING PARKING ENFORCEABLE BY  
THE QUEBEC PROVINCIAL POLICE

- WHEREAS under section 79 of the *Municipal Powers Act* (Q.R.S., chapter C-47, 1), any local municipality may adopt by-laws relating to parking;
- WHEREAS the municipality has received a request from the MRC of Pontiac asking that it update its by-laws relating to penal matters, and
- WHEREAS a regular notice of motion was given on December 6, 2011;
- CONSEQUENTLY it is moved by councillor K. Kelly and resolved that this by-law abrogate and replace all previous By-Law relating to parking, as enforceable by the Quebec Provincial Police.

IT IS RESOLVED that the following by-law be adopted:

- "Preamble" SECTION 1 The preamble forms an integral part of this by-law.
- For purposes of this definition of a road vehicle is as follows: motor vehicle which can travel on a path is excluded from the definition of road vehicles that can operate only on rails and electrically powered wheelchairs, are included in the definition of road vehicles all-terrain vehicles, snowmobiles, trailers, semi-trailers and detachable axles motorcycles;
- The schedules attached to this by-law form an integral part of it.
- "Signs" SECTION 2 The municipality authorizes the person responsible for the maintenance of a public road to install signs or parking meters indicating stopping and parking zones.
- "Responsible" SECTION 3 The owner whose name is recorded in the register of the Quebec Automobile Insurance Corporation may be declared guilty of an offence relating to parking by virtue of this by-law.

"Prohibited place"	SECTION 4	Parking or stopping a road vehicle on a public road at places where signs or parking meters indicate a violation is prohibited.
"Permitted period"	SECTION 5	Parking or stopping a vehicle beyond the time limit authorized by a sign or a parking meter is prohibited.
"Winter"	SECTION 6	Parking or stopping a vehicle on a public road between midnight and 6:00 a.m. from 15 <sup>th</sup> , November to 15 <sup>th</sup> , April is prohibited on the whole territory of the municipality.
"Removable signs"	SECTION 7	<p>Parking or stopping a road vehicle on a public road in areas :</p> <p>1° where movable parking signs have been installed, in cases of emergencies or for special events, is prohibited.</p> <p>2° in a place where movable signs or posters indicate plowing operation or construction work;</p>
"Handicapped persons"	SECTION 8	<p>Parking or stopping a road vehicle on a public road in a parking space reserved for the exclusive use of handicapped persons is prohibited, unless such a road vehicle is equipped with one of the following plates or labels:</p> <p>1° Identification label delivered in accordance with section 11 of the <i>Highway Safety Code</i> (R.S.Q. C. C-24.2), in the driver's name, or that of an accompanying person or the establishment that employs the driver; the label should be suspended to the road vehicle's inside rear-view mirror, so as to be visible from the outside;</p> <p>2° Any plate or label identifying the handicapped person and delivered by an administrative body in Canada or the United States.</p> <p>When a road vehicle is equipped with a label delivered according to paragraph 1 above, the driver or the passenger should, upon asked by a peace officer, submit a certificate showing delivery of the label.</p>

Apart from public roads, this section applies to private roads open to public traffic for road vehicles, as well as to shopping malls and other areas to which the general public has access.

## POWERS GRANTED TO PEACE OFFICERS

"Moved"	SECTION 9	<p>In the context of the duties exercised by virtue of this by-law, a peace officer may remove or have removed, at the owner's expense, any road vehicle that is parked, in the case of snow removal or in the following emergency situations:</p> <ul style="list-style-type: none"><li>• the road vehicle interferes with traffic to the point of being a risk for public safety;</li><li>• the road vehicle interferes with the work of firemen, policemen or any other officials at the time of an event involving public safety.</li></ul>
---------	-----------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## PENAL PROVISIONS

"Application"	SECTION 10	<p>Council authorizes all peace officers of the Quebec Provincial Police to undertake criminal proceedings against any contravener, and to issue statements of violation for any infraction to one of the provisions of the by-law.</p>
"Penalties"	SECTION 11	<p>Anyone who contravenes one of the sections (4, 5, 6 or 7) of this by-law commits an offence and is liable, over and above expenses, to a minimum fine of thirty dollars (\$30.00).</p>
	SECTION 12	<p>Anyone who contravenes section 8 of this by-law commits an offence and is liable, over and above expenses, to a fine of one hundred dollars (\$100.00).</p>
"Abrogation"	SECTION 13	<p>This by-law abrogates any previous municipal by-laws which are incompatible with its provisions.</p>
"Effective date"	SECTION 14	<p>This by-law shall become effective according to law.</p>

Adopted by the Municipal Council during a session held on January 3, 2012 and signed by the Mayor and the Secretary-Treasurer.

---

Mayor

---

Secretary-Treasurer

BY-LAW S.Q. 2011-02  
CONCERNING SAFETY, PEACE AND ORDER IN PUBLIC AREAS  
ENFORCEABLE BY THE QUEBEC PROVINCIAL POLICE

WHEREAS under section 85 of the *Municipal Powers Act* (Q.R.S., chapter C-47, 1), any local municipality may adopt by-laws to ensure peace, order, good government and the general welfare of its population;

WHEREAS the municipality has received a request from the MRC of Pontiac asking that it update its by-laws relating to penal matters, and

WHEREAS a regular notice of motion was given on December 6, 2011;

CONSEQUENTLY it is moved by councillor R. Charette that this by-law abrogate and replace all interior By-Laws relating to safety, peace and order in public areas, as enforceable by the Quebec Provincial Police.

IT IS ALSO RESOLVED that this by-law be adopted:

“Preamble” SECTION 1 The preamble forms an integral part of this by-law.  
  
The schedules attached to this by-law form an integral part of it.

“Interpretation” SECTION 2 For purposes of this by-law, unless the context indicates otherwise, this shall be the meaning of words used herein:

Peace agent  
A member of the Quebec Provincial Police.

Proper authority  
Any police officer, firefighter or other person or service designated by Council.

Municipal property  
Any goods, whether moveable or immoveable, belong to the municipality,

including trees, shrubs, lawns, flowers, flower pots, traffic signs, fountains, stands, lampposts, garbage bins, playground equipment, play items, pools, showers, parking meters, parks and all other things intended for public use.

Council     The municipal council.

#### Public areas

All roads, streets, lanes, place or public ways, alleys, passages, sidewalks, stairways, gardens, parks, tennis courts, multifunctional tracks, bicycle paths, promenades, playgrounds, stages, parking areas intended for public use, whether belonging to the municipality or not, or any other interior or exterior places of gathering with public access, including waste lands with public access, and interior spaces of shopping malls.

#### Public events

All activities organized for the general public, whether for profit or not, at a place or in an area that are public or not, including namely community meals, fairs, circuses, “kermesses”, merry-go-rounds and road shows, including parties and festivals.

#### Street furniture

All equipment, structures or goods installed on public ways or in public areas or areas within the municipality.

#### Occupant

All persons occupying a dwelling, a building or a lot under the terms of a verbal agreement or a written lease, as well as the owner if on the premises.

#### Person

All natural or artificial persons, including companies, unions, corporations and all groups or associations having an interest in a dwelling or a residential

building as owners, co-owners, mortgagees, liquidators or other. This term also includes guards, tenants or occupants as the situation demands.

#### Road vehicle

All motor vehicles that can move on a road. The definition excludes vehicles that move solely on rail and electric wheelchairs. The definition includes all-terrain vehicles, snowmobiles, trailers, tractor trailers, removable auxiliary axles and motorcycles.

#### Public ways

All surfaces of lots or artwork, the maintenance of which is the responsibility of the municipality, its organizations or subcontractors, of a government or one of its organizations, on which one or more than one pavements have been built for public access. Includes pavements, sidewalks, green spaces, shoulders, rights of way, bicycle paths, road islands and ditches. Includes also streets, places, parks, public squares, public lanes, public passageways, bridges, bridge approaches, avenues, boulevards, roads, overpasses, tunnels and all other areas intended for public access by road vehicle riders, cyclists and pedestrians.

"Alcoholic beverages"

SECTION 3 In a public area or inside a road vehicle, no one may consume alcoholic beverages or have in his or her possession a container of alcoholic beverage with an unsealed opening, except if a sales license was issued by the *Régie des alcools, des courses et des jeux*.

"Mischief"

SECTION 4 No one may draw, paint, mark, destroy, break, shake, cut, degrade, deteriorate, damage, make dirty in any way possible or otherwise displace municipal goods or street furniture.

The act of pasting or posing labels or graffiti on municipal property or street furniture constitutes a violation.

"White weapon" SECTION 5 No one may be found on a public way or in a public area, whether on foot or in a public vehicle, with possession of a white weapon, a knife, a sword, a machete, a slingshot, a pea shooter or any other weapon or object that could be used as a weapon, without a legitimate excuse.

Self-defence does not constitute a reasonable excuse for purposes of this section.

"Fire" SECTION 6 No one may ignite a fire or maintain a fire ignited in a public area without a permit.

The municipality or one of its representatives may issue a permit authorizing a fire for a specific event, subject to the following conditions:

- a) The applicant shall undertake to ensure constant supervision of premises by a responsible major person.
- b) A safety area as decided by the municipality shall be established by the applicant, so that neighbouring areas and the general public are protected.
- c) The applicant shall undertake to follow all applicable safety standards.
- d) The applicant shall ensure that an extinguishing product or agent is present, and in sufficient quantity.
- e) The applicant shall demonstrate that he or she possesses the appropriate public liability insurance.
- f) No open fire ban by the proper authorities shall be in force.

"Organic waste" SECTION 7 It is prohibited for anyone to urinate or defecate on private property, public ways or public areas of the



municipality, except in places specifically established for such purposes.

"Games/roadways" SECTION 8 No one may carry-out or take part in a game or an activity on a roadway.

The municipality or one of its representatives may issue a permit for a specific event under conditions set by Council.

"Public disturbance" SECTION 9 No one may act in such a way as to disturb public peace or tranquillity, namely in the following manner:

a) No one may cause, provoke, encourage or take part in a fight or skirmish, or behave violently on a public way or in a public area;

b) No one may blaspheme or use insulting, injurious or disturbing language with respect to another person.

"Projectiles" SECTION 10 No one may throw projectiles on a public way or in a public area.

"Activities" SECTION 11 No one may organize, direct or participate in a parade, march or run having more than fifteen participants in a public area without having first obtained a permit from the municipality.

The municipality or one of its representatives may issue a permit authorizing the holding of an activity under the following conditions.

a) the applicant shall first submit a detailed plan of the activity to the police department serving the municipality;

b) the applicant shall have met the safety requirements set by the Police Department.

Funerals and marriages are exempt from this by-law.

"Loitering" SECTION 12 No one may sleep, shelter, beg or loiter on a public way, in a public area or in a private area. In the latter case, the agents of the *Sûreté du Québec* are

authorized to intervene only with the permission of the owner or the occupant.

- "Gathering" SECTION 13 No one may take part in a noisy or tumultuous happening or gathering, or do any degrading or brutal act on a public way or in a public area.
- "School" SECTION 14 No one may be present on the grounds of a school outside normal opening hours, without a reasonable motive.
- "Park" SECTION 15 No one may be present in a park or on the grounds of a school or church at times prohibited by way of signs.
- The municipality or one of its representatives may issue a permit for a specific event under conditions set by Council.
- "Safety area" SECTION 16 No one may cross or be present inside a safety area established by the proper authorities and marked with signs (ribbons, barriers, etc.), unless specifically authorized to do so.
- "Free access" SECTION 17 The obstruction or cluttering, without a legitimate motive, of pedestrian passageways or the access of road vehicles to a public way or in a public area, or the obstruction of the passage or the door to a house or yard is prohibited. All owners and occupants of buildings shall keep sidewalks in front and on the side of such buildings free from all obstruction, including hedges and other shrubs.
- "Alcohol/drugs" SECTION 18 No one who is under the influence of alcohol or drugs may be present in a public area or on a public way.

## APPLICATION

- "Responsibility" SECTION 19 The application of this by-law is the responsibility of the peace agents of the Quebec Provincial Police. It is also the responsibility of municipal inspectors, and other persons designated by a resolution of the council.

- "Proceedings" SECTION 20 All peace agents of the Quebec Provincial Police, municipal inspectors and other persons designated by a resolution Council are authorized to issue a statement of violation and to undertake legal proceedings for any violation to this by-law, in accordance with the *Quebec Code of criminal procedure* (R.S.Q., c. C-25).
- "Inciting" SECTION 21 The act of helping, inciting or encouraging anyone else to commit a violation of this by-law is prohibited.
- "Injury" SECTION 22 The act of insulting, abusing, blaspheming or molesting a peace agent or any other person designated by a resolution of the council, during the performance of their duties, is prohibited.
- "Refusal to obey" SECTION 23 The act of refusing to obey or comply with an order issued by a peace agent, a municipal inspector or any other person designated by a resolution of Council, during the performance of their duties, is prohibited.

Furthermore, it is forbidden for anyone to refuse to help or provide assistance as requested by a peace agent, a municipal inspector or any other person designated by a resolution of Council, during the performance of their duties.

The act of disturbing the work of firefighters, police officers, ambulance attendants or other municipal workers, is prohibited.

The act of anyone refusing to leave a building or a lot when requested to do so by a peace agent acting in the name of the owner, the tenant or the occupant, or one of their representatives, is prohibited.

## PENAL PROVISIONS

- "Penalties" SECTION 24 Without prejudice to any other possible recourse, whoever contravenes a provision of this by-law is liable to a fine of one hundred dollars (\$100.00) in the case of a natural person, and two hundred dollars (\$ 200.00) in the case of an artificial person, for a first infraction; the fine is two hundred dollars (\$ 200.00) in the case of a natural person, and four

hundred dollars (\$ 400.00) in the case of an artificial person, for any repeat offence during the following year; in each case, legal expenses shall be additional.

- "Civil remedy"      SECTION 25      Criminal proceedings shall be without prejudice or limitation to any other recourse to be taken by the municipality, including all civil remedies before any court of law, including the municipal one, to recover the expenses incurred as a result of the violation of this by-law.
- "Revocation of permit"      SECTION 26      All peace agents of the Quebec Provincial Police, municipal inspectors and other persons designated by a resolution of Council may revoke a permit in the case of a violation to the municipal by-law; he or she shall immediately inform the municipality of any such action taken.
- "Abrogation"      SECTION 27      This by-law abrogates all previous municipal by-laws which are incompatible with its provisions.
- "Effective date"      SECTION 28      This by-law shall be effective according to law.

Adopted by the Municipal Council during a meeting held on January 3, 2012 and signed by the Mayor and the Secretary-Treasurer.

---

Mayor

---

Secretary-Treasurer

BY-LAW S.Q. 2011-03  
CONCERNING NUISANCES  
ENFORCEABLE BY THE QUEBEC PROVINCIAL POLICE

WHEREAS under section 59 of the *Municipal Powers Act* (Q.R.S., chapter C-47, 1), any local municipality may adopt by-laws relating to nuisances;

WHEREAS the municipality has received a request from the RCM of Pontiac asking it to update its by-laws in general, and

WHEREAS a regular notice of motion was given on December 6, 2011;

CONSEQUENTLY it is moved by councillor J. Schock Pulley that this by-law abrogate and replace all interior By-Laws relating to nuisances, as enforceable by the Quebec Provincial Police.

IT IS ALSO RESOLVED that this by-law be adopted:

- |                 |           |                                                                                                                                                                                                                                                                                                                               |
|-----------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| "Preamble"      | SECTION 1 | The preamble forms an integral part of this by-law.<br><br>The schedules attached to this by-law form an integral part of it.                                                                                                                                                                                                 |
| "Noise/general" | SECTION 2 | It is a prohibited nuisance to provoke or incite in any way whatsoever, noise that is likely to disturb the peace and well-being of the neighbourhood, or likely to be heard at the limits of the property.                                                                                                                   |
| "Works"         | SECTION 3 | It is a prohibited nuisance to cause noise that is likely to disturb the peace and well-being of the neighbourhood by performing construction work, demolition or repairs to a building or vehicle, between 10:00 p.m. and 7:00 a.m., except in the case of emergency work intended for the safety of people or the premises. |
| "Show/music"    | SECTION 4 | It is a prohibited nuisance to allow the production of a show or the broadcast of music with sounds that                                                                                                                                                                                                                      |

can be heard beyond a 50-meter radius from the place of origin.

"Fireworks" SECTION 5 It is a prohibited nuisance to use firecrackers or fireworks or to allow their use.

The municipality or one of its representatives may issue a permit authorizing the use of fireworks.

"Firearms" SECTION 6 It is a prohibited nuisance to walk with, make use of or discharge a firearm, a compressed air or gas weapon, a bow or a crossbow, a slingshot, a pea shooter or any other device, instrument or system designed to launch projectiles:

- a) at a distance of less than one hundred (30) meters from any house, building or structure, without a reasonable excuse;
- b) from a public road as well as on a width of ten (10) meters on each exterior side of a right-of-way, without a reasonable excuse;
- c) from a fenced pasture in which are found farm animals;
- d) from a private property, without having first obtained permission from the owner, the owner's representative or the premises' occupant.

"Light" SECTION 7 It is a prohibited nuisance to project light outside the place of origin if it is likely to cause a danger for the public or an inconvenience to citizens.

"Fire" SECTION 8 It is a prohibited nuisance to ignite a fire or maintain a fire ignited on a private property without a permit, except in the case of wood fires ignited in specially designed fireplaces.

The municipality or one of its representatives may issue a permit authorizing a fire for a specific event, subject to the following conditions:

- a) The applicant undertakes to ensure constant supervision of premises by a responsible major person.

- b) A safety area as decided by the municipality must be established by the applicant, so that neighbouring areas and the general public are protected.
- c) The applicant undertakes to respect all applicable safety standards.
- d) The applicant shall ensure that an extinguishing product or agent is present, and in sufficient quantity.
- e) The applicant shall demonstrate that he or she possesses the appropriate public liability insurance.
- f) No open fire ban by the proper authorities shall be in force.

"Presence prohibited"

SECTION 9

It is considered a prohibited nuisance for anyone to enter or to stay on a property, land or lot, building, yard, school or church yard, garden, shed, garage, depot or private lane, without the express consent of the owner, the owner's representative or the premises' occupant, and without a reasonable motive.

It is also considered a prohibited nuisance for anyone to remain on a private property after being asked to leave by the owner, the owner's representative or the premises' occupant, without a reasonable motive.

"Waste/objects"

SECTION 10

Constitutes a nuisance and is prohibited to let, deposit or throw any objects or residual material on a public or private field, except with the permission of the owner or the person responsible for the field.

"Right of inspection"

SECTION 11

Council authorizes officials of the municipality (inspectors) to visit and examine any movable or immovable property, between 7:00 a.m. and 7:00 p.m., as well as the exterior or interior of any house, building or structure, to discover whether by-laws

are executed therein, and thus all owners, tenants or occupants of such houses, buildings and structures must receive these persons and answer all questions asked with respect to the execution of this by-law.

"Application"           SECTION 12   The person responsible for the application of this by-law shall be any official or municipal employee appointed by Council.

Council also authorizes all peace agents of the Quebec Provincial Police to undertake criminal proceedings against any contravener, and to issue statements of violation for any offence to one of the provisions of this by-law.

"Penalty"               SECTION 13   Whoever contravenes a provision of this by-law commits an offence and is liable to a fine of one hundred dollars (\$ 100.00) in the case of a natural person, and two hundred dollars (\$ 200.00) in the case of an artificial person, for a first infraction; the fine is two hundred dollars (\$ 200.00) in the case of a natural person, and four hundred dollars (\$ 400.00) in the case of an artificial person, for any repeat offence during the following year; in each case, legal expenses shall be additional.

Whoever contravenes section 6 of this by-law commits an offence and is liable to a fine of two hundred and fifty dollars (\$250.00), plus expenses.

"Abrogation"           SECTION 14   This by-law abrogates all previous municipal by-laws which are incompatible with its provisions.

"Effective date"       SECTION 15   This by-law shall become effective according to law.

Adopted by the Municipal Council during a meeting held on January 3, 2012 and signed by the Mayor and the Secretary-Treasurer.

---

Mayor

---

Secretary-Treasurer



CANADA  
PROVINCE OF QUEBEC  
MUNICIPALITY OF THORNE

BY-LAW S.Q. 2011-04  
CONCERNING PEDDLING  
ENFORCEABLE BY THE QUEBEC PROVINCIAL POLICE

WHEREAS under section 85 of the *Municipal Powers Act* (Q.R.S., chapter C-47, 1), any local municipality may adopt by-laws relating to the general well-being of its population;

WHEREAS the municipality has received a request from the RCM of Pontiac asking that it update its by-laws with respect to criminal matters, and

WHEREAS a regular notice of motion was given on December 6, 2011;

CONSEQUENTLY it is moved by councillor E. Dagenais-Schwartz that this by-law abrogate and replace all interior By-Laws relating to peddling, as enforceable by the Quebec Provincial Police.

IT IS ALSO RESOLVED that this by-law be adopted:

- "Preamble" SECTION 1 The preamble forms an integral part of this by-law.  
The schedules attached to this by-law form an integral part of it.
- "Definition" SECTION 2 For purposes of this by-law, the following definition shall apply:  
Peddler: Physical or artificial person having authorized someone who, without being required to do so, solicits another person at its home or place of business in order to sell goods or offer a service, or ask for a donation.
- "Permit" SECTION 3 Peddling without a permit is prohibited.
- "Exceptions" SECTION 4 Section 3 shall not apply to the following persons:

- a) those who sell or peddle publications, brochures and books of a moral or religious character;
- b) those who solicit donations for non-for-profit causes.

"Cost"	SECTION 5	To obtain a peddler's permit, a person must pay the amount set by the municipality.
"Period"	SECTION 6	The permit is valid for the period indicated thereon.
"Transfer"	SECTION 7	The permit is not transferable.
"Examination"	SECTION 8	The permit must be visibly worn by the peddler and submitted upon request, for examination, to a peace agent of the Quebec Provincial Police or to any individual designated by Council, when so requested.
"Hours"	SECTION 9	Peddling between the hours of 8:00 p.m. and 10:00 a.m. is prohibited.
"Application"	SECTION 10	The person responsible for the application of this by-law shall be any official or municipal employee appointed by Council.

The Council also authorizes all peace agents of the Quebec Provincial Police to undertake criminal proceedings against any contravener and to issue statements of violation for any offence to one of the provisions of this by-law.

#### PENAL PROVISIONS

"Penalty"	SECTION 11	Without prejudice to any other possible recourse, whoever contravenes a provision of this by-law is liable to a fine of one hundred dollars (\$ 100) in the case of a natural person, and two hundred dollars (\$ 200) in the case of an artificial person, for a first infraction; the fine is two hundred dollars (\$ 200) in the case of a natural person, and four hundred dollars (\$ 400) in the case of an artificial person, for any repeat offence during the following year; in each case, legal expenses shall be additional.
-----------	------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

"Abrogation" SECTION 12 This by-law abrogates all previous municipal by-law which are incompatible with its provisions.

"Effective date" SECTION 13 This by-law shall become effective according to law.

Adopted by the Municipal Council of during a meeting held on January 3, 2012 and signed by the Mayor and the Secretary-Treasurer.

---

Mayor

---

Secretary-Treasurer

CANADA  
PROVINCE OF QUEBEC  
MUNICIPALITY OF THORNE

BY-LAW S.Q. 2011-05  
CONCERNING THE OUTDOOR USE OF WATER  
ENFORCEABLE BY THE QUEBEC PROVINCIAL POLICE

WHEREAS under section 85 of the *Municipal Powers Act* (Q.R.S., chapter C-47, 1), any local municipality may adopt by-laws relating to the general well-being of its population;

WHEREAS the municipality has received a request from the RCM of Pontiac asking that it update its by-laws with respect to criminal matters, and

WHEREAS a regular notice of motion was given on December 6, 2011;

CONSEQUENTLY it is moved by councillor E. Pasch that this by-law abrogate and replace all interior By-Laws relating to the outside use of water, as enforceable by the Quebec Provincial Police.

IT IS ALSO RESOLVED that this by-law be adopted:

"Preamble" SECTION 1 The preamble forms an integral part of this by-law.

"Public notice" SECTION 2 When a water shortage occurs or is expected to occur, Council may, by resolution, issue a public notice forbidding the use of drinking water for a predetermined period, or setting terms and conditions for the use of water, for purposes of lawn watering, car washing or pool filling.

This notice, except in the case of a specific mention, shall not affect the use of water by farmers for purposes of agriculture.

"Prohibited use" SECTION 3 The use of drinking water for purposes of lawn watering, car washing or pool filling during a period of restriction is prohibited. If terms and conditions for the use of water are provided, the user must abide by these.

"Right of inspection" SECTION 4 Council authorizes officials of the municipality (inspectors) to visit and examine any movable or immovable property, between 7:00 a.m. and 7:00 p.m., as well as the exterior or interior of any house, building or structure, to discover whether by-laws are executed therein, and thus all owners, tenants or occupants of such houses, buildings and structures must receive these persons and answer all questions asked with respect to the execution of this by-law.

"Authorization" SECTION 5 The person responsible for the application of this by-law shall be any official or municipal employee appointed by Council.

Council also authorizes all peace agents of the Quebec Provincial Police to undertake criminal proceedings against any contravener, and to issue statements of violation for any offence to one of the provisions of this by-law.

#### PENAL PROVISIONS

"Penalties" SECTION 6 Without prejudice to any other possible recourse, whoever contravenes a provision of this by-law is liable to a fine of one hundred dollars (\$ 100) in the case of a natural person, and two hundred dollars (\$ 200) in the case of an artificial person, for a first infraction; the fine is two hundred dollars (\$ 200) in the case of a natural person, and four hundred dollars (\$ 400) in the case of an artificial person, for any repeat offence during the following year; in each case, legal expenses shall be additional.

"Abrogation" SECTION 7 This by-law abrogates all previous municipal by-laws which are incompatible with its provisions.

"Effective date" SECTION 8 This by-law shall become effective according to law.

Adopted by the Municipal Council during a meeting held on January 3, 2012 and signed by the Mayor and the Secretary-Treasurer.

---

Mayor

---

Secretary-Treasurer

CANADA  
PROVINCE OF QUEBEC  
MUNICIPALITY OF THORNE

BY-LAW S.Q. 2011-06  
CONCERNING ALARM SYSTEMS  
ENFORCEABLE BY THE QUEBEC PROVINCIAL POLICE

WHEREAS under section 85 of the *Municipal Powers Act* (Q.R.S., chapter C-47, 1), any local municipality may adopt by-laws relating to the general well-being of its population;

WHEREAS the municipality has received a request from the RCM of Pontiac asking that it update its by-laws with respect to criminal matters, and

WHEREAS a regular notice of motion was given on December 6, 2011;

CONSEQUENTLY it is moved by councillor M. Guitard that this by-law abrogate and replace all interior By-Law relating to alarm systems, as enforceable by the Quebec Provincial Police.

IT IS ALSO RESOLVED that this by-law be adopted:

"Preamble" SECTION 1 The preamble forms an integral part of this by-law.

"Definitions" SECTION 2 For purposes of this by-law, the following definitions shall apply.

Protected premises: Buildings, lots, construction or any other work protected by an alarm system.

Alarm system: Any device, panic button or equipment used to indicate the presence of an intruder, the act or attempt of breaking and entering or an offence, in protected premises located on the territory of the municipality.

User: Any natural or artificial person who is the owner or

occupant of protected premises.

"Application"	SECTION 3	This by-law applies to any alarm system, including systems already installed or in use on the effective date of this by-law.
"Permit"	SECTION 4	An alarm system may not be installed or an already existing alarm system changed without a permit being first issued.
"Transfer"	SECTION 5	Permits are not transferable. A permit must be obtained by any new user or whenever a change is brought to the alarm system.
"Notice"	SECTION 6	Whoever makes use of an alarm system on the effective date of this by-law shall, within sixty (60) days, provide notice to the person responsible for the application of this by-law.
"Elements"	SECTION 7	The notice mentioned in section 6 must be given in writing.
"Signal"	SECTION 8	When an alarm system is equipped with a bell or any other signal designed to give an alert outside the protected premises, the said system shall be designed in such a way as to not produce any sound signal consecutively for a period of more than twenty minutes.
"Authorization"	SECTION 9	The officer of the peace responsible for the application of all or any part of this by-law shall be authorized to enter any vacant premises protected by an alarm system for the purpose of interrupting a signal if it been sounding consecutively for more than twenty minutes.
"Expenses"	SECTION 10	The municipality shall be authorized to claim from any user of an alarm system the expenses incurred in case of a defect or malfunction, namely the expenses incurred for purposes of entering a building, in accordance with section 9.
"Offence"	SECTION 11	It is an offence to activate a system, over and above the second activation made during a consecutive period of twelve months, from January 1 <sup>st</sup> to December 31 <sup>st</sup> of the present year for reasons of

defect or malfunction. The contravener is liable to such penalties as provided under section 15.

"Presumption" SECTION 12 Failing any evidence to the contrary, the activation of an alarm system shall be presumed to have been caused by a defect or malfunction, when there is no evidence or trace of the presence of an intruder, the commission of an offence, a fire or the beginning of a fire on the protected premises upon the arrival of peace agents, firefighters or an official responsible for the application of all or part of this by-law.

"Inspection" SECTION 13 The officer responsible for the application of this by-law shall be authorized to visit and examine any movable or immovable property, between 7:00 a.m. and 7:00 p.m., as well as the exterior or interior of any house, building or structure, to discover whether by-laws are executed therein, and thus all owners, tenants or occupants of such houses, buildings and structures must receive these persons and answer all questions asked with respect to the execution of this by-law.

"Authorization" SECTION 14 The person responsible for the application of this by-law shall be any official or municipal employee appointed by Council.

Council also authorizes all peace agents of the Quebec Provincial Police to undertake criminal proceedings against any contravener, and to issue statements of violation for any offence to one of the provisions of this by-law.

## PENAL PROVISIONS

"Fines" SECTION 15 Whoever contravenes a provision of this by-law commits an offence.

Whoever commits a first offence is liable to a fine of one hundred dollars (\$ 100) in the case of natural person, and of two hundred dollars (\$ 200) in the case of an artificial person.

Whoever commits a second offence with respect to the same provision during a period of twelve (12) months following a first offence is liable to a fine of a hundred and fifty dollars (\$ 150) in the case of a



natural person, and of three hundred dollars (\$ 300) in the case of an artificial person.

Whoever commits a third offence with respect to the same provision during a period of twelve (12) months following a first offence is liable to a fine of two hundred dollars (\$ 200) in the case of a natural person, and of four hundred dollars (\$ 400) in the case of an artificial person.

Whoever commits any subsequent offence with respect to the same provision during a period of twelve (12) months following a first offence is liable to a fine of one thousand dollars (\$ 1000) in the case of a natural person, and of two dollars (\$ 2000) in the case of an artificial person.

In all cases, legal expenses shall be additional.

"Abrogation"            SECTION 16    This by-law abrogates any previous municipal by-law which is incompatible with its provisions.

"Effective date"        SECTION 17    This by-law shall become effective according to law.

Adopted by the Municipal Council during a meeting held on January 3, 2012 and signed by the Mayor and the Secretary-Treasurer.

---

Mayor

---

Secretary-Treasurer

CANADA  
PROVINCE OF QUEBEC  
MUNICIPALITY OF THORNE

ANIMAL CONTROL  
BY-LAW S.Q. 2011-07  
ENFORCEABLE BY THE QUEBEC PROVINCIAL POLICE

- WHEREAS under section 62 of the Municipal Powers Act (Q.R.S., chapter C-47, 1), any local municipality may adopt by-laws relating to animals;
- WHEREAS the municipality has received a request from MRC of Pontiac to update animal control by-laws;
- WHEREAS a notice was given at a regular meeting on December 6, 2011, for consideration of the present to be approved;
- CONSEQUENTLY it is moved by councillor K. Kelly and resolved that this by-law repeals and replaces all previous by-laws relating to animal control, as enforceable by the Quebec Provincial Police.

IT IS RESOLVED that the following by-law will be adopted:

**SECTION 1 – DEFINITIONS**

Unless the context indicates or specifies otherwise, the following expressions, terms and words have, in this by-law, the meaning and use stated in this article:

1.1 FARMER

Refers to persons involved in agricultural activities and recognized as such.

1.2 ANIMAL

Refers to animals of any species or origin.

1.3 FARM ANIMAL

Refers to animals raised on a farm, such as beef, pigs, goats, horses, etc.

1.4 FREE-RANGING ANIMAL

Refers to animals outside their guardian's building or property.

1.5 STRAY ANIMAL

Refers to lost or stray animals without owner or guardian.

1.6 DOG

Refers to all dogs, including bitches and puppies.

1.7 GUIDE DOG

Refers to a dog trained specifically to assist the visually impaired or any other type of physically handicapped persons.

1.8 MUNICIPALITY:

Refers to the Municipality of Thorne

1.9 PERSON:

Refers to individuals and legal entities.

1.10 HANDICAPPED PERSON

Refers to all persons recognized as handicapped by the Office des personnes handicapées du Québec or equivalent government entity.

1.11 PRIVATE PROPERTY

Refers to public or private land or building not accessible to the public.

1.12 AGRICULTURAL AREA

Refers to an area where agricultural operations are allowed by the municipality.

1.13 COMPETENT AUTHORITY

Refers to an organization or individual having entered into agreement with the Municipality to enforce the current by-law.

1.14 ROADWAYS

Refers to streets, alleys, public roads, private roads, parking areas or lots, sidewalks, etc.

1.15 GUARDIAN

A person who owns, possesses or cares for an animal.

#### 1.16 PUBLIC AREA

Parks, streets, beaches, docks, public transportation, public use and public access areas or locations.

#### 1.17 PARKS

Parks located on municipal territory and under municipal jurisdiction, including all public areas, planted with grass or not, accessible to the public for purposes of resting, relaxing, games, sports and similar activities.

#### 1.18 STREETS

Streets, roads, lanes, bicycle path, sidewalks and other public and private areas designated for pedestrians or vehicles, located on municipal territory.

#### 1.19 PUBLIC AREA

Parking lots under municipal care and common areas of businesses, public buildings or residential buildings.

#### 1.20 PUBLIC ACCESS AREAS OR LOCATIONS

Areas or locations accessible to the public, such as churches, parish, cemetery, shopping centre, sports complex, cultural complex, tourist attractions, play areas and other public access areas.

### **SECTION 2 – FARM ANIMAL PROVISIONS**

- 2.1 Persons who wish to raise one or more farm animal(s) within municipal limits must reside on farm land or in an area authorized and recognized as such by the Municipality.
- 2.2 Keepers of farm animals who wish to have their herd cross over public roads must ensure safe crossing.
- 2.3 Farm animals kept outside must be contained or secured by a device, for example, a leash, holding device or property fencing.

### **SECTION 3 - NUISANCE**

- 3.1 The facts, circumstances, gestures and actions stated below are considered a nuisance or violation under this by-law and the guardian is liable to the penalties that apply:

- 3.1.1 The fact that a guardian does not immediately pick up and dispose of droppings left behind by an animal under his guard, in proper, hygienic fashion and by all available means, whether on public or private property. The guardian should have all the necessary material for this purpose. This provision does not apply for guide dogs.
- 3.1.2 The fact that a guardian brings an animal to a public place during a public celebration, event or gathering. This article does not apply for guide dogs or to events where municipal permission has been granted.
- 3.1.3 The fact that a guardian carries one or more dogs in a road vehicle, the animals must not be able to exit the vehicle or attack individuals passing by.
- 3.1.4 The fact that a guardian orders his dog to attack a person or animal, unless the guardian's physical integrity or safety, or that of his family or property, is compromised.
- 3.1.5 The fact that a dog barks or howls in such a way as to disturb the peace, tranquility and prove to be a nuisance to one or several persons.
- 3.1.6 The fact that a dog carries or shuffles through household garbage.
- 3.1.7 The fact that a dog is on private property without the consent of the land owner or occupant. This provision does not apply for guide dogs.
- 3.1.8 The fact that a dog damages a lawn, patio, garden, flowers, flower garden, shrubs or plants.
- 3.1.9 The fact that a guardian neglects to regularly pick up droppings on his property and keep that property in proper, clean condition.
- 3.1.10 The fact that a dog bites or attacks a person or an animal or attempt to bite or attack a person or an animal, otherwise displays aggression against a person or animal by growling, showing his teeth and fiercely barking or acting in any other manner that indicates that the animal could bite or attack a person or another animal.
- 3.1.11 The fact that a guardian does not hold or retain an animal kept outside by means of a holding device such as a leash or a fence to prevent it from leaving his property.
- 3.1.12 The fact that a guardian has no control over his animal, at all times.
- 3.1.13 The fact that a guardian leaves a dog unattached, outside of his dwelling, building or property, when the dog should be maintained on a leash.

3.1.14 The fact that a guardian leaves a dog unattached on a public place, when the dog should be kept on a leash. The dog should not be left alone at anytime, whether attached or not.

3.1.15 The fact that a guardian leaves a dog loose in a public area or on private property that he does not own.

3.1.16 The fact that a guardian brings a dog in a public area where signs indicate that dogs are forbidden. This provision does not apply for guide dogs.

3.1.17 The fact that a guardian omits to inform police or animal control services as soon as possible after his dog has bitten someone, within 24 hours of the incident.

3.1.18 "RIGHT OF INSPECTION "

Council authorises municipal and peace officers to examine, between 7:00 a.m. and 7:00 p.m. or after those hours, for reasonable motives, any real estate or movable property, as well as the inside and outside of a house or building, to determine whether rules are being followed; the owner, occupant or tenant of such buildings must cooperate and answer all questions related to the enforcement of the by-law.

## **SECTION 4 – CRIMINAL PROVISIONS**

### **4. "APPLICATION"**

Municipal officers or employees named by council are responsible for the application of the current by-law.

Council authorizes Sûreté du Québec peace officers to undertake criminal charges against offenders and to issue fines when a provision of the current by-law is violated.

4.1 A person who violates a provision of the current by-law is liable to:

- a) be charged with a minimal fine of \$200 and up to \$1,000;
- b) repeated offenders can be fined the same amount everyday for as long as they remain at fault.

## **SECTION 5 – REPEAL AND COMING INTO FORCE**

5.1 The current by-law repeals all by-laws prior and shall prevail over any previous regulatory provision in contradiction with this current by-law.

The current by-law shall come into force following the legal formalities.

Adopted by Municipal Council on January 3, 2012 and signed by the Mayor and Secretary-Treasurer.

---

Mayor

---

Secretary-Treasurer