

BY-LAW S.Q. 2011-005
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 November 7th, 2011;

CONSEQUENTLY it is moved by Ken O'Leary 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 December 5th, 2011 and signed by the Mayor and the Secretary-Treasurer.

Mayor

Secretary-Treasurer