

BY-LAW S.Q. 2023-01

CONCERNING PARKING ENFORCEABLE BY THE SURETÉ DU QUÉBEC

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;

WHEREAS a regular notice of motion was given on July 10,2023;

CONSEQUENTLY, it is moved by Terry Racine that this by-law repeals and replaces all previous By-Laws concerning parking, as enforceable by the Sureté du Québec

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

"Preamble"	SECTION 1	The preamble forms an integral part of this by-law. The appendices attached to these regulations form an integral part of them.
"Definition"	SECTION 2	For the purposes hereof, the term "road vehicle" means: A motorized vehicle that can travel on a roadway, including but not limited to all-terrain vehicles, snowmobiles, trailers, semi-trailers, detachable axles and motorcycles. However, vehicles that can only run on rails and electrically powered wheelchairs are excluded from the definition of road vehicles.
"Signs"	SECTION 3	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 4	The owner whose name is recorded with the <i>Société de l'assurance automobile du Québec</i> or an organization, government entity or other comparable to the SAAQ, may be declared guilty of an offence relating to parking by virtue of this by-law.
"Prohibited place"	SECTION 5	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 6	Parking or stopping a vehicle beyond the time limit authorized by a sign or a parking meter is prohibited.

"Winter"	SECTION 7	Parking or stopping a vehicle on a public road between midnight and 6:00 a.m. from November 15 th to April 15 th is prohibited on the whole territory of the municipality.
"Removable signs"	SECTION 8	<p>Parking or stopping a road vehicle on a public road in areas:</p> <ul style="list-style-type: none"> a) where movable parking signs have been installed, in cases of emergencies or for special events, is prohibited; b) where movable signs or posters indicate a plowing operation or construction work, is prohibited. c)
"Handicapped persons"	SECTION 9	<p>Parking or stopping a road vehicle in a parking space reserved for the exclusive use of handicapped persons and identified by signs in accordance with the standards established by the Minister of Transportation is prohibited, unless the vehicle is equipped with:</p> <ul style="list-style-type: none"> a) 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 and placed where determined by a government regulation; b) a label, plate or permit displaying the international wheelchair symbol issued by another administrative authority in Canada, the United States or by a member or associate country of the European Conference of Ministers of Transport. <p>Where the vehicle is equipped with a label issued pursuant to subparagraph a) of the first paragraph, the driver or passenger shall, on demand by a peace officer, produce for examination the certificate of the Corporation evidencing the issuance of the label.</p> <p>In addition to public roads, this section applies to private roads open to public vehicular traffic and to shopping mall property and other property where the public is permitted to travel.</p>

POWERS GRANTED TO PEACE OFFICERS

"Moved"	SECTION 10	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: <ul style="list-style-type: none">a) the road vehicle interferes with traffic to the point of being a risk for public safety;b) the road vehicle interferes with the work of firemen, policemen or any other public official at the time of an event involving public safety.
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PENAL PROVISIONS

"Application"	SECTION 11	Council authorizes all peace officers of the Sureté du Québec 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.
"Penalties"	SECTION 12	Anyone who contravenes one of the sections (5, 6, 7 or 8) of this by-law commits an offence and is liable, over and above fees, to a minimum fine of one hundred dollars (\$100.00).
	SECTION 13	Anyone who contravenes section 9 of this by-law commits an offence and is liable, over and above fees, to a fine of two hundred and fifty dollars (\$250.00).
"Abrogation"	SECTION 14	This by-law abrogates any previous municipal by-laws, including by-law 2011-01, which are incompatible with its provisions.
"Coming into force"	SECTION 15	This by-law shall come into force according to law.

Adopted by the Municipal Council during a session held on August 8, 2023, and signed by the Mayor and the Director General /Secretary-Treasurer.

Colleen Lariviere, Mairesse

Julie Bertrand, Director General