

CANADA
PROVINCE OF QUEBEC
MUNICIPALITY OF LITCHFIELD

BY-LAW S.Q. 2023-05

CONCERNING THE OUTDOOR USE OF WATER ENFORCEABLE
BY THE SURETÉ DU QUÉBEC

WHEREAS under sections 19 and 85 of the *Municipal Powers Act* (Q.R.S., chapter C- 47.1), any local municipality may adopt by-laws relating to the environment and 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;

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 relating to the outside use of water, as enforceable by the *Sureté du Québec*.

AND 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 specified 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.

In the case of the use of water outside a building or property that is visible from the public roadway, the officers responsible for enforcing this by-law may visit and examine it at any time.

"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 *Sûreté du Québec* 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 two hundred and fifty dollars (\$ 250) in the case of a natural person, and five hundred dollars (\$ 500) in the case of a legal entity, for a first infraction; the fine is five hundred dollars (\$ 500) in the case of a natural person, and one thousand dollars (\$ 1000) in the case of a legal entity, 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, including By-Law 2011-05, which are
incompatible with its provisions.

"Coming into force" SECTION 8 This by-law shall come into force according to
law.

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

Mayor, Colleen Larivière

Julie Bertrand, Director General