

**PROVINCE DE QUÉBEC
MUNICIPALITÉ DE LA PÊCHE**

BY-LAW NUMBER 08-539

**BY-LAW LIMITING THE OPERATION OR BUSINESS HOURS FOR CERTAIN USES
OR ACTIVITIES**

Whereas until under the powers granted by the Law on Municipal competence (L.R.Q., C. C-47.1) a municipality can adopt any by-law to insure peace, order, good government and the wellbeing of its population;

Whereas to insure the wellbeing of its population, this council consider necessary to limit the operation or business hours of certain uses or activities on the municipal territory;

Whereas a notice of motion for the adoption of the present by-law was given in a council session held December 15th, 2008;

Therefore it is ordained and decreed by the Municipality of La Pêche Council and said Council ordains and decrees as follows:

ARTICLE 1: DEFINITIONS

For the purpose of interpreting this by-law, unless otherwise stated and without restricting their generality, the following words and expressions are defined as:

Race track:

Indicate any place where is establish a circuit (or tracks) conceived for the races and the tests of motorized vehicles, and where we can **find** installations accessible to public (reception and restoration building, seats, platform, etc).

For the application of this by-law, a racetrack is compared to the class 5.9.3 Restricting recreational activities of the Municipality of La Pêche zoning by-law 03-429 and its amendments.

QUARRY:

Indicate any place where is extracted at open skies, consolidate mineral substances, for commercial or industrial purposes or to filled contractual obligations or to construct roads, dikes or dams.

Quarry exploitation also includes the transformation on the spot of products or construction material exclusively attached to the concern company (concrete, bituminous concrete, etc.)

For application of the present by-law, a quarry is compared to the class 5.4.3: Quarries, crushing of the Municipality of La Pêche zoning by-law number 03-429 and its amendments.

BUSINESS AND OPERATION HOURS:

Indicate the period of the day during which it can operated, **exploited** or exerted a use or an activity

SAND PIT:

Indicate any place where extract at open skies, none consolidate mineral substances, including sand, gravel from a natural deposit, for commercial or industrial purposes or the filled contractual obligations or to construct roads, dikes or dams.

Sand pit exploitation also includes the transformation on the spot of products or construction materials exclusively attached to the concern company (concrete, bituminous concrete, etc.)

For application of the present by-law, a sand pit is compared to the class 5.4.4: Sand and gravel pits of the Municipality of La Pêche zoning by-law number 03-429 and its amendments.

ARTICLE 2: BY-LAW AND LAWS OR OTHER BY-LAWS

No article of the present by-law could cause to withdraw any person from the application of any Canada or Québec Law.

Nothing in the present by-law must get along like exempting a person, an organization, firm or company to conform to the requirements of any other local by-law into force or to obtain any licence, licence, authorization or approval required by this by-law or any other local by-law, with less of provisions expresses of this by-law.

When the present by-law refers to a Law or a Provincial or Federal by-law, the reference is made from this Law of by-law as well as its amendments that are brought.

ARTICLE 3: PRECEDENCE OF THE PRESENT BY-LAW

The present by-law prevails on any provision irreconcilable or incompatible of any local by-law on peace, the order, the good government and the wellbeing general of the population.

ARTICLE 4: TERRITORY CONCERN BY THE BY-LAW

The present by-law applies to all the Municipality of La Pêche territory.

ARTICLE 5: OPERATION HOURS OF A RACETRACK

Automobiles:

The use of a racetrack for races, demonstrations or practices of four wheel automobiles is authorize exclusively Monday to Friday from 10 am to 11 pm.

Motorcycles:

The use of the racetrack for races, demonstrations or practices of motorcycles is authorized exclusively Monday to Friday from 10 am to 4 pm.

ARTICLE 6: OPERATION HOURS OF QUARRIES AND SAND PITS

Operation of crushing and dynamiting:

The exploitation of quarries or sand pits is authorized for the operations of crushing and transformation during workdays from Monday to Friday between 7 am and 5 pm.

Operation of loading and trucking:

The loading and trucking operations are authorized during workdays from Monday to Friday between 7 am and 8 pm and Saturday only from 8 am to noon.

ARTICLE 7: APPLICATION

Peace officers of the MRC des Collines-de-l'Outaouais as well as any person designate by the Public security director of the say MRC are authorize to proceed to penal actions against any offender of all disposition of the present by-law. The Council also authorizes those persons to deliver infraction notice for this purpose. Those persons are charge of the present by-law applications.

The municipality also authorizes the secretary treasurer of general way as well as any designate persons to proceed to penal actions against all offenders to of all disposition of the present by-law. Those persons are change with the application of all dispositions of the present by-law.

ARTICLE 8: INFRACTION AND FINES

All person that commits an infraction of the by-law is liable of a fine of at least of 200 \$ and at most 1 000 \$, if it's an individual and a fine of at least of 500 \$ and at most 2 000 \$ if it's a body corporate.

In the case of recidivism, the offender is liable of a fine of at least 400 \$ and at most 2 000 \$ if it's an individual and a fine of at least 1 000 \$ and at most 4 000 \$ if it's a body corporate.

Any continuing infractions to a disposition of the present by-law constitute, day after day, a separate and distinct infraction

ARTICLE 9: ABROGATION AND SUBSTITUTION

This present by-law abrogates and replaces the by-law number 07-499, on the same subject.

ARTICLE 10: ENTRY INTO FORCE

The present by-law will be into force after all the dispositions of the Law have been respected.

Adopted by the Municipality of La Pêche council, during a regular session held January 5th, 2009.

Robert Bussière
Mayor

Charles Ricard
Treasurer secretary

Notice of motion:
Adoption:
Public notice
Entry into force

December 15th, 2008
January 5th, 2008
January 6th, 2008
January 6th, 2008