



No de résolution
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BY LAW NO 87 134

Concerning public nuisances

Considering that council agrees that it is necessary to cancel by-laws of the old municipalities concerning public nuisances.

That notice of motion was regularly given at the council meeting held November 2nd 1987

In consequence, it was decreed and ordained by the council of the Municipalité La Pêche and the said council ordains and decrees by the present by-law as follows:

1. The following municipal by-laws are cancelled:

- Masham North, by-law 63
- Ste Cécile de Masham, by-law no 89
- Wakefield township, by-law no 29
- Wakefield village, by-law no 74, 81, 58 and 59

2. DEFINITIONS

responsible authority:

The municipal inspector or his authorized representative

Municipality:

Municipalité La Pêche

Nuisance :

Anything which is harmful and cause embarasment or incommodate the health. welfare of the environnement or aesthetic

Garbage:

Anything that dirties and/or repels. (scrap, rubbish, filth, dirt

Scrap:

Iron garbage, steel, old pieces or iron instrument, cars or partsof cars.

3. It is forbidden to anyone who owns or occupies a property or a building to keep them dirty so to cause a nuisance to neighbours, pedestrians, a person or family.

4. It is forbidden to keep deposits of filth in yards or anywhere else in the Municipalité

5. The presence on a vacant lot or anywhere around a building of branches, brushes, weeds, scrap, rubbish, papers, empty bottles, empty represents a nuisance and any person causing these nuisances or having the responsibility of the property and tolerates their presence is liable to penalties according to the present by-law. However, Council, upon a favorable report from the Quebec Ministry of Environment could authorize the presence of metal scrap on a vacant lot owned by a iron metal merchant and used for an income.

6. Any resident int the Municipalité must keep the yard and the sheds clean and free from any garbage, or any dirty material.

7. Is considered as a nuisance, the deposit of ashes, paper, garbage, filth, rubbish, scrap, empty bottles and other material considered so, also considered as nuisance are machinery, car parts or other garbage in streets, alleys, yards, public or private properties, water or municipal water courses.



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Also considered as a nuisance the growth of brush or weeds on a property and keep this property in a dirty state.

Any property owner or occupant of a building can be forced by public or private notice to remove from his property any of the above mentioned material or garbage that council judges right to have removed and also to have his property cleaned and cut the grass whichever case and if the owner neglects to conform to the orders received Council can authorize an officer of the Municipalité to remove or destroy the nuisance or have the grass cut at the owner expense.

The dispositions of the present by-law apply to any property owner, occupant of a vacant or cultivate lot that this owner resides or not.

8. Those causing or letting the nuisances persist are liable to penalties provided by the present by-law.
9. The fix toilets and the used water sewers have to be emptied and cleaned at least once a year, between April 1 and May 1 and more often if necessary upon order from the Municipal Inspector.
10. Any abandoned toilet has to be completely emptied and filled with earth.
11. Any owner or occupant of a house not having a sewer system must install an approved septic tank.
12. It is forbidden to transport or have someone transport in any place of the Municipalité other than in a dump or a special place for this, any infected or dirty substances.
13. Any owner, tenant or occupant of a property of building must take the necessary measures to keep the house, yard and sheds clean, and if a notice from the municipal officer is not respected stating that the house yard or sheds should be cleaned represents an infraction to the present by-law.
14. It is forbidden to any occupant of a house, building or property in the Municipalité as well as any other person to throw or allow the throwing of dirty water, ashes, soot, snow or ice, fill, sweeping, garbage or dirt on any street, side street, or public place in the Municipalité.
15. Represents a nuisance personal, commercial, industrial activities or other on a property within the limits of the Municipalité when these activities cause dust, odors, noise or other causing prejudice to the neighbours and other persons circulating on the public road, and any person causing or letting this kind of nuisance persist is liable to penalties according to the present by-law.
16. The Environment law and any by-law under the ministry applies and have priority concerning any nuisance mentioned in the present by-law.
17. Fowls cackling at night as well as dogs or any other animal barking, or making noise during the night, are considered as a nuisance, and those who tolerate such nuisances are liable to penalties mentioned in the present by-law. The Court, no matter what the penalties are according to the present by-law, is authorized to eliminate such nuisances, by having killed or transported outside the limits of the Municipalité the animal causing the nuisance.



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for the purpose of the present by-law "night" means the time between ten o'clock at night and seven o'clock in the morning.

18. It is forbidden to own animals other than cats, dogs, canaries, budgies or other house pets. The farm animals are allowed on active farms only.

19. It is forbidden to any owner or anyone to allow any animal to run loose without surveillance anywhere in the Municipalité except on the owners property or on the property of a person allowing this in the presence of the animal.

20. It is the responsibility of the municipal inspector and municipal officers which are by the present by-law appointed of all powers given to the municipal inspector, to apply the dispositions of the present by-law, they are personally authorized to visit and examine any house, land property or buildings in the Municipalité and whoever restrains to the visit will be liable to penalties according to the present by-law.

21. PENALTIES

Any person who contravenes to any disposition of the present by-law is liable to a fine, with or without costs. The amount of the said fine cannot be less than 25\$ for each offence and cannot be exceed 300\$ with or without costs.

Upon default of payment of the said fine, imprisonment will be fixed by a judge or competent court to their discretion.

If the infraction persists, this constitute, each day of the infraction is considered individual.

22. JUDGEMENT

The court giving the sentence can along with the fines and costs order that the nuisances be removed within a fixed delay, by the owners, the tenant or occupant and upon default from removing the nuisances, the corporation will do so at the expense of the owner.

23. The present by-law will be enforced according to law.

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