

**PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC**

MINUTES of the regular municipal council meeting held on Tuesday, January 20, 2009 at 8:00 p.m. at the Pontiac community centre situated at 2024 route 148, Pontiac, those who were present :

Edward McCann, mayor, Dr Jean Amyotte acting mayor, and councillors: Lawrence Tracey, Harold McKenny, Jim Coyle, Garry Dagenais and Brian Middlemiss.

EXCUSED ABSENCE: Raymond Gougeon, councillor.

Equally present were the director general and a few ratepayers.

The meeting began at 8:00 p.m.

FLOOR OPEN TO PUBLIC

- | | |
|----------------------|---|
| Madeleine Carpentier | - Mrs. Carpentier asks that a resolution and pertinent documents be sent to the Quebec Ministry of Transport regarding the mismanagement of water drainage by the Ministry along route 148. |
| | - Report by Fondex for hydrogeological study of sector 7 should be given to the public. It should include the site of the septic installations. |
| Jean-Claude Carisse | - Acknowledgment – signs on route 148 |
| | - Open house in May |
| | - Management of the municipal dump – closing down |
| | - Home page – Website |
| | - Signs – François-Tremblay beach |
| Roméo Bélisle | - Boat launching ramp – Lusville sector |
| Guy Bilodeau | - Include administration fees to financial assistance for “tolerance roads” |

09-01-01

ADOPTION OF THE AGENDA

- 1. Opening of the meeting**
- 2. Floor open to public**
- 3. Adoption of the agenda**
- 4. Adoption of the minutes of previous meetings**
 - 4.1 Minutes of the regular meeting of December 9, 2008 and that of the special meetings of December 2, 11, 18 and 22, 2008
- 5. Administration**
 - 5.1 List of invoices to pay
 - 5.2 List of fixed expenses
 - 5.3 List of incurred expenses for the month of January
 - 5.4 Assignment of credits (fixed expenses)
 - 5.5 Contract renewal with the SPCA
 - 5.6 Notice of motion – By-law regarding meeting procedures
 - 5.7 Council members – responsible for various departments
 - 5.8 Councillors – members of committees
 - 5.9 Groupe Action Jeunesse - Contract renewal
 - 5.10 Director – technical services

- 6. Public security**
 - 6.1
- 7. Public works**
 - 7.1 Flow of water in ditches – chemin du Marquis
 - 7.2 Installing signs – street names – ministry of Transport
 - 7.3 Cold patch
 - 7.4 Curley lake road
- 8. Public hygiene**
 - 8.1 By-law 01-09 on connections to the sewage system
 - 8.2 Household refuse (plastic bags)
- 9. Urban renewal and zoning**
 - 9.1 By-law no. 15-08 – Repairs and maintenance of certain public roads
 - 9.2 Notice of motion - draft by-law – Mobile restaurants
 - 9.3 Notice of motion - Draft by-law - Boarding or raising animals associated to the complimentary residential usage
 - 9.4 Notice of motion – By-law – to modify price setting – garbage collection
 - 9.5 325 chemin de la Baie – Subdivision
 - 9.6 Jolly Egg Farm Inc. – Request to the C.P.T.A.Q.
 - 9.7 S. Legendre garage
- 10. Recreation and culture**
 - 10.1 Financial assistance – Beechgrove recreation association
 - 10.2 Financial assistance – Quyon recreation association
 - 10.3 Financial assistance – Eardley recreation association
 - 10.4 Financial assistance – Municipality of Shawville
 - 10.5 Financial assistance – Pontiac Artist associations
 - 10.6 Financial assistance – Pontiac Artist Tour
 - 10.7 Financial assistance – Canadian Legion - Quyon
 - 10.8 Financial assistance – Quyon Canada Day Committee
 - 10.9 Financial assistance – Luskville « Golden age club »
 - 10.10 Financial assistance - Quyon Ensemble
 - 10.11 Financial assistance - Groupe Action Jeunesse
 - 10.12 Contract – CREO - subsidy – Pontiac bicycle path
- 11. Miscellaneous**
 - 11.1
- 12. Various reports and correspondence**
 - 12.1 Tabling of various municipal reports: a) animals ;
 - 12.2 Letter of resignation of Marcelle Chabot – Planning advisory committee
- 13. Tabling of the registre of correspondence**
 - 13.1 Registre of the correspondence received in December 2008
- 14. Question period**
- 15. Closing of meeting**

It is

Moved by Dr. Jean Amyotte
 Seconded by Harold McKenny

AND RESOLVED to adopt the agenda as prepared and read.

Carried

09-01-02

**ADOPTION OF THE MINUTES OF THE REGULAR COUNCIL MEETING
 HELD ON DECEMBER 9, 2008 AND THOSE OF THE SPECIAL MEETINGS
 HELD ON DECEMBER 2, 11, 18 AND DECEMBER 22, 2008**

Moved by Lawrence Tracey
 Seconded by Garry Dagenais

AND RESOLVED to adopt the minutes of the regular council meeting held on December 9, 2008 and those of the special meetings held on December 2, 11, 18 and December 22, 2008, as written and distributed.

Brian Middlemiss votes against the motion, because his comments are not included in resolution no. 08-12-441 of the December 22nd minutes.

Carried

09-01-03

LIST OF INVOICES TO PAY

Moved by Garry Dagenais
Seconded by Jim Coyle

AND RESOLVED THAT this Council authorizes the payment of invoices amounting to \$89,360.24 (see appendix in file no.102-102) for the period ending January 13, 2009 and to debit budget posts related to the expenses mentioned on said list.

Carried

09-01-04

LIST OF FIXED EXPENSES

Moved by Dr. Jean Amyotte
Seconded by Jim Coyle

AND RESOLVED THAT this Council approves the list of expenses from the history of cheques which includes:

- fixed expenses;
- payments via Internet;
- the true amount of invoices paid following approval by incurring expenses or by resolution;

all for a total of **\$481,884.70** (see appendix) for the period ending January 13, 2009 and to debit related budget accounts for the expenses mentioned on said list.

Carried

09-01-05

LIST OF INCURRED EXPENSES FOR THE MONTH OF JANUARY

Moved by Dr. Jean Amyotte
Seconded by Lawrence Tracey

AND UNANIMOUSLY RESOLVED to accept the incurring expenses that appear in annex A (see file 102-102), for a total amount of **\$4,870.94** taxes included.

Carried

09-01-06

APPROPRIATION OF CREDIT (FIXED EXPENSES)

WHEREAS, in accordance with the requirements of the Quebec Municipal Code, and the book regarding the presentation of municipal financial information, any expense made by the municipality must be the object of an assignment for specific credits voted by the municipal council;

WHEREAS in order to standardize these requirements related to fixed expenses the assignment of credits can be made at the beginning of the fiscal year. The fixed expenses are set or inevitable expenses that we must assume by reason of a contracted obligation or the necessity to own certain goods in order to function;

CONSEQUENTLY, it is

Moved by Jim Coyle
Seconded by Garry Dagenais

AND RESOLVED THAT this Council authorize that the following fixed expenses be paid on reception of the invoice for the year 2009 and that a report be submitted to council at the meeting following payment of these expenses. The following expenses were either approved by council when adopting the 2009 budget or by a specific motion, or by incurring expenses, for these ends:

- remuneration of council members;
- municipal employees' salaries;
- our share of expenses at the M.R.C. des Collines-de-l'Outaouais;
- expenses for heating oil;
- expenses for electricity;
- expenses for the telephone;
- expenses for gasoline;
- insurance contract for municipal property;
- contract – legal adviser;
- caretaker's contract;
- snow removal contracts;
- contract for garbage collection;
- contract for animal control;
- contract for mowing grass;
- contract for the caretaker at the dump;
- contract for alarm central;
- contract for carpets;
- invoices paid with credit card;
- maintenance contract for the photocopier;
- maintenance contract for the stamp machine;
- maintenance contract for the computers;
- quarterly payments for the libraries;
- expenses related to postage or parcel services;
- other expenses of the same nature;
- monthly remittances to provincial and federal governments;
- vehicle registration and mechanical verification;
- chlorine for drinking water system;
- tablets for testing drinking water;
- photocopier paper;
- expenses related to petty cash;
- contract Internet services;
- contract - exterminator

Carried

09-01-07

CONTRACT AGREEMENT WITH THE S.P.C.A.

WHEREAS the meeting with Mr. Yves Geoffrion in view of preparing the 2009 budget;

WHEREAS services offered by the Outaouais S.P.C.A.;

It is

Moved by Dr. Jean Amyotte
Seconded by Jim Coyle

AND RESOLVED THAT the mayor and the director general are hereby authorized to sign the contract agreement with the S.P.C.A. as it was submitted.

Carried

NOTICE OF MOTION – BY-LAW CONCERNING MEETING PROCEDURES

Notice of motion is hereby given by councillor Harold McKenny that at a subsequent council meeting he intends to present a by-law in order to modify by-law no. 137-95 concerning procedures for municipal meetings.

09-01-08

COUNCIL MEMBERS – AS PERSONS RESPONSIBLE FOR VARIOUS DEPARTMENTS OF THE MUNICIPALITY

WHEREAS to ensure efficiency in the municipality, it is necessary to name certain council members as persons responsible for various departments of the municipality;

It is

Moved by
Seconded by

AND RESOLVED to name the councillors as persons responsible to the following departments:

Pro-mayor :	Jean Amyotte
Administration and finances:	Jean Amyotte
Recreation and culture :	Garry Dagenais
« Tolerance roads and special projects »:	Raymond Gougeon
Public Security:	Jean Amyotte
Water – sewers - OMH :	Harold McKenny
Environnement (garbage):	Lawrence Tracey
Public works (road network):	Jim Coyle
Public works (municipal buildings, infrastructure and road vehicles	Brian Middlemiss
Planning advisory committee (CCU) :	Jean Amyotte
Port Authority (docks)	Jim Coyle

Brian Middlemiss votes against the motion, because there was no consultation.

Carried

09-01-09

COUNCILLORS – COMMITTEE MEMBERS

It is

Moved by Edward McCann
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT the municipal committees consist of the following councillors:

Recreation and culture:..... Raymond Gougeon, Brian Middlemiss
“Tolerance roads”: Jim Coyle, Edward McCann
P.A.C. Raymond Gougeon, Garry Dagenais

Carried

09-01-10

CONTRACT AGREEMENT – GROUPE ACTION JEUNESSE

WHEREAS services rendered by Groupe Action Jeunesse for access to the gymnasium;

WHEREAS the amounts foreseen in the 2009 budget and discussions held at the “Comité de loisir, de la culture et de l’action communautaire” (*Recreation, culture and community action committee*);

It is

Moved by Garry Dagenais
Seconded by Brian Middlemiss

AND RESOLVED THAT the mayor and the director general are hereby authorized to sign the contract agreement with Groupe Action Jeunesse, such as submitted.

Carried

09-01-11

AMENDMENT TO RESOLUTION NO. 08-11-362

SELECTION OF PERSONNEL: INSPECTOR - URBAN PLANNING

DEPARTMENT AND DIRECTOR OF TECHNICAL SERVICES

WHEREAS the selection process to fill the position of director of technical services and that of inspector in the urban planning department;

WHEREAS the applicant considered for the position of director of technical services was that of Mr. Frédéric Rioux ;

WHEREAS Mr. Frédéric Rioux has declined before taking up the post ;

WHEREAS Mrs. Gail Vaillancourt was the following candidate meeting the criteria for this position ;

It is

Moved by Jim Coyle
Seconded by Lawrence Tracey

AND RESOLVED THAT the municipality accepts the recommendations of the selection committee to nominate Mrs. Gail Vaillancourt as director of technical services.

The director general is authorized to negotiate the working conditions for Mrs. Vaillancourt within the parameters previously set and discussed.

Carried

09-01-12

FLOW OF WATER IN DITCHES – CHEMIN DU MARQUIS

WHEREAS the switch over of responsibility of chemin du Marquis in 2002;

WHEREAS the municipality is now responsible for the maintenance of the ditches and for the good drainage of water on chemin du Marquis;

WHEREAS in 2006 some citizens asked to the municipality to correct the problem with the water flow in the said ditches;

WHEREAS according to citizens, work done since 2006 does not seem to have adequately corrected the problem of water drainage;

It is

Moved by
Seconded by

AND RESOLVED THAT council ask the acting municipal inspector to make the necessary arrangements (determine the levels, prepare a corrective plan and carry out the work) so that the water flow problems in the ditches on chemin du Marquis are resolved and that we may close this file.

AMENDMENT

It is

Moved by Jim Coyle
Seconded by Garry Dagenais

AND RESOLVED THAT council ask the acting municipal inspector to make the necessary arrangements (determine the levels, prepare a corrective plan and produce an estimate to submit to council).

A vote is requested and registered as follows:

<u>FOR</u>	<u>AGAINST</u>
Jim Coyle	Dr. Jean Amyotte
Garry Dagenais	Harold McKenny
Brian Middlemiss	
Lawrence Tracey	

Dr. Jean Amyotte votes against the motion because he prefers that this all be prepared by a professional.

Harold McKenny also votes against the motion.

Carried

09-01-13
INSTALLING SIGNS – STREET NAMES

WHEREAS the problem with street signs of Crégheur / Tremblay roads and du Village / Hôtel de Ville roads;

It is

Moved by Garry Dagenais
Seconded by Jim Coyle

AND RESOLVED THAT the director of public works is hereby authorized to ask the M.T.Q. for the installation of the adequate street signs by the municipality and to proceed with the purchase and installation of said signs, as soon as he will have received their authorization and that the weather conditions will permit. A budget of \$1,500 is allocated for this purpose.

Carried

09-01-14
BUDGET – COLD PATCH

It is

Moved by Jim Coyle
Seconded by Brian Middlemiss

AND RESOLVED THAT a budget of \$ 3,000 is allocated for the purchase of cold patch to repair pot holes. Budget no.0232-000-625.

Carried

09-01-15
CURLEY LAKE ROAD

It is

Moved by Harold McKenny
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT a budget of \$1,000 is allocated for legal advice concerning that status of Curley Lake Road by our legal advisor, Me Michel Lafrenière.

Carried

09-01-16
BY-LAW 01-09 PERTAINING TO CONNECTIONS TO THE SEWAGE SYSTEM

WHEREAS a motion of the present by-law was given at a previous council meeting held on December 9, 2008;

It is

Moved by Harold McKenny
Seconded by Dr. Jean Amyotte

AND RESOLVED that this Council adopt the present by-law which orders and decrees the following:

BY-LAW 01-09 PERTAINING TO CONNECTIONS TO THE SEWAGE SYSTEM

SECTION 1

DEFINITIONS

1. In the present by-law, unless the context states otherwise, the following means:
 - «connection to the sewage system» a pipe which allows waters to spill out from a building or a drainage system into the municipal sewage system;
 - «domestic sewer» a pipe intended for transporting domestic wastewater;
 - «storm sewer» a pipe intended for transporting rainwater and underground water;
 - «combined sewer» a main pipe intended for the transportation of domestic wastewater, rainwater and underground water;
 - «B.N.Q.» Bureau de normalisation du Québec (*Quebec bureau of standardization*)

SECTION II

BUILDING PERMIT

2. Permit required

Any property owner who installs, renews or extends a connection to the sewage system, or who connects a new service line to the existing connection to the sewage system, must obtain a building permit from the municipality.

3. Requesting a permit

The following documents must accompany the request for a permit:

- A form, signed by the property owner or an authorized representative of his, which stipulates :
 - a) The name of the property owner, his address as shown on the municipal assessment roll and the lot number affected by the request for a permit.
 - b) The diameters, slopes and piping material to be installed as well as the type of joint sleeve used;
 - c) the lowest level of the building and that of the drain under the foundation of the building in comparison with the street level;
 - d) the nature of the waters to be drained in each of the connections to the sewage system, be it domestic wastewater, storm waters or underground water;
 - e) a list of appliances, other than the usual domestic appliances, that are connected to the sewage system, pertaining to buildings not affected by paragraph 3 of the present article;
 - f) the method of evacuation of rain water from rooftops, from the property and underground water;
- A location plan of the building and parking area, including the location of the connections to the sewage system.
- In the case of a public building, as per the « Loi sur la sécurité dans les édifices publics » (L.R.Q., chapitre S-3), « *Act respecting safety in public buildings* » or an industrial or commercial building, an evaluation of the outflow and its characteristics, as well as a scale plan of the plumbing system.

4. Notice of transformation

The owner of a public building or industrial or commercial premises must inform the municipality in writing, of any transformation that modifies the foreseen quality or quantity of the waters drained by the connection to the sewage system.

5. Notice

The property owner must notify the municipality in writing, when he intends to disconnect or disuse the connection to the sewage system, or if he will be doing any work affecting the system other than what is specified in article 2.

SECTION III

REQUIREMENTS RELATING TO THE CONNECTION TO THE SEWAGE SYSTEM

6. Type of piping

A connection to the sewage system must consist of new pipes and be of the same type of that used for the connection installed by the municipality.

7. Materials used

Materials used by the municipality for the connection to the pipe mains are:

- reinforced concrete : NQ 2622-126, class III;
- plain concrete : NQ 2622-126, class III;
- polyvinyl chloride (C.P.V.) : NQ 3624-130, category R;
- ductile cast iron : NQ 3623-085, class 150
- polyethylene (PE) for storm sewers : NQ 3624-120 type 1;

The standards within the present article show a minimal resistance.

Parts and accessories used for the connection must be manufactured and the rubber seals must be waterproof and flexible.

8. Length of pipes

The length of a pipe connected to the sewage system, where the slope is greater than 1:3, must not exceed 1 metre, no matter what material is being used. If the slope is less than 1:3, the standard lengths of the pipe must be as those specified in the standards in article 7.

9. Diameter, slope and hydraulic gradient

The diameter, slope and the maximum hydraulic gradient of a connection to the sewage system must be set according to the specifications of the most recent version of the “Code de plomberie du Québec” (R.R.Q., c.I-12.1, r.1.1) “*Quebec plumbing code*”.

10. Identification of pipes

All pipes and connections must have a permanent and legible inscription showing the name of manufacturer or trademark, the material and diameter of the pipe or connection, its classification, the production lot number as well as the certificate of compliance issued by the B.N.Q.

11. Installation

The work must be done according to specifications of the present by-law, to the provisions of the “Code de plomberie du Québec” and to the standards of the B.N.Q.

12. Information required

A property owner must ask the municipality about the depth and location of the municipal sewage pipe mains in front of his property before proceeding with the construction of a connection to the sewage system and the foundations to his building.

13. Designated connection

When a connection to the sewage system may be done to more than one municipal pipe, the municipality will determine where the connection must be done in order to allow for the optimal use of the sewage system.

14. Prohibited service line

The installation of a service line to the sewage system between the owner’s property lines and the municipal pipe mains is prohibited.

15. Prohibited parts

The use of 30° elbows in a vertical or horizontal plan is prohibited when installing the connection to the sewage system.

16. Connection by way of gravity

A connection to the sewage system may be gravity-related, if the following conditions are respected:

- the floor on the lowest level of the building is built at least 60 centimetres above the municipal main pipe coupling to the sewage system;
- if the slope of the connection to the sewage system meets the minimum value of 1:50, the level of the municipal main pipe coupling to the sewage system and that of the bottom of the drain in the building under the foundation must be considered in order to calculate the slope.

The profile of the connection must be as continuous as possible. The maximum 22.5° elbows must be installed to the connection if necessary, at the street level, so that it has a maximum coverage of 2.15 m. under the finished land in that area. If this elevation is not known, it will be assumed that the elevation is identical to the designed elevation at the centre of the street; if not, the elevation of the existing property must serve as a basis.

17. Dewatering well

If a service line to the sewage system cannot be connected by gravity to the municipal main pipe, waters must be directed to a dewatering well which is compliant with the standards provided for in the “Code de plomberie du Québec” (article 4.6.3 of the “Code national de la plomberie – Canada 1995).

A dewatering well must be provided for domestic waters and another for rainwater and underground water; however, if the municipal sewage main pipe is unified, only one dewatering well is required.

18. Pipe connection bed

A connection to the sewage system must be installed, on its entire length, on a bed consisting of a thickness of at least 150 millimetres of crushed stone or gravel with a grain size of 0-20 millimetres, of sand or stone dust.

The material used must be compacted at least twice with a vibrating-plate compactor and must be free of pebbles, frozen earth, top soil or any other material susceptible of damaging the pipes or provoking a ground subsidence.

19. Precautions

The owner must take all necessary precautions to avoid having sand, stone, soil, mud or any other dirt or object seep into the connection to the sewage system or the municipal main pipe during the installation.

20. Watertightness and connection

In accordance with the requirements specified in appendix I, a connection to the sewage system must be watertight and well joined.

In accordance with appendix I, the municipal inspector may require a tightness test and the verification of joints on all connections to the sewage system.

The connection to the sewage system must be joined to the municipal sewage system with a waterproof rubber joint sleeve (which shrinks with heat, with a stainless steel clamp collar or other) approved by the municipal inspector. When a connection is installed in view of a future connection, the end of the pipe must be capped with a watertight stopper.

21. Covering the connection

All connections to the sewage system must be covered with a thickness of at least 150 millimetres of crushed stone or gravel with a grain size of 0-20 millimetres, of sand or stone dust.

The material used must be free of pebbles, frozen earth, top soil or any other material susceptible of damaging the pipes or provoking a ground subsidence.

22. Manhole

For all connections to the sewage system having a length of 30 metres and over and a diameter of 250 millimetres or more, the owner must install a manhole of at least 750 millimetres in diameter at his property line.

He must also install the said manhole for each additional 100 metres in length.

A connection to the sewage system must be done in provision of a manhole for each change in a horizontal or vertical direction of 30 degrees and more as well as everywhere it is being joined to another connection to the sewage system.

SECTION IV

EVACUATION OF WASTEWATER

23. Separate connection

Even if the municipal main sewage pipe is combined, firstly domestic wastewater, and secondly, rainwater from the roof and from the property and underground water, must be evacuated to the property line by distinct connections to the sewage system.

24. Exception

In spite of the provisions in article 23, domestic wastewater, rainwater and underground water may be evacuated by the same connection if the waters cannot be evacuated by gravity and if the municipal main pipe is unified.

25. Storm drainage system

When the municipal storm drain is not installed at the same time as the municipal domestic sewage pipe, underground water and rainwater must be evacuated on the property or in a ditch and it is forbidden to discharge them in the municipal main sewage pipe.

26. Prohibition, position relating to connections

It is prohibited to drain domestic wastewater in a storm sewer pipe and to drain rainwater in a domestic sewage pipe.

The owner must ensure the location of the municipal domestic sewage pipe and that of the rainwater before proceeding with the connections.

As a general rule, the connection to the storm sewer pipe is situated to the left of the connection to the domestic sewage pipe, when facing the street from the site of the building.

27. Separating waters

The connection to the domestic sewage system shall not receive rainwater or underground water at any time.

The rainwater and underground water must be directed toward a ditch, on the property, in a water course or towards the connection to the storm sewer.

Uncontaminated cooling waters must be considered as rainwater.

28. Evacuation of rain water

Rain water from a building rooftop which is evacuated by means of gutters and a downspout must spill out onto the surface and be at a distance of at least 150 centimetres from the building, avoiding the infiltration into the building's underground drain tile.

The evacuation of rainwater on a property must be done on the surface.

29. Exception

In spite of the provisions in article 28, rain water may spill out into the municipal storm sewer or the combined sewer when exceptional circumstances render it impossible for the rain water to evacuate onto the surface.

30. Garage entrance

A garage entrance which is below the street level must be laid out in such a way that it will not collect rain water from the street.

31. Ditch water

It is prohibited to channel water coming from a ditch or a water course into a connection to the sewage system.

SECTION V

APPROVAL OF WORK

32. Notice of backfilling

Before backfilling the connection to the sewage system, the owner must notify the municipality.

33. Authorization

Before backfilling the connection to the sewage system, the municipal inspector must proceed with its verification.

If the work is compliant with the provisions of the present by-law, the inspector issues a certificate of authorization for the backfilling.

34. Backfilling

As soon as the backfilling certificate is issued, the pipes must be covered, in the presence of the municipal inspector, with a layer of at least 150 millimetres consisting of one material or another specified in article 21.

35. Absence of a certificate

If backfilling was done without the verification and certificate of authorization from the municipal inspector, he must require that the owner have the connection to the sewage system uncovered for verification.

SECTION VI

PROTECTION AND MAINTENANCE OF THE SEWAGE SYSTEM FACILITIES

36. Prohibition

It is prohibited to deteriorate, remove or cover all components of a manhole, a catch basin (cesspool) or grating, or to obstruct the opening of any municipal sewage pipe main.

37. Prohibition

It is prohibited to use on manholes, catch basins or gratings and in the right of way of municipal streets, materials susceptible to obstruct municipal sewage pipe mains.

SECTION VII

PENAL AND FINAL PROVISIONS OF THE LAW

38. Fine

Whoever contravenes to a provision of this by-law commits an offence and is liable to a fine of at least \$100 to \$300 plus fees and, failing payment of the fine and fees, will face a maximum 30 days imprisonment.

39. Continuous offence

Any breach of this by-law, each individual day, constitutes a separate offence.

40. The right to inspect

The municipal inspector is authorized to visit and inspect any property to ensure the implementation of the present by-law.

41. Coming into force

The present by-law comes into force on the day of publication, in accordance with the Law.

Adoptée

Garry Dagenais steps out.

09-01-17

PLASTIC GARBAGE BAGS

WHEREAS the current municipal regulations;

WHEREAS the municipality has an inventory of mobile containers for sale to citizens;

It is

Moved by Dr. Jean Amyotte
Seconded by Lawrence Tracey

surface mineral substances listed in article 1 of the *Act respecting mines* (L.R.Q. c. M-13.1), particularly sand, gravel, clay, broken ashlar, crushed stone and ore, used to make cement and inert mine tailings, with the exclusion of peat. Also included are mineral substances coming from the recycled fragments of demolished buildings, bridges, roads or other structures.

Municipality :

Refers to the Municipality of Pontiac.

Public roads :

The surface of an area or an engineering structure which is under the maintenance of the Municipality and on a part of which one or more road surfaces are open to public traffic.

3. ESTABLISHMENT OF FUNDS

With this by-law the Council decrees the creation of a local reserved fund for the repairs and maintenance of certain public roads.

4. PURPOSE OF THE FUNDS

The amounts put in the fund, with the exception of the amounts needed for the cost of administration of the present by-law, will be used for the following :

1. For the repairs or maintenance of all, or part of a public road on which subjected material is carried or is likely to be carried, coming from the site of a quarry or a sandpit, on the territory of the Municipality and for which a fee is payable in virtue of article 5;
2. For work aimed at compensating for inconveniences related to the transportation of subjected materials;

5. RECEIVABLE FEES

Each operator of a quarry or a sandpit who transits on a municipal road carrying subjected material will have to pay a fee to have the right to do so;

Fees payable by a quarry or a sandpit operator is based on quantity, shown in metric ton, *if the operator uses a scale* or in cubic meters *if the operator does not have access to a scale*, of materials transformed or not, which is being carried from the site and that are materials subjected to the present by-law;

6. EXCLUSIONS

There is no fee for materials transformed in a structure within an evaluation unit on the site and identified under category « 2-3---MANUFACTURING INDUSTRY » with the exception of category « 3650 ready-mixed concrete » and « 3791 fabrication of bituminous concrete », included in the guide to which the by-law refers to paragraph 1⁰ of article 263 of the *Act respecting municipal taxation* (R.S.Q. c. F-2.1). The exclusion also applies when the structure is located in an evaluation unit and is adjacent to the one with the site.

The operator of a quarry or a sandpit is also exempt of all fees pertaining to the period covered by the declaration, if his declaration is made under oath, as provided for in article 8, and that the declaration states that none of the subjected material is likely to be carried from his site via municipal public roads.

7. PAYABLE FEES PER METRIC TON

For the 2009 municipal fiscal year, the fee is \$0.50 per metric ton for all subjected material.

For all subsequent years, the fee for each metric ton will be the result you get when indexing an increased rate of the fee applicable from the previous year. The percentage corresponds to the increased rate of the Consumer's price indicator for Canada, according to Statistics Canada. In accordance to article 78.3 of the *Municipal Powers Act*, this percentage as well as the applicable fee are published annually in the *Québec official gazette*, before the beginning of the said year.

7.1. AMOUNT OF PAYABLE FEES PER CUBIC METERS

For the 2009 municipal fiscal year, the fee is \$0.95 per cubic meter for all subjected material, except in the case of broken ashlar, for which the amount is \$1.35 per cubic meter.

For all subsequent years, the fee for each cubic meter will be the result you get when multiplying the amount payable per metric ton by the conversion factor 1.9 or, in the case of broken ashlar, by the factor 2.7. In accordance with article 78.3 of the *Municipal Powers Act*, the applicable fee is published annually in the *Québec Official Gazette*, before the beginning of the said year.

8. DECLARATION FROM THE OPERATOR OF A QUARRY OR A SANDPIT

Any sandpit or quarry operator must declare the following information to the Municipality, using the form entitled « *Formulaire pour les redevances des exploitants de carrières et sablières* » which is attached to the present by-law as appendix 1:

1. If some subjected materials for which a fee is payable in virtue of the present by-law, which will possibly be carried via Municipal public roads from each of the sites being worked, for the period covered by the declaration.
2. If so, the quantity of the subjected materials, in metric tons or cubic meters, that have been carried from each site during the period covered by the declaration.
3. If the declaration noted in the first paragraph of the present article states that none of the subjected materials are going to be carried via public municipal roads from a site during the period covered by the declaration, the said declaration must be made under oath and reasons must be given.

9. COLLECTION OF FEES AND PROCEDURE

Declarations noted in paragraph « 1. and 2. » of the above article no. 8 must be submitted according to the following intervals:

1. Between June 15th and July 15th of each year for materials which have been carried from January 1st to May 31st;
2. Between October 15th and November 15th, for materials which have been carried from June 1st to September 30th;
3. Between January 15th and February 15th for materials which have been carried from October 1st to December 31st;

Declarations noted in paragraph « 3. » of the above article no. 8 must also be submitted according to the same intervals.

Following reception of the operators declarations, the municipal officer in charge of collecting fees will make the necessary calculation in order to produce an invoice and will issue it on August 1st and December 1st of each year, as well as the March 1st of the following year.

10. PAYABILITY OF FEES AND TRANSMISSION OF THE INVOICE

The payment of fees is due 30 days following the issuance of the invoice by the municipal officer in charge of collecting. Interest is calculated from that day at the current rate for arrears on municipal taxes.

The invoice informs the debtor of the rules in the first paragraph.

Fees payable by an operator for material that have been carried from each of the sites he operates, during a municipal fiscal year, is however not eligible before:

1. August 1st of that fiscal year for materials that have been carried from January 1st to May 31st of the same fiscal year;
2. December 1st of that fiscal year, for materials that have been carried from June 1st to September 1st of the same fiscal year;
3. March 1st of that fiscal year, for materials that been carried from October 1st to December 31st of the same fiscal year;

11. VERIFYING THE ACCURACY OF THE DECLARATION

Once a year, the accuracy of information within the operator's declarations will have to be certified by a professional accountant (c.a., c.m.a., c.g.a.) which has been appointed and hired by way of a municipal council resolution to that effect.

Despite certification issued from a professional accountant, the Municipality may use any other form of control to validate the operator's declaration, which notably may include an aerial photograph, a site visit, etc.

The Director general of the Municipality, the Director of the Public works department or their representatives are also mandated to act in the name of the Municipality when an on-site inspection is required.

12. MODIFICATION TO THE INVOICE

If the municipal officer in charge of accounts receivable believes that, by applying the provisions in article 11, after having received all the information, that an operator was falsely exempted from fees payable with regard to a site, following a declaration made in virtue of article 8, or that the quantity of materials that have been carried from a site differs from that which is noted in the declaration, on the invoice he must mention any change which he deems necessary to the notes of the said declaration.

Fees are payable according to the modified notes on the invoice, subject to judgment-in-law, resulting in a law suit for the implementation of the present by-law.

13. DESIGNATED MUNICIPAL OFFICER

The Municipal Council designates the Director general as the municipal officer in charge of implementing the present by-law, notably to include the collection fees.

14. PENAL PROVISIONS OF THE LAW

Any person or corporation who fails to produce a declaration, as required by the present by-law, or who submits a false declaration commits an offence and is liable for the following fines, in addition to fees:

1. For a first offence, an individual will face a minimum fine of \$500 and a maximum fine of \$3,000; a corporation will face a minimum fine of \$1,500 and a maximum fine of \$10,000;
2. In the event of a subsequent offence, an individual will face a minimum fine of \$1,000 and a maximum fine of \$5,000; a corporation will face a minimum fine of \$3,000 and a maximum fine of \$15,000;

If an offence continues, it constitutes a new and distinct offence for each passing day and the offender is liable to a fine each day that the offence continues and that a report to that effect is issued.

Any actions taken in virtue of the present by-law is done according to the provisions of the Criminal code (L.R.Q., c.C.-25.1, modified by L.Q. 1992 c.61).

15. COMING INTO FORCE

The present by-law will come into force in accordance with the law.

Carried

NOTICE OF MOTION

Notice of motion is hereby given by councillor Dr. Jean Amyotte that at a subsequent council meeting he intends to present a by-law concerning mobile restaurants.

NOTICE OF MOTION

Notice of motion is hereby given by councillor Dr. Jean Amyotte that at a subsequent council meeting he intends to present a by-law concerning boarding or raising animals associated to the complimentary residential usage.

NOTICE OF MOTION

Notice of motion is hereby given by councillor Harold McKenny that at a subsequent council meeting, he intends to present a by-law to modify the price setting on the collection of garbage.

09-01-19

HOUSING PROJECT – LOT 2 682 652 AT 325 DE LA BAIE

WHEREAS that the request for the housing project of lot 2 682 652 is in conformity with the zoning by-law 177-01;

WHEREAS that the request is in conformity with the subdivision by-law 178-01;

CONSEQUENTLY, it is

Moved by Garry Dagenais
 Seconded by Brian Middlemiss

AND RESOLVED that council supports the housing project of lot 2 682 652 as shown on the plan of land surveyor, Mr. Marc Fournier, under his minutes 12164-F.

Carried

09-01-20

REQUEST TO THE C.P.T.A.Q – Jolly Egg Farm Inc. – 4783, 5th Concession

WHEREAS the applicant is the winner of the contest « Aide au démarrage de nouveaux producteurs de la Fédération des producteurs d'oeufs de consommation du Québec »;

WHEREAS the applicant would like to build a hen house, therefore, the purpose of the request is for the alienation under the use described as “superficiary owner rights”;

CONSEQUENTLY, it is

Moved by Jim Coyle
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT Council supports the applicant’s request for alienation.

Carried

09-01-21

S. LEGENDRE GARAGE– 1866 route 148, Pontiac

WHEREAS the partial acquiescence in a demand for judgment signed on September 29th 2008 under number : 550-17-002620-068;

WHEREAS during an inspection done on January 16th 2009, it was noted by the municipal inspector that the stipulated orders are not respected;

WHEREAS Council acknowledges the offence;

It is

Moved by Dr. Jean Amyotte
Seconded by Brian Middlemiss

AND RESOLVED that the Municipality of Pontiac carries out, without delay, the judgment rendered against the property located at 1866 route 148.

Carried

09-01-22

FINANCIAL ASSISTANCE – BEECHGROVE RECREATION ASSOCIATION

WHEREAS the Recreation, culture and community action committee recommendations;

It is

Moved by Jim Coyle
Seconded by Lawrence Tracey

AND RESOLVED THAT the municipality grant financial assistance in the amount of \$1,000.00 to the Beechgrove Recreation Association, as recommended by the Recreation, culture and community action committee, as per the 2009 budget provisions. (Budget item no. 0270-190-970.

Carried

09-01-23

FINANCIAL ASSISTANCE – QUYON RECREATION ASSOCIATION

WHEREAS the Recreation, culture and community action committee recommendations;

It is

Moved by Jim Coyle
Seconded by Harold McKenny

AND RESOLVED THAT the municipality grant financial assistance in the amount of \$13,693.70 to the Quyon Recreation Association, as recommended by the Recreation, culture and community action committee, as per the 2009 budget provisions. (Budget item no. 0270-190-970.

Carried

09-01-24

FINANCIAL ASSISTANCE – EARDLEY RECREATION ASSOCIATION

WHEREAS the Recreation, culture and community action committee recommendations;

It is

Moved by Jim Coyle
Seconded by Garry Dagenais

AND RESOLVED THAT the municipality grant financial assistance in the amount of \$8,900.00 to the Eardley Recreation Association, as recommended by the Recreation, culture and community action committee, as per the 2009 budget provisions. (Budget item no. 0270-190-970.

Carried

09-01-25

FINANCIAL ASSISTANCE – MUNICIPALITY OF SHAWVILLE

WHEREAS the Recreation, culture and community action committee recommendations;

It is

Moved by Jim Coyle
Seconded by Brian Middlemiss

AND RESOLVED THAT the municipality grant financial assistance in the amount of \$5,412.00 to the Municipality of Shawville, as recommended by the Recreation, culture and community action committee, as per the 2009 budget provisions. (Budget item no. 0270-190-970.

Carried

09-01-26

FINANCIAL ASSISTANCE – PONTIAC ARTISTS ASSOCIATION

WHEREAS the Recreation, culture and community action committee recommendations;

It is

Moved by Garry Dgaenais
Seconded by Brian Middlemiss

AND RESOLVED THAT the municipality grant financial assistance in the amount of \$500.00 to the Pontiac Artists Association, as recommended by the Recreation, culture and community action committee, as per the 2009 budget provisions. (Budget item no. 0270-190-970).

Following the vote on the amendment which was defeated, a vote is requested on the main motion:

FOR

Harold McKenny
Garry Dagnais
Brian Middlemiss
Lawrence Tracey

AGAINST

Jim Coyle
Dr. Jean Amyotte

Carried

AMENDMENT

It is

Moved by Dr. Jean Amyotte
Seconded by Jim Coyle

AND RESOLVED that the sum of \$500 be granted for the purchase of an art piece from one of the association members.

FOR

Jim Coyle
Dr. Jean Amyotte

AGAINST

Harold McKenny
Garry Dagnais
Brian Middlemiss
Lawrence Tracey

Defeated

09-01-27

FINANCIAL ASSISTANCE – PONTIAC ARTISTS TOUR

WHEREAS the Recreation, culture and community action committee recommendations;

It is

Moved by Brian Middlemiss
Seconded by Garry Dagnais

AND RESOLVED THAT the municipality grant financial assistance in the amount of \$250.00 to the Pontiac Artists Tour, as recommended by the Recreation, culture and community action committee, as per the 2009 budget provisions. (Budget item no. 0270-190-970).

A vote is requested and registered as follows:

FOR

Harold McKenny
Garry Dagnais
Brian Middlemiss

AGAINST

Jim Coyle
Dr. Jean Amyotte
Lawrence Tracey
Edward McCann

Defeated

09-01-28

FINANCIAL ASSISTANCE – CANADIAN LEGION - QUYON

WHEREAS the Recreation, culture and community action committee recommendations;

It is

Moved by Jim Coyle
Seconded by Brian Middlemiss

AND RESOLVED THAT the municipality grant financial assistance in the amount of \$5,000.00 to the Canadian Legion in Quyon, for work at the Quyon cenotaph site, as per the 2009 budget provisions. (Budget item no. 0270-190-970.

IT IS FURTHER RESOLVED THAT the sum be withheld until more information on the project to subsidize has been received.

Dr. Jean Amyotte votes against the motion because he does not want to reserve funds until more information has been received.

Carried.

09-01-29

FINANCIAL ASSISTANCE – CANADA DAY COMMITTEE

WHEREAS the Recreation, culture and community action committee recommendations;

It is

Moved by Garry Dagenais
Seconded by Brian Middlemiss

AND RESOLVED THAT the municipality grant financial assistance in the amount of \$1,500.00 to the Canada Day Committee, as recommended by the Recreation, culture and community action committee, as per the 2009 budget provisions. (Budget item no. 0270-190-970.

Carried

09-01-30

FINANCIAL ASSISTANCE – LUSKVILLE “GOLDEN AGE CLUB”

WHEREAS the Recreation, culture and community action committee recommendations;

It is

Moved by Brian Middlemiss
Seconded by Garry Dagneais

AND RESOLVED THAT the municipality grant financial assistance in the amount of \$1,500.00 to “Luskville Golden Age Club”, as recommended by the Recreation, culture and community action committee, as per the 2009 budget provisions. (Budget item no. 0270-190-970.

Carried

09-01-31

FINANCIAL ASSISTANCE – QUYON ENSEMBLE

WHEREAS the Recreation, culture and community action committee recommendations;

It is

Moved by Jim Coyle
Seconded by Garry Dagenais

AND RESOLVED THAT the municipality grant financial assistance in the amount of \$1,000.00 to Quyon Ensemble, as recommended by the Recreation, culture and community action committee, as per the 2009 budget provisions. (Budget item no. 0270-190-970.

IT IS ALSO RESOLVED THAT that the amount be withheld until more information on the project to be subsidized is received.

Dr. Jean Amyotte votes against the motion.

Carried

09-01-32

FINANCIAL ASSISTANCE – GROUPE ACTION JEUNESSE

WHEREAS the Recreation, culture and community action committee recommendations;

It is

Moved by Brian Middlemiss
Seconded by Garry Dagenais

AND RESOLVED THAT the municipality grant financial assistance in the amount of \$3,148.28 to Groupe Action Jeunesse, as recommended by the Recreation, culture and community action committee, as per the 2009 budget provisions. (Budget item no. 0270-190-970.

Carried

09-01-33

CONTRACT AGREEMENT – CRÉO

It is

Moved by Dr. Jean Amyotte
Seconded by Jim Coyle

AND RESOLVED THAT the mayor and the director general are hereby authorized to sign the contract agreement with the CRÉO concerning the preparation of plans and specifications for the Pontiac bicycle path.

Harold McKenny and Brian Middlemiss vote against the motion.

Carried

VARIOUS REPORTS AND CORRESPONDENCE

- Tabling of various municipal reports: a) animals.

TABLING OF DOCUMENTS

- Registre of the correspondence received in December 2008

QUESTION PERIOD

09-01-34

ADJOURNMENT OF THE MEETING

It is

Moved by Harold McKenny

Seconded by Jim Coyle

AND RESOLVED to close the meeting at 9:45 p.m., having gone through the agenda.

Carried

MAYOR

DIRECTOR GENERAL

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