

**PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC**

MINUTES of the special municipal council meeting held on Wednesday, August 31, 2011 at 7:30 p.m. at the Luskville Community centre, situated at 2024 route 148, Pontiac.
Those who were present :

Edward McCann, mayor, Dr. Jean Amyotte, pro-mayor, and councillors Roger Larose, Lynne Beaton, Jim Coyle, Inès Pontiroli and Brian Middlemiss.

Also present, the assistant to the director general.

The meeting begins at 7:50 p.m.

11-08-829

ADOPTION OF THE AGENDA

1. Adoption of the agenda
2. Nuisance by-law
3. Adjournment of the sitting

It is

Moved by Roger Larose
Seconded by Inès Pontiroli

AND RESOLVED to adopt the agenda as prepared and read.

Carried

11-08-830

BY-LAW #07-11 Entitled: «BY-LAW REPEALING BY-LAW NO. 04-07 CONCERNING PUBLIC NUISANCES ON THE MUNICIPALITY OF PONTIAC TERRITORY» and NOW RENAMED AS PROPERTY MAINTENANCE STANDARDS BYLAW

WHEREAS this council judges it appropriate and to be of public interest to adopt a new Bylaw in order to update property maintenance standards within the Municipality of Pontiac to maintain cleanliness and order.

WHEREAS provisions of Municipal Powers Act (2005, c.6) articles 59, 60, 61;

WHEREAS article 96 of the same Act;

CONSEQUENTLY, it is

Moved by:
Seconded by:

AND RESOLVED THAT council decrees the following:

ARTICLE 1:

Definitions

Municipality

Municipality of Pontiac

Vehicle

Includes all vehicle according to the Code de la Sécurité Routière du Québec (Road Safety Code) (LRQ, Chapter C-24.2).

The term “vehicle” includes all kind of vehicles, motorized, non-motorized and, without restriction, all land and marine vehicles, aircraft, trailer and semi-trailer.

Nuisance

Material and/or object which, by its nature or its illegal or abusive use, cause serious inconveniences or that can endanger public safety and/or security, the well-being of the community or the aesthetic of the building.

The key point to being a nuisance is that it must be visible.

The zoning bylaw has precedence over the Property Maintenance Standards Bylaw.

A permit may be issued if the zone allows for the usage.

Property Maintenance Standards Committee

A Property Maintenance Standards Committee will be established to constitute a second level of review in the process. It should be composed of a minimum of five (5) people - three (3) from the community - chosen to represent agriculture, business and residential and two (2) from municipal council.

ARTICLE 2:

Properties Maintenance Standards

2.1.a) An owner, a tenant or any person occupying a property shall not throw, leave or store materials and/or objects representing a nuisance.

2.1 a1) Scrap such as tires, metal, discarded furniture, empty bottles, debris from construction shall not be left on a lot or residential property

2.1 a2) Household appliance such as fridges, freezers or similar appliances that are not in working order are not allowed anywhere on the exterior property. If the household appliance is in working condition, then these may be stored on porches, decks, etc as long as they do not constitute an eyesore or are bothersome to the surrounding area.

Modern appliances are no longer equipped with a self locking device; therefore, it should be at the discretion of the property owner/occupant as to whether they wish to lock the appliance.

2.1 a3) Temporary storage of material or refuse solely from construction, demolition or alteration of a building or part thereof may be placed on the property provided that: It will not cause risk to the health or safety of any persons; and it is not stored in an unsightly manner.

2.1 a4) Heavy undergrowth and long grass shall be eliminated from vacant land and lots where there is a main building so as to be consistent with the surrounding environment.

2.1 a5) Hedges and bushes shall also be maintained so as to be consistent with the surrounding properties.

2.1.b) Also considered a nuisance, a building left in a dilapidated state in which it loses 50% of its original value on the assessment roll and which constitutes a danger to anyone who is in the area around it or presents a high risk fire hazard.

2.2 The use of a vehicle or parts of a vehicle for storage on a lot or a residential site is prohibited to any owner, tenant or person occupying a property.

2.3 It is forbidden for an owner, tenant or anyone occupying a parcel of land to set up a tent or other temporary shelter except for a special occasion.

2.4 It is forbidden for an owner, tenant or anyone occupying a parcel of land to use a vacant lot for storage purposes.

2.4.a Notwithstanding 2.2, 2.3 and 2.4, if a valid building permit is in existence and any of the above are being used as part of the building process then the above will be allowed while the permit is valid.

2.5 Notwithstanding article 2.4, it is possible to use a lot when it is owned by the same owner and that it is contiguous to a lot where there is a main building.

2.6 The storage of a vehicle, not registered (plated) for the current year or that is not in working order is prohibited to any owner, tenant or person occupying a property.

A vehicle having a “storage” plate may be stored for one (1) year.

2.7 According to the French version of Bylaw 04-07 **article 2.7 has been repealed** and replaced by Bylaw 12-08 Raw Waste and therefore should be removed from any new bylaw and the numbering will be redone.

2.8 It is prohibited to have an excavation done or to leave an accumulation of earth, stones or other similar materials that cannot be reasonably recognized as forming an integral part of the landscape of the said lot unless a valid building permit has been issued.

2.9 It is prohibited to leave any product recognized as being a pollutant in the environment, such as acid hydrocarbons, chemical products or smoke emitted from anything other than burning wood, branches and other products recognized for heating purposes.

2.10 Domestic storage for personal use such as firewood, building materials, garden equipment and materials may be stored in a rear or side yard provided that: such storage does not exceed 15 percent of the yard area in which it is stored and such storage is neatly piled and shall not constitute a hazard.

ARTICLE 3:

Upon a written request from the property owner and with his/her acceptance to take on the expenses, the municipality, by way of a resolution, may have any nuisance, that is identified within the present by-law, removed and may invoke article 96 of the “Municipal Powers Act” and consider the costs related to the work done as a property tax.

ARTICLE 4:

The present by-law will come into effect according to the law.

A vote is requested and registered as follows:

FOR

Roger Larose
Brian Middlemiss

AGAINST

Edward McCann
Dr Jean Amyotte
Jim Coyle
Inès Pontiroli
Lynne Beaton

Defeated

11-08-831

ADJOURNMENT OF THE MEETING

It is

Moved by Jim Coyle
Seconded by Inès Pontiroli

AND RESOLVED to close the meeting at 9:00 p.m., having gone through the agenda.

Carried

MAYOR

DIRECTOR GENERAL

« I, mayor Edward McCann, hereby certify that the signature on the present minutes is equivalent to the my signature on each and every resolution herein, as specified in article 142 (2) of the Municipal Code».