

Municipality of Cascapedia-St-Jules
Co. Of Bonaventure
Province of Québec

By-Law #19-05

CONSIDERING THAT: The council judges it necessary to adopt a By-Law to ensure the security, peace, order, good government and the general well-being within the Municipality of Cascapedia-St-Jules;

CONSIDERING THAT: The Council judges it necessary to ensure the peace and security of public areas within its territory;

CONSIDERING THAT: A notice of motion was given at the regular meeting of July 2nd, 2019;

It is therefore proposed by Councillor Michel Boudreau and unanimously resolved by the Councillors present

THAT all previous By-Laws concerning the security, peace and order in public spaces be rescinded;

THAT By-Law #19-05 be decided, ordered and decreed that which follows;

ARTICLE 1: Preamble

The following preamble is an integral part of the present By-Law.

ARTICLE 2: Definitions

Public area: Any parks, roads, public transportation vehicles, the grounds and parking lots of any educational or health buildings, or any areas for public use.

Parks and roadside rest stops: Parks and roadside rest areas situated within the territory of the Municipality and that are within its jurisdiction and comprise all public space with grass or not, where the public has access for the purpose of rest or relaxation, games or sports, or for any other similar reason.

Public areas: Parking lots under the responsibility and/or ownership of the Municipality, common areas of business, public buildings or apartment buildings.

ARTICLE 3: Alcoholic beverages

In a public area, it is prohibited to consume alcoholic beverages or to have in ones possession an alcoholic beverage in a container with a broken seal, unless there is a valid permit issued by the Régie des alcools, des cours et des jeux.

ARTICLE 4: Cannabis

It is prohibited to consume cannabis, in any form, in public areas where there are signs banning smoking or signs that specifically ban cannabis.

ARTICLE 5: Graffiti

It is prohibited to draw, paint or mark in any way public property.

ARTICLE 6: Possession of a weapon

It is prohibited to be in a public area with a firearm in ones possession without a reasonable explanation, a knife, a machete, a heavy stick or any other object that can be used as a weapon.

Self defense is not considered to be a reasonable explanation.

ARTICLE 7: Weapons use

7.1 - Shooting a firearm

Shooting a pistol, a rifle or any other firearm is prohibited within 300 meters of residences and buildings or any public area. Shooting a bow, crossbow or air gun is prohibited within 150 meters of residences and buildings or any public area, except for those decreed by a Municipal By-Law.

7.2 - Gun Clubs or Firearms Associations

It is permissible for gun clubs or firearms associations to organize shooting contests or practices for firearms or bows, on municipal land specially arranged for this purpose.

ARTICLE 8: Fire

It is prohibited to light, or keep lit, a fire in a public area without a permit.

For fires on beaches, the Municipality can give a permit authorizing the fire for a specific event with the following conditions:

a) The debris from the fire or event must be completely picked up within 24 hrs.

b) Except for conditions under article 7c), after 10:00 PM it is prohibited to make, to provoke or to incite in any manner noise to break the peace and well being of the neighborhood;

c) The Municipality can grant a permit authorizing a fire for a specific event during hours other than those mentioned in article 7b);

ARTICLE 9: Indecency

It is prohibited to urinate or defecate in a public place, except for the areas provided expressly for this purpose.

ARTICLE 10: Prohibition against obstructing circulation

It is prohibited to obstruct or impede, without reason, the passage of pedestrians or the circulation of vehicles on a road or sidewalk or public place, in any manner.

ARTICLE 11: Fighting

It is prohibited to fight, push or shove in a public area.

ARTICLE 12: Projectiles

It is prohibited to throw rocks, bottles or any other projectiles.

ARTICLE 13: Prohibition against possession of or throwing pyrotechnics

It is prohibited to manipulate or use, in any way, pyrotechnics.

However, this article does not apply to dynamite work. The Municipality can authorize the use of fireworks during popular holidays or for other reasons.

ARTICLE 14: Public gatherings in the streets

It is prohibited to, organize or participate in an assembly, parade, demonstration or other similar gathering of more than fifteen (15) people in the streets, parks, or public places before having properly notified the Municipality.

ARTICLE 15: Loitering

It is prohibited to sleep, lodge, and camp, beg or loiter in a public place.

ARTICLE 16: Persons found intoxicated in a public place

Commits an infraction to the By-Law, any person who, without legitimate reason, is found loitering and intoxicated in the streets, alleys, public places, fields, or other public areas in the Municipality.

ARTICLE 17: Prohibition against making noise

It is prohibited to cause trouble or to make noise, inside or outside of a house, or in any other building or in public places, such as yelling, swearing, blaspheming, fighting or behaving in an unwelcome manner in such a way as to inconvenience the neighbours or passers-by.

ARTICLE 18: Security Perimeter

It is prohibited to cross or to be found inside of a marked security perimeter established by a competent authority with the use of indicator tape, barriers, etc, unless being expressly authorized.

ARTICLE 19: Prohibition of abuse

19.1 Abuse towards a public servant or peace officer while performing their duties

Commits an infraction to the present By-law any person who voluntarily injures, makes offensive, defamatory, blasphemous or vulgar comments, or encourages another person to injure or make offensive comments against a public servant or peace officer during the fulfillment of their duties.

19.2 Hinder an appointed person or peace officer during the fulfillment of their duties

Commits an infraction to the present By-Law any person who voluntarily hinders or impedes a public servant or peace officer during the fulfillment of their duties.

ARTICLE 20: Application of the present By-Law

All of the articles in this By-Law are applicable by the Sûreté du Québec, which authorizes their members to initiate criminal prosecution against the offender on behalf of the municipality and to give fines. They are also applicable by the person appointed by the Municipality.

ARTICLE 21: Penalties

Whosoever contravenes or does not conform to the articles in the present By-Law, commits an offense and is liable for a fine according to the following table plus Fees*.

Article number	Fines	
	Minimum	Maximum
3,4,9,10,11,14,15,16,18	\$100	\$300
5,8,11,12,17,19.1,19.2	\$200	\$600
6,7.1,7.2	\$300	\$900

Fees*: The fees are those applicable in the By-Law on judicial tariffs in Penal matters (R.R.Q., 1981, c(-25.1).

Article 22: Entering into effect

The present By-Law will enter into effect according to the law.

Adopted in Cascapedia-St-Jules, this 5th day of August 2019.

Gaétan Boudreau, Mayor

Susan Legouffe, General Director

Fines

Cour du Québec
MRC of Avignon
MRC of Bonaventure

By-Law concerning security, peace and order in public places

Infraction	Fine	Code
Article 3 Consume or have in your possession un-sealed alcoholic beverages in a public place	100\$	RM 460
Article 4 Have consumed cannabis in a public area where a sign prohibiting it's use exists	100\$	RM 460
Article 5 Color, paint or otherwise mark or vandalise public property	200\$	RM 460
Article 6 Have in your possession a knife, machete, stick or weapon in a public place	300\$	RM460
Article 7 (7.1a) Have fired a rifle, gun, pistol or any other weapon within 300 meters of a residence or public building	300\$	RM 460
Article 7 (7.1b) Have fired a cross bow or compressed air gun within 150 meters of a residence or public building	300\$	RM 460
Article 8 Have lit or kept lit a fire without a permit in a public place	200\$	RM 460
Article 9 Have answered your call of nature in a public place	100\$	RM 460
Article 10 Have obstructed or constrained, without reason, the passage of pedestrians or vehicles in a public place	100\$	RM 460
Article 11 Engaged in public fighting	200\$	RM 460
Article 12 Thrown rocks, bottles or any other projectile in a public place	200\$	RM 460
Article 13 Manipulate or use, in whatever fashion, any pyrotechnics	100\$	RM 460
Article 14 Organise, direct or participate, without Municipal authorization, a parade, walk or race with more than fifteen (15) participants in a public place	100\$	RM 460
Article 15 To sleep, house or camp in a public place and/or beg or loiter in a public place	100\$	RM 460
Article 16 Found drunk in a public place	100\$	RM 460
Article 17 Cause trouble or noise in a residence or outside or in any other building by screaming or swearing, fighting or any other conduct that is annoying to the neighbours or passer-by	200\$	RM 460
Article 18 Be found, without authorization, within a secured zone established by a competent authority with the aid of appropriate signalisation	100\$	RM 460
Article 19.1 Have insulted or provoked a public servant or peace officer during the fulfillment of Their duties.	200\$	RM 460
Article 19.2 Voluntarily hinder or impede a public servant or peace officer during the fulfillment of their duties.	200\$	RM 460