

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

By-Law #19-08

CONSIDERING THAT the Municipal Council judges it necessary to adopt a By-Law to regulate the accumulation of refuse on private property;

CONSIDERING THAT the Municipal Council judges it necessary to adopt a By-Law to define what constitutes refuse and to impose fines on the persons who create or let exist such nuisances;

CONSIDERING THAT a notice of motion was adopted at the regular meeting of the Council on July 2nd, 2019;

It is therefore proposed by Councillor Margaret-Anne Cooke and unanimously resolved by the Councillors present :

THAT all previous By-Laws concerning the accumulation of refuse on private property be rescinded;

THAT By-Law #19-08 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: Accumulation of material on private property

Any accumulation of material on private property, likely to release nauseating odors or that constitutes a risk of fire or accident, is prohibited.

The present article does not apply to the running and working of authorized enterprises which are consistent with Municipal By-Laws regarding urbanization and also with regards to laws prescribed by a competent authority which controls this area in matters of public health.

ARTICLE 3: Presence of refuse on private property

Constitutes a nuisance and is therefore prohibited to throw or dispose of ashes, paper, waste, refuse, garbage, rubbish, metal, empty bottles or other materials or harmful obstructions, parts or frames of machinery and automobiles or all other refuse or garbage of any nature, in roads, alleys, yards, public or private land, public places, water or water courses within the Municipality.

We understand that by “parts or frames of automobiles” we mean an automobile that is no longer being used or without one or more of the necessary parts for its proper functioning.

Constitutes a nuisance and is prohibited that, the owner, tenant or occupant of a vacant lot, or partially constructed building or piece of land, to leave one or more automobiles that were manufactured more than seven (7) years ago, not licensed for the current year and out of function.

We understand “automobiles” to mean all vehicles in the sense of the Road Safety Code (law of Québec, RLRQ chapter C-24.2) all vehicles that can be moved by means other than physical force and adapted for transportation on public roads but not on rails.

ARTICLE 4: Obligatory use of the local dump site

It is prohibited to transport or to have transported to any place in the Municipality, other than the specified site or other place designated especially for this purpose, any contaminated or unhealthy substance or material.

ARTICLE 5: Dumping garbage in ditches

It is prohibited to dispose of, in public ditches, manure, garbage, earth, sand, gravel or other waste in a manner to block or obstruct the public ditch.

ARTICLE 6: Sparks, soot and smoke

To eject sparks, cinder, soot or smoke, or in general any nauseating odor, from a chimney or other source, is prohibited, **except for wood heating or other extra heating.**

ARTICLE 7: Cleanliness

7.1 - Cleaning up of roads after a permitted event.

Whosoever shall use a road or land, personally or by another individual, in such a case where the use is permitted, must clean the area and remove or have removed the debris and other materials found, without delay.

7.2 - It is prohibited to throw snow into the street.

- a) It is prohibited by whosoever in possession of a snow blower or other article to dispose of snow from their yard into the street.
- b) It is prohibited to transport, from one side of the street to that facing, any snow from the clearing of ones property.

ARTICLE 8: 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	Minimum	Maximum
	Fines	Fines
6	100	300\$
7, 7.1, 7.2	200\$	600\$
2, 3, 4, 5	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 21: 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 the accumulation of refuse on private property

Infraction	Fine	Code
Article 2 Have accumulated material on private property, likely to release nauseating odors or that constitutes a risk of fire or accident	300\$	RM 450
Article 3 Have left a property, vacant or partially constructed, with an accumulation of branches, weeds, metal, paper, empty bottles or piles of materials such as rock, ground, sand, wood or garbage or scraped machinery	300\$	RM 450
Article 4 To transport or to have transported to any place in the Municipality, other than the specified site or other place designated especially for this purpose, any contaminated or unhealthy substance or material	300\$	RM 450
Article 5 To have disposed of, in public ditches, manure, garbage, earth, sand, gravel or other waste in a manner to block or obstruct the public ditch	300\$	RM 450
Article 6 To eject sparks, cinder, soot or smoke, or in general any nauseating odor, from a chimney or other source	100\$	RM 450
Article 7 (7.1) Omitted to clean the street and remove or have removed the debris and other materials found after a permitted use, without delay.	200\$	RM 450
Article 7 (7.2) Have disposed of snow from ones property into the street and/or to have transported, from one side of the street to the other, any snow from the clearing of ones property	200\$	RM 450