

STEP TAKEN BY THE GATINEAU-VALLEY REGIONAL COUNTY MUNICIPALITY (G-V RCM) ACCORDINGLY THE GOVERMENTAL POLICY'S OBJECTIVES, WHICH INDICATES TO ALL REGIONAL COUNTY MUNICIPALITIES AND URBAN COMMUNITIES THE CONTENT OF THE MANAGEMENT PLAN FOR ITS LAKESHORES, RIVERBANKS OR LITTORAL ZONES, THEREFORE YOUR RSIOT REGIONAL COUNTY MUNICIPALITY DECREED AS FOLLOWS:

**CANADA** PROVINCE OF QUEBEC **GATINEAU-VALLEY REGIONAL COUNTY MUNICIPALITY (G-V RCM)** 

INTERIM CONTROL BY-LAW NUMBER 2009-206 TO ESTABLISH PROTECTION MEASURES TOWARDS LAKESHORES, RIVERBANKS, LITTORAL ZONES AND FLOODPLAINS APPLICABLE ON THE MUNICIPALIZE TERRITORIES OF THE (G-V RCM) EXCEPT FOR THE TERRITORIES OF DRAINAGE BASIN OF HENEY LAKE AND CITY OF MANIWAKI

the Gatineau-Valley Regional County Municipality (G-V RCM) has adopted the **WHEREAS** Interim control By-law number 1983-07 21 on September 1983;

the 1983-07 Interim control By-law is in force since February 11th 1984 which **WHEREAS** contains standards of protection for shores and riverbanks complying then with the government requirements:

the (G-V RCM) has adopted a regional development plan enforce by its **WHEREAS** complementary document complying with the relevant governmental directives referring to the shores and riverbanks protection standards;

**WHEREAS** the (G-V RCM) regional development plan has entered into force on October 13th 1988;

**WHEREAS** local municipalities of the (G-V RCM) have adopted their urban plan and planning By-laws since 1991;

WHEREAS every zoning By-laws of all municipalities of the (G-V RCM) contains protection measures towards shores and riverbanks that are more restrictive than those included in the (G-V RCM) regional development plan complementary document or included in the governmental policy for the conservation of the public water environment;

WHEREAS the (G-V RCM) adopted on March 18th 1998 the Interim control By-law(RCI) number 98-105 which included supplementary measures for shores and the riverbanks protection;

WHEREAS the By-law has entered into force on May 6th 1998;

WHEREAS the Gouvernement du Québec asked all Regional County Municipalities (RCM) to modify their development plan to include measures for lakeshores, riverbanks, littoral zones and floodplains protection in conformity to the most recent (2005) version of the Government policy in entitled "Protection policy for riverbanks, lakeshores and flood plains";

WHEREAS the quality of aquatic and riparian zones of the (G-V RCM) is a guarantee for its economic development;



WHEREAS to maintain the water heritage of the (G-V RCM) territory, additional protection

measures are necessary for surface water;

**WHEREAS** to proceed with a the insertion of protection measures for riverbanks,

lakeshores to the development plan would take effect at the time where the municipalities would change their urban planning By-laws accordingly to the

law, which procedures would take several months;

**WHEREAS** to proceed by amending the Regional Interim Control By-law rather than the

development plan would allow a faster protection for all shores, lakeshores and

riverbanks;

**WHEREAS** under Section 64 of the Act respecting land use planning and development

(R.S.Q., c. A-19.1), the Council of the (RCM) may exercise by its Regional Interim Control By-law powers provided by Section 62 and the first paragraph

of Section 63 of the Act;

under Section 62 of the Act respecting land use planning and development **WHEREAS** 

(R.S.Q., c. A-19.1), the interim control may prohibit new usage of land, new constructions, any cadastral requests and the subdivision of lots made through

alienation:

**WHEREAS** the interim control may provide that new usage of land, new constructions, any

cadastral requests or lots subdivision made through alienation, constitute categories of activities, it may establish subcategories or divide regional county municipality territory. It may then enact some prohibitions that applies to one, several or all of categories, subcategories or parts of territory, or that varies depending on them, or any combination that applies to a category or

subcategory or part of territory;

**WHEREAS** an interim control may provide that, on delivery of a permit or certificate,

prohibition may be lift, terms and conditions on this matter are establish then.

this By-law has been prepared by the (G-V RCM) Urban Planning Committee, WHEREAS

taking into account recommendations made by working groups that have though on how to preserve and improve the quality of the aquatic and riparian

zones on its territory;

**WHEREAS** this Interim control By-law has been submitted to the (G-V RCM) Agricultural Advisory Committee; some buildings being located in the decreed agricultural

zone and subject to the provisions of the Loi sur la protection du territoire et

des activités agricoles (LPTAA);

notice of motion has been duly given on May 19th 2009 and a draft copy of the WHEREAS By-law was provided to the members of Council, in accordance with the

provisions of Section 445 of the Municipal Code.

In whereby, the Council of the Gatineau-Valley Regional County Municipality ordered and decree as follows:

**Chapter I declaratory provisions** 

**Section 1.1 Preamble** 

This preamble is an integral part of the By-law.

Section 1.2 Title of the By-law



The title of the present By-law is: By-law number 2009-206 to establish protection measures towards lakeshores, riverbanks, littoral zones and floodplains applicable on the territory of all municipalities of the (G-V RCM) except for the territory of the City of Maniwaki and the territory of Drainage basin of Heney Lake within the municipalities of Gracefield and Lac Sainte-Marie.

### **Section 1.3 Territory of enforcement**

This By-law applies to all organize, municipal territory of (G-V RCM) except for the territory of the city of Maniwaki and the territory of The drainage basin of Heney Lake within the municipalities of Gracefield and Lac Sainte-Marie.

### Section 1.4 Field of application

This By-law applies to any legal person, of public or private statue or any person. The Government, its departments and agents are subject to its enforcement under the provisions of section 2 of the Act respecting land use planning and development (R.S.Q., c. A-19.1).

### Section 1.5 Validity of the By-law

The (G-V RCM) Council decrees the By-law as a whole also chapter by chapter, Section by Section, paragraph by paragraph, subparagraph by subparagraph so that if one of its components was or should be declare invalid by a court, all provisions of this By-law would continue to apply.

### Section 1.6 By-law priorities

The provisions of this By-law, are in addition to those enclosed in a municipal By-law, ruling the same subjects then the more restrictive provisions apply.

No permit or any certificate may be issue, pursuant to a local municipal By-law unless it meets all the requirements of the present By-law.

### Section 1.7 The By-law versus any Statues or Acts

No Section of this By-law may have for effect to exempt any person to the enforcement of any Statues or Acts adopted in Canada or Quebec.

### Section 1.8 Annexes to the By-law

Graphs and maps in annex are integral parts of the present By-law. In the event of any inconsistency between these and any text, the text prevails.

### Chapter II Interpretative provisions

### Section 2.1 The text interpretation

All titles are an integral part of this By-law. In the event of any inconsistency between any text and any titles, the text prevails.

The use of the present tense includes the future.

The singular includes the plural and vice versa, unless the sense clearly indicates that it cannot logically be so.

The masculine gender includes the feminine gender unless that the context indicates otherwise.

The word "person" means any legal or physical person.

When the words "shall" or "will be" are use, the obligation is absolute. The word "may" keeps its optional meaning.



### Section 2.2 Measurement units

All distances or other measurement units prescribed in this By-law refers to the metric system (S.I.).

### **Section 2.3 Definitions**

For the interpretation of this By-law, unless that the text does oppose or otherwise specified, the following words or phrases are given the meaning and significance as follow:

<u>Tributary</u>: Watercourse which empties into a different course or aquatic zone.

<u>Tree</u>: Means a woody indigenous plant in Canada or not, with a single upright perennial stem that at a certain height branches out, when mature, that has a trunk measuring at least 10 cm diameter, taken at 1.3 meters above the highest level of adjacent soil, and that as a minimum height of 7 meters at maturity. For the purposes of this definition, all species of willows and birch having multiple stems from the same root system are consider a tree if they are at maturity, having the diameter and height required at the present definition.

<u>Bush</u>: Means a single woody stem plant which height at maturity is less than 7 meters. For the purposes of this By-law, shrub is a woody plant, which height is less then 7 meters, which stem ramifies at its base, is consider as a bush.

<u>Sedimentation basin</u>: Expression meaning a planned construction, which function is to capture the suspended solids contained in drainage water to eliminate its impurities prior to its release in an aquatic zone or a watercourse.

<u>Building</u>: Means a construction with a fixed or temporary roof, of some whatsoever material, supported by poles, columns and/or of walls resulting from the joining up of one or many materials to serve for one or any purposes.

<u>Main building</u>: Expression meaning a building, in which is exercised, at an authorized location, the principal use authorized or protected by acquired rights pursuant to a planning By-law.

<u>Accessory building</u>: Expression meaning a building, separated or annexed to a main building, designated at improving the usefulness, the convenience and the charm of a main building.

<u>Sanitation cut</u>: Expression meaning sanitation cutting which consists in the cutting or harvesting of deficient, defective, dying, damaged or dead trees in a stand.

<u>Watercourses</u>: Expression meaning a clearly defined depression on the ground whereby elapses downstream, by gravity, on a constant or intermittent basis, surface waters. Are excluded from this definition the ditches used for the flow of surface waters of surrounding land, road ditches, line ditches that irrigates the adjacent land as well as ditches used to drain only a single field.

<u>Intermittent watercourses</u>: Watercourses or part of a watercourse which flow depends directly on precipitation and whose bed is completely dry for certain periods of the year.

<u>Vegetation cover</u>: Expression meaning the layer of the vegetation situated above the ground and formed by the canopy of trees, shrubs and plants.

<u>Forest cover</u>: More or less regular coverage of branches and foliage formed by the treetops neighboring trees.

Extraction: Means excavation, earth moving, of soil or rock to grade or digging the soil.



<u>Treetops diameter</u>: Expression meaning the arithmetical average between the largest and smallest transversal dimension of the projection of a treetops on a horizontal plane.

<u>Denunciation</u>: Means a declaration from the owner of a riparian land in which he declares that he wants to revitalize the nature of the shore in a determined period of time in accordance with a plan as prepared by a competent professional in botany matters.

<u>Dependency</u>: Means a building or part of building build as a rental building subordinated to a main building related to recreational commercial activities which main duties are logging and/or related to recreation or outdoors activities.

<u>Surface water</u>: Expression meaning stagnant and or running water, found on the surface of the ground, forming oceans, seas, lakes, rivers, creeks, ponds, aquatic zones, etc

Rain absorption pond: Expression meaning a structure built in an impermeability ground or with little permeability designed to receive the drips from the roof or roofs of a main building. This structure must be designed to allow a slow infiltration of the collected water to the soil. This construction design must be prepared by a member of the Ordre des ingénieurs du Québec and submitted with the reconstruction permit request for the reconstruction of the structure.

<u>Low water mark</u>: Means the lowest level of a water course or a Lake.

<u>Ditch</u>: Means an excavated channel used to carry off surface water from adjacent land, a structure as, either road ditches, boundary ditches that drains only the adjacent lands, as well as ditches used to drain only a single land.

<u>High water mark</u>: Expression meaning the area where it changes from a predominance of aquatic plants to a predominance of terrestrial plants or if there is not aquatic, at the point where terrestrial plants stop in direction of the water. The term high waters limit has the same meaning. <u>Riverbank, littoral zone</u>: Means part of aquatic zone or watercourse that extends from the high water mark, to the center of aquatic zone or water.

<u>Wetlands</u>: Means flooded area or saturated with water for a period of time, long enough to influence the nature of soil and the vegetation composition. The ponds, marshes, the swamps and peat bogs, without limitation, are of wetlands for the purposes of the present By-law.

<u>Structure</u>: Means any structure, any construction, any building, and even any work that can lead to a change in the natural characteristics of the shore or shoreline.

<u>Percentage of slope</u>: Expression meaning the description of the landscape expressed in percentage to indicate the ratio between the slope and the horizontal distance of the unevenness of an area.

<u>Submerged beach</u>: Expression meaning the part of the riverbanks located between the high water mark and the average level of the lowest level of a water course or a Lake.

Aquatic zone: Expression to designate an inland area of natural or artificial water, of slow current, and a slow renewal of its waters to the opposite of a watercourse. For the application of the any prescriptions related to the shore and riverbanks, a basin or small size water reservoir mainly powered by a mechanical system is not considered as an aquatic zone.

<u>Herbaceous plant</u>: Expression meaning a perennial plant that is not of wood, whose aerial parts die at the end of each season; it grows every spring from buds laying on the surface of the ground or under ground. For this By-law application herbaceous vegetable seeds or vegetable are not considered herbaceous plants.

Storm drainage basin: Expression meaning a no bottom reservoir designed to receive the drip of one or many roofs of a main building, prefabricated, that corresponds to the standard NQ3682-850 lying on thick gravel or crushed stone at its base of 30 cm and 15 cm on the sides. Plans of this structure shall be prepared by an engineer Member of the Ordre des ingénieurs du Québec and presented with the application for the permit for the reconstruction of the building.



<u>Backfilling</u>: Means excavation work intended to raise the profile of land or to fill a land depression.

<u>Shore re-vegetation</u>: .Expression meaning implementation of species as herbaceous plant, bushes cover and trees for shores of the riverbanks and floodplains protection as recommended in the good practices guide of Ministère du Développement durable et de l'Environnement et des Parcs du Québec (MDDEP) parks.

<u>Shore</u>: Means a strip of land bordering an aquatic zone and or a watercourse that extends inwards the land from the high water mark. The width of the shore to protect is measured horizontally. The lakeshore or riverbank is at least 10 m wide where: the slope is less than 30%; or the slope is greater than 30% with a bank less than 5 m high. The lakeshore or riverbank is at least 15 m wide where: the slope is continuous and greater than 30%; or the slope is greater than 30% with a bank over 5 m high.

Impermeable ground: Expression designating a soil, whose trickling time is equal to or greater than 45 minutes per centimeter or which the permeability coefficient is equal to or less than 6 x 10 <sup>-5</sup> cm/s, or which, according to the correlation between the texture and the established permeability, in conformity with Annex I of the Règlement sur l'évacuation et le traitement des eaux usées des résidences isolées c. Q-2, r.8, is located in the impermeable area.

<u>Low permeable soil</u>: Expression designating a ground which the trickling time is equal to or greater than 25 minutes and less than 45 minutes per centimeter or whose permeability coefficient is greater than 6 x 10 <sup>-5</sup> cm/s and equal to or less than 2 x 10<sup>-4</sup> cm/s, or which, according to the correlation between the texture and the established permeability in conformity with Annex I of the Règlement sur l'évacuation et le traitement des eaux usées des résidences isolées c. Q-2, r.8, is located in the low permeable area.

<u>Permeable soil</u>: Expression designating a soil whose trickling time is equal to or greater than 4 minutes and less than 25 minutes by centimeter or whose permeability coefficient is greater than 2 x 10 <sup>-4</sup> cm/s and equal to or less than 4 x 10 <sup>-3</sup> cm/s or which, according to the correlation between the texture and the established permeability in conformity with Annex I, of Règlement sur l'évacuation et le traitement des eaux usées des résidences isolées c. Q-2, r.8,is located in the permeable area.

<u>High permeable soil</u>: Expression designating a soil whose trickling time is less than 4 minutes per centimeter or whose permeability coefficient is greater than 4 x 10 <sup>-3</sup> cm/s or which, according to the correlation between the texture and the established permeability in conformity with, Annex I, of Règlement sur l'évacuation et le traitement des eaux usées des résidences isolées c. Q-2, r.8, is located in the very permeable area.

<u>Spring</u>: Means a place where underground water emerges naturally at a point on the surface of the ground, generally taking its origin from a surface water course.

<u>Slope:</u> Means, for the implementation of the present By-law, the riparian portion of land with a percentage of slope over 30 % and a height of more than five (5) meters. If the slope of a shore is regular over a distance of 15 meters from the high-water mark and has a minimum height of five (5) meters over elevation level of the high-water mark, this difference in level is renowned as a slope.

### Chapter III Administrative provisions

### 3.1Administrative By-law

The administration and supervision of the present By-law are entrusted to the Regional shores and littoral zones Inspector of the (G-V RCM), as a competent authority.

### 3.2Application of By-law



The administration and supervision of the present By-law is the responsibility of the Regional shores and littoral zones Inspector. The Regional shores and littoral zones Inspector is the competent authority. Assistant inspectors appointed by resolution of Council of the (G-V RCM) have the same powers and duties.

### 3.3 Powers of the Regional shores and littoral zones Inspector

The Regional shores and littoral zones Inspector exercises the administration and supervision for this By-law application.

### 3.4 The role of the Regional shores and littoral zones Inspector

The Regional shores and littoral zones Inspector is mandated for the control and monitoring for this By-law application.

### 3.5 Duties and powers of the Regional shores and littoral zones Inspector

The Regional shores and littoral zones Inspector:

- 1. Monitors the application of this By-law.
- 2. Advises local inspectors from local municipalities which applies in whole or in part this By-law.
- 3. Reports to the Comité d'aménagement du territoire (CAT) of the (G-V RCM) any complaint brought up by the representatives of the Administration of the (G-V RCM) on the non-observance of this By-law. The inspector reports the follow-up to the (CAT) advises by making recommendations intended to correct the identified offences. The (CAT) recommends and give advises the Council of the (G-V RCM) the adoption of measures to correct offences committed towards this By-law.
- 4. May require in support request for a permit or a certificate any existing document relating for the understanding of the request.
- 5. Advises and assists designated local inspectors in the application of this By-law.
- 6. Issues and sign report of offences against any offender in this By-law.
- 7. Suspends any permit or certificate when the work contravenes this By-law.
- 8. If the case may be, issues and signs all report for the non respect of this By-law.
- 9. Issues permits and certificates required by this By-law on the territory of a local municipality when it has not appointed by resolution a local municipal Inspector for this By-law application.
- 10. Collects payable rates for permits and certificates required by this By-law when the Council of a local municipality has not appointed by resolution a local municipal Inspector.
- 11. Keeps a registry of issued or refused permit, officially emitted by him, in application of the present By-law, when the local municipality has not yet appointed a local municipal Inspector for this By-law application. In the event of a refusal to issue a permit or certificate required by this By-law, it motivates the reasons of the refusal to issue any permit or certificate and transmits a copy to the (CAT) and to the Council of the local municipality.
- 12. Notifies in writing the local municipal Inspector of any construction or any work done in contravention of the present By-law.



- 13. Transmits monthly to the (CAT) of the (G-V RCM) a copy of the permits and certificates registry, issued or denied, by local municipal inspector under the present By-law.
- 14. Shall notify owners, tenants of any procedures taken or to be taken to stop all work, or work to be started, or that are all ready done which contravene to the specification of this By-law, and transmit a copy to the responsible local municipality of that territory.

### 3.6 Visiting hours for the Regional shores and littoral zones Inspector

The Regional shores and littoral zones Inspector may visit any movable or immovable, between 7 a.m. and 7 p.m., inside and or outside of any property, building or structure to see if the By-law is respected, to verify any information and inspect what is necessary to exercise the power to issue a permit or certificate and to require from the movable or immovable owners or tenants to receive and answer all questions that are asked relatively to the implementation of this By-law.

### 3.7 The local municipal inspector

All municipalities to which apply this By-law, have to appoint by resolution a local municipal official responsible for this By-law application on its territory.

### 3.7.1 Refusal to appoint a local Inspector municipal

When a local municipality refuses to appoint a municipal inspector as the local official responsible for the implementation of the present By-law on its territory, the Council of the (G-V RCM) performs the appointment of local municipal inspector.

### 3.8 Powers and duties of the local municipal inspector

The Duties of the local Inspector:

- 1. Receives requests for all authorization certificates that are addressed to him, verifies if they are complete, otherwise he sees that they are.
- 2. Examines all applications for permits and certificates in compliance with this By-law.
- 3. Emits or refuses to issue the certificates of authorization or required permits by this Bylaw. In the case of a refusal, the designated municipal official shall give reasons for its decision.
- 4. Refers any interpretation question for this By-law application to the Regional shores and littoral zones Inspector.
- 5. Keeps a registry of issued or denied permits and certificates.
- 6. Monthly sends to the Regional shores and riverbanks inspector a copy of permits and certificates issued or denied by virtue of this By-law.
- 7. Sends to the Regional shores and littoral zones Inspector and to the local municipal Council any notice and offence report issued by him.
- 8. Visits and inspects, in the exercise of its duties, any immovable to ensure that the provisions of the present By-law are met. Owners, tenants or occupants must welcome the designated local official on the inspected premises and must answer questions that may be ask on the implementation of this By-law.
- 9. Sees that all operations and work shall are done in accordance to the application of the permit or certificate of authorization and otherwise it shall notify in writing the owner or his representative with the changes that have to be preceded. He orders by notice to the



owner or his representative, to stop any work or any work that does not comply with the provisions of the present book By-law.

10. Advises the Regional shores and littoral zones Inspector of any stopping work that he ordered.

### 3.9 Visiting hours for the local municipal inspector

The local municipal Inspector may visit any movable or immovable, between 7 a.m. and 7 p.m., inside and or outside of any property, building or structure to see if the By-law is respected, to verify any information and inspect what is necessary to exercise the power to issue a permit or certificate and to require the owners or tenants of movables or immovable to receive and answer all questions that are asked relatively to the implementation of this By-law.

### 3.10 Application for permits and certificates

Any application for permit or certificate required by this By-law must be presented to the local municipal inspector. Within a maximum thirty (30) days following the presentation of the application, he emits or refuses the requested permit or certificate. In the case of a refusal, the local municipal Inspector, in writing justifies his refusal accordingly to the provisions of this By-law.

### 3.11 Prior authorization for any interventions on the shore and riverbanks

All constructions, all works and or any works allowed on the shore and on riverbanks in accordance to this By-law must be subject to the issuance of a certificate of authorization by the designated municipal official.

### 3.12 Information required for the application of a permit or certificate intervention on the shore or riverbanks

Any certificate of authorization request shall be presented on the provided form under this Bylaw by the concern local municipality.

The application must be signed and dated by the applicant and completed by the following documents:

- 1. Name, first name, address, phone number of the owner or representative;
- 2. A scale map showing:
- 3. The limit of the concern property and cadastral identification;
- 4. The localization of the part of the affected land by the work;
- 5. Localization of all existing aquatic zones, watercourses, lakes, swamps, wooded area.
- 6. The showing on the ground of each existing building concerned by the application;
- 7. The limit of the all right-of-way, public or private street;
- 8. The profile of the land in the case of some stabilization work, before and after the completion of the work;
- 9. The high water mark;
- 10. A description and location of the work to be done and the techniques used in the case of some shore stabilization work;



- 11. The shore slope percentage;
- 12. Any other relevant information helping the application analysis for the certificate of authorization;
- 13. List of all groups of herbaceous plant present on the affected shore or if the case may be that have to be planted, if necessary;
- 14. All given permits, certificates and authorizations issued by any competent governmental authorities, if the case may be.

### 3.13 Application for any permit or certificate for any intervention on the shore or riverbanks

Any application for permit or certificate required by this By-law must be presented to the local municipal inspector. Within a maximum thirty (30) days following the presentation of the application, he emits or refuses the requested permit or certificate. In the case of a refusal, the local municipal Inspector, in writing justifies his refusal accordingly to the provisions of this By-law

### 3.13.1 Suspended application

If the application or the accompanying plans are incomplete and or inaccurate, the designated municipal official shall inform the applicant by writing within thirty (30) days from receiving the application. The study of the application is suspended until the required information is provided, and then the application shall be considered to be received on the date of receipt of this additional information.

### 3.13.2 Non-compliant application

When an application is non-compliant to the provisions of this By-law, the designated municipal official shall notify in writing the applicant within 30 days of the date of receipt of the request.

## 3.14 Rates for the delivery of a permit or an intervention certificate on shores and or on riverbanks

The rates to obtain a permit or a certificate of authorization under the present By-law are the ones in force at the level of the (G-V RCM) local municipalities for any work executed on shores or on riverbanks

If no payable fees are requested by a local municipality of the (G-V RCM) territory for obtaining a permit or an intervention certificate executed on shores or on riverbanks the following rates applies:

- 1. Installation or replacement of a wharf: \$ 15.00
- 2. Demolition of a building erected on the littoral zone: \$ 10.00
- 3. Work of stabilization on the shore: \$ 50.00
- 4. Harvest trees in a forestry or agricultural zone or sanitary cut in a stand: \$ 10.00
- 5. Re-vegetation of the shore following a denunciation: \$ 20.00
- 6. Repair of a building located on the shore: \$50.00
- 7. Reconstruction of a building located on the riverbanks areas: \$50.00
- 8. Authorized alteration work for the construction of a 5 m opening on the shore: \$ 10.00



- 9. Seeding and planting any plant species on the shore to restore the vegetation: \$10.00
- 10. Installation of a fence on the shore: \$ 5.00
- 11. Installation of outlets for sub-surface and surface drainage systems and pumping stations; \$ 50.00
- 12. Installation of a watercourse crossing: \$ 20.00
- 13. Any other work or alteration on the shore or riverbanks: \$ 10.00

### 3.14.1 Rates for any changes to a permit or certificate

The rates for a change that transforms the permit or the original certificate or its conditions, even after the issuance of it, shall be fixed at the same rate as determined at the time of the request for the original permit or certificate.

### 3.15 Conditions for the delivery of a permit or an intervention certificate on shores and or on riverbanks

All permit or certificate of authorization required under this By-law will be issued if:

- 1. The application is presented with all information required by this By-law;
- 2. The object of the application complies with all the provisions of this By-law as well as to the local municipal By-laws;
- 3. The fees for obtaining the certificate were paid.

### 3.16 The displaying of the permit or certificate public notice

The display on the land of a permit or certificate public notice of authorization provided by the issuer of the permit or certificate of authorization is mandatory. The installation of the permit or certificate public notice is the responsibility and care of the owner or his authorized representative.

The display on the premises is mandatory during the work as soon as the permit and or the certificate of authorization are issued.

### 3.16.1 The location of the permit or certificate public notice

The permit or certificate public notice of authorization must be displayed prominently on the shore.

The public notice must remain visible on the riverbanks at all time. No obstacles must prevent its visibility from the shore throughout the duration of the work.

### 3.16.2 Return of the permit or certificate public notice

The beneficiary of the permit or certificate of authorization must return to the municipal official that has emitted the permit or certificate of authorization, the public notice within a period not exceeding 10 days after the end of the authorized work.

### 3.16.3 Deposit for the permit or certificate public notice

A \$ 50.00 deposit is payable by the beneficiary for the permit or certificate public notice at the time of the issuance of the permit and or the certificate of authorization. The deposit is refunded when the permit or certificate public notice is returned.



### 3.17 Registration at the (G-V RCM)

Copy of all the permit or certificate of authorization issued by a municipality must be transmitted, for the purposes of registration, to the (G-V RCM) Regional shores and the riverbanks Inspector within thirty (30) days following the issuance of the said permit and or certificate of authorization.

### 3.18 Validity of the permit or certificate of authorization on the shore and or the riverbanks

Any permit or certificate of authorization is valid for a period of two (2) months following the date of its issuance. For the certificate of authorization related to any allowed forest operations on the shore and any work on the littoral zone and or on riverbanks to allow a watercourse crossing for forest or agricultural management, the certificate is valid for a period of six (6) months from their date of issuance.

Notwithstanding the previous paragraph, a certificate of authorization to install or replace a wharf, for a construction of a 5 m opening on the shore, for seeding and or planting of natural species to restore the vegetation on the shore and or for fencing on the shore is valid only for a period of 15 days.

Any modification that transforms the original permit or certificate or its conditions of issuance requires a new application for modification or the issuance of a new permit and or certificate.

# Chapter IV General protection provisions on shores, aquatic zones and watercourses on the municipalize territory of the (G-V RCM) except for the territories of The drainage basin of Heney Lake and the City of Maniwaki

### 4.1 Relocation of a watercourse

In the case where the running of a watercourse would be modified following the authorization given by the ministère du Développement durable, de l'Environnement et des Parcs, the present By-law provisions applies to the new shore and or to the modified littoral zone.

### 4.2 Prior authorization for interventions on the shore and the littoral zone

All structures, undertakings and works, that are liable to destroy, to change or alter the vegetation cover of a lakeshore or riverbank, to expose the soil by performing filling or backfilling, burning on the ground, or affect the stability of the lakeshore or riverbank, or encroach on the littoral zone, are subject to prior authorization. The pre-verification should be performed as part of the process when permits or other forms of authorization are issued by municipal authorities, the Government or its departments or bodies, according to their respective jurisdictions. The authorizations granted by municipal and government authorities are to take into account the scope for action allowed by the measures relating to lakeshores and riverbanks and those relating to littoral zones.

Structures, undertakings and works related with forest management activities and subject to the Forest Act (R.S.Q., c. F-4.1) and its regulations are not subject to the prior authorization of municipalities.

### 4.3 Measures relating to lakeshores and riverbanks

On lakeshores and riverbanks are prohibited all structures, undertakings and works

Notwithstanding the foregoing, the following structures, undertakings and works may be permitted provided they are consistent with other protection measures recommended for floodplains by a municipal By-law:



- 1. The maintenance, the repair and the demolition of existing buildings and structures, used for other purposes than municipal, commercial, industrial, public or public access
- 2. The structures, undertakings and works for municipal, commercial, industrial, public or public access purposes, including their maintenance, repair and demolition, if an authorization must be obtained under the Loi sur la qualité de l'environnement;
- 3. The following structures and works relating to vegetation:
  - a) Forest management activities subject to the Forest Act and its regulations;
  - b) Sanitation cutting;
  - c) Harvesting trees, 30 % of stems having 10 centimeters and more in diameter at the condition of maintaining at least 50 % of the wood cover on private woodlots that are within a forest vocation zone prescribe by a municipal zoning By-law or located in the agricultural zone decreed under the authority of the provincial governmental;
  - d) Necessary cutting of vegetation species to implement an authorized structure or undertaking;
  - e) Necessary cutting of vegetation species for the development of a 5 m wide opening giving access to an aquatic zone, where the shore slope is less than 30 % under the conditions to preserve the herbaceous vegetation and not to create an erosion problem;
  - f) Necessary pruning and trimming to create a 5 m wide window, when the shore slope is greater than 30 %, as well as the construction of a herbaceous covered trail or a stairway having a maximum width of 1.2 meters giving access to water and build in such a way not to create an erosion problem. Debris resulting from pruning and trimming shall in no case be left on the shore;
  - g) Pruning and trimming trees and shrubs on the shore, outside the allowed 5 meters window on the shore, provided it does not exceed more than 40 % of the total height of the tree stem or shrub;
  - h) The seeding or planting of trees or shrubs, or plants and the related work involved for the purpose of restoring permanent and sustainable vegetation cover;
  - i) Various methods of harvesting herbaceous vegetation for agricultural purposes when the slope of the shore is less than 30 % and only on the top of the embankment when the slope exceeds 30 %.
  - j) Cultivation of soil for agricultural purposes on cultivated land within the agricultural zone decreed under the authority of the provincial Government, is allowed, under the condition to keep a minimum strip of 3 meters of vegetation which width is measured from the highwater mark; also, where there is a bank which is less than 3 m from the high-water mark, provided that the width of the strip of vegetation to be preserved has a minimum of 1 meter wide at the top of the bank.

### 4. The following undertaking and works:

- a) Fencing on the boundaries between two locations;
- b) Installation or construction of outlets for sub-surface and surface drainage systems and pumping stations;
- c) Construction of water crossings for fording, culverts and bridges and the related access roads:



- d) Necessary equipment to the operation of existing aquaculture facilities or any new aquaculture farm establishment which discharges are directed to a water course which does not supply an aquatic zone other then the ones created for hydroelectric purposes or for production control of hydroelectricity.
- e) Septic installations that conform to the regulation concerning waste water disposal systems for isolated dwellings made under the Loi sur la qualité de l'environnement;
- f) Where the slope, type of soil and site conditions obstruct, to the restoration of vegetation cover, the natural state of a lakeshore or riverbank, undertakings or works to stabilize the soil using vegetation or mechanical means such as riprap, gabions or retaining walls, preference should be given to the most likely technique that would eventually reach the natural plant growth.
- g) Private wells;
- h) The maintenance, the repair and the demolition of existing buildings and structures, used for other purposes than municipal, commercial, industrial, public or for public access to the shore under the conditions provided by this By-law;
- i) Reconstruction or widening of an existing road, including farm and forest roads;
- j) Undertakings and works required for the structures, undertakings and works authorized in littoral zones in accordance with chapter V of this By-law;
- k) Forest management activities subject to the Forest Act (R.S.Q., c. F-4.1) and its regulation pertaining to standards of forest management for forests in the domain of the State;

Notwithstanding the foregoing, all interventions for vegetation control, including lawn mowing, the cleaning of brushwood, the felling of trees and spreading fertilizer, are prohibited on the shore.

When the shore is not vegetated, measures must be taken for the re-vegetation with brush cover, herbaceous plants within a period of twenty-four (24) months from the date of entry into force of this By-law. This measure does not apply to a situation where the work has been done in contravention to municipal By-law which is in conformity to the Policy, to which case the entire shore re-vegetation is necessary.

### 4.3.1 Special provisions for buildings erected on the shore

Notwithstanding Section 4.3, maintenance of vegetation including lawn mowing, cleaning of brushwood and the felling of trees but excluding the spreading fertilizer is allowed in a vegetation strip, such as shrub and/or tree network to be created along the sides of existing main building erected in whole or in part on the shore zone before February 11th 984. The width of this strip is equivalent to the total width of the erected building on the shore before February 11th 984; measures taken on the wall of the main building on the opposite side to the shore excluding the measure of any extending construction - roof or accessory building attached to the main building. Half the width of the building must be added to the extension of each wall of the main building, facing the shore, to determine the starting point the lateral vegetation demarcation limit. From each of these points, we draw a line towards the high water-mark of each end of the authorized 5 meters opening.

For an accessory building or building erected in whole or in part on the shore before February 11th 1984 the maintenance of the vegetation, including mowing the lawn, the woodrush clearing and trees felling, but excluding the spreading fertilizer, is permitted in a maximum strip of two meters measured from walls of the said overlapping building on the shore.



# Chapter V General provisions relating to the protection of littoral and aquatic zones for the municipalize territory of the (G-V RCM) except for those included on the territory of the drainage basin of Heney Lake and the City of Maniwaki

### 5.1 Measures applicable to the riverbanks

On the riverbanks, are prohibited all constructions, undertaking and work.

Notwithstanding the foregoing may be permitted the buildings, structures and the following if their achievement is not incompatible with other protection measures recommended by a municipal By-law on flood zones;

- 1. Wharves or docks on pilings or made of floating platforms manufactured with materials that are resistant to corrosion;
- 2. Construction of water crossings for fording, for animals, agricultural machinery, culverts and bridges;
- Necessary equipment to the operation of existing aquaculture facilities or any new aquaculture farm establishment which discharges are directed to a water course which does not supply other aquatic zone other then the ones created for hydroelectric purposes or for production control of hydroelectricity.
- 4. Water intakes;
- 5. The construction for agricultural purposes of inlet or diversion channels for the catchments of water in cases where an authorization for the construction of such canals must be obtained under the Loi sur la qualité de l'environnement;
- 6. Encroachment on the littoral zone that is required for authorized works on shore;
- 7. The cleaning up, maintenance and undertakings on water courses authorized by the regional county municipality in accordance with applicable regulations;
- 8. The construction, undertakings and works for municipal, industrial, commercial, public purposes or for a public access purpose, including their maintenance, repairs and their demolition, subject to the obtaining of an authorization under the Loi sur la qualité de l'environnement, de la Loi sur la conservation et la mise en valeur de la faune, de la Loi sur le régime des eaux or any other Act;
- 9. The maintenance, the repair and demolition of buildings and existing structures, which are not used for municipal, industrial, commercial, public or public; access

### 5.2 Special regulation for building erected on the riverbank

The construction of any type of building is prohibited on the riverbank of any aquatic plan or watercourse on the municipalize territory of the (G-V RCM).

### 5.3 Acquired rights for the reconstruction of a building erected on the shoreline

Only erected buildings on any shoreline of any aquatic zone or watercourse on the municipalize territory of (G-V RCM) before the entry into force of this By-law or before the entry into force of Interim control By-law 98-105 of the (G-V RCM) (May 6th 1998) or of a zoning By-law prohibiting their construction and that have already the benefit of acquired a right on public water domain consent by a local municipality under the Loi sur le régime des eaux before the coming into force of these By-laws have acquired rights for their foundations reconstruction or structures rehabilitation.

Such building, holding an acquired right by virtue of this By-law, may be rebuilt in the event of its demolition or its destruction to the following conditions:



- 1. The reconstruction needs to begin within six months of the date the demolition or the destruction of building;
- 2. The building as to be rebuilt either with the same dimension or equal volume or to less than the destroyed or demolished building;
- 3. That no part of building serve for residential usage, may that usage had been existing before the demolition or destruction or not or for another usage other than to which it was intended for:
- 4. That the building is build on some stilts, the piles or floating foundations made of corrosion resistant materials.
- 5. That no material used to rebuild does contain treated wood holding chlorophenol, the arsenic copper chromatic wood (ACC), pentachlorophenol (PCP), creosote or including a formulation based on chlorophenate or the borax as well as their derivatives used for their protection.

# 5.3.1 The replacement of foundations of a building, erected on the riverbank that is protected by acquired rights

A building foundations holding an acquired right in virtue of Section 5(3) of this By-law should be replaced only by foundations formed with stilts, piles or a floating platform.

### 5.4 Lost of acquired rights for erected buildings on the riverbank

Buildings erected on the riverbanks of any aquatic plan and or watercourse on the municipalize territory of (G-V RCM) before the entry into force of this By-law or before the entry into force of the Interim control By-law 98-105 of the (G-V RCM) May 6th 1998 or of a local municipality zoning By-law which prohibits their construction and have already the benefit of acquired a right on public water domain consent by a local municipality under the Loi sur le régime des eaux before the coming into force of these By-laws have acquired rights for their foundations reconstruction or structures rehabilitation.

### 5.5 Wharves special regulation

### 5.5.1 Wharves location

The wharf must be located in front of the five meters opening allowed on the riverbank of the riparian land. The wharf does not encroach in the imaginary extension lines of the riparian land to which it is attached.

A wharf longest dimension must be perpendicular to the shore. Under no circumstances the dock may be implemented in parallel way to the shore.

### 5.5.2 Number of wharves

Only one single wharf may be installed per riparian location.

### 5.6 Lost of acquired rights over the number of wharves

Only one single wharf by riparian location has an acquired right when there is a replacement, reconstruction or repair.

### 5.6.1 Replacement or reconstruction of a wharf

A wharf replacement protected by acquired rights may be executed only in accordance with this By-law.

### 5.7 Maximum length



Any wharf maximum length is 12 meters. That length represents the wharf encroachment on the riverbank. However, this wharf length may be increased to more than 12 meters if the water depth does not reach 1 meter. In this case the wharf's limit length is determined by the lowest depth of the water during the summer.

When a wharf is thus maximized, it must be equip with some proper materials to indicate its location to ensure the navigation safety on the aquatic plan or the traffic on watercourses during the winter.

In any case a wharf may create an obstacle to the navigation or make it unsafe. A wharf may not encroach not more than 1/10th of the width of the riverbanks of an aquatic zone.

Any wharves of over 20 square meters are subject to obtain an occupation permit from ministère du Développement durable, de l'Environnement et des Parcs, when located in the public water environment.

#### 5.8 Maximum width of a wharf

A wharf maximum width of may not exceed three meters. Docks equipped with a T or L shaped pier at their end are allowed provided that the maximum length does not exceed the provisions of Section 5.7.

### 5.9 The dimensions wharf's pier

A pier dimensions in form of L or T at the end of the wharf, may not exceed six meters in length for its part parallel to the shore and three meters wide. This pier-shaped as a L or T must be located at a minimum distance of five meters of the high watermark limit.

### 5.10 Materials prohibited for wharf construction

The use of treated wood holding chlorophenol, the arsenic copper chromatic wood (ACC), pentachlorophenol (PCP), and creosote or including a formulation based on chlorophenate or the borax as well as their derivatives used for the protection of the wood is prohibited for wharf construction.

### 5.11 Application of protecting products

It is prohibited to apply, on any structure or wharf, any protection product for the preservation of any materials when it is installed on the riverbank.

### 5.12 Lost of acquired rights by using prohibited material for the construction of a wharf

Any existing wharf whose components contain chlorophenol, chromate (ACC), copper arsenate of pentachlorophenol (PCP), creosote or including a formulation-based of chlorophenatic borax or as well as their derivates for wood protection, may not be repaired, rebuilt or restored with materials including such formulations or replaced by a wharf comprising the said formulations.

### 5.13 Replacement of a wharf foundations protected by acquired rights

Wharf foundations holding an acquired right by virtue of this By-law should be replaced only with foundations build with stilts, piles or a floating platform consisting of resistant materials to corrosion; but not containing the chlorophenol, chromate (ACC), copper arsenate of pentachlorophenol (PCP), creosote or including a formulation-based of chlorophenatic borax or as well as their derivates for wood protection or any other compounds representing a source of contamination of waters.

### Chapter VI Regulation for buildings located on the shore

6.1 Special regulation applicable to buildings located in shore within the zones of an urbanization perimeter



Notwithstanding Section 4.3 on riparian land, on which a building has been erected, in whole or in part on the riverbank, before February 11th 1984, included in an urbanization perimeter zone, identified in the (G-V RCM) land use development plan; the vegetation, the shrubby and/or tree strip to be created on shore is determined as follows:

- The shore applicable width, less the most applicable encroachment length on the shore of the building most derogatory foundations. The result divided by two becomes the width for the vegetation strip to be established in front of the building. The five meters access can be localized in this vegetation strip.

## 6.2 Reconstruction of a main building erected in shore within the zones of an urbanization perimeter

A main building erected in whole or in part on the shore before February 11th 1984 inside a zone, included to an urban perimeter, can be rebuilt if destroyed or demolished for some whatsoever reason, if for its reconstruction the following requirements are met

- 1. Reconstruction must begin within six months from the demolition or destruction date;
- 2. That the main building occupation area on the shore before its destruction or its demolition is reduced by twenty-five per cent when reconstructed if the site is serviced by the a water and sewerage system and thirty percent if the land is partially serviced or non-serviced;
- 3. That the main building roof drip be either channel toward an evacuation storm sewer, when the land soils where the main building is located are permeable or, towards an absorption pond when the land soils are little permeable or not permeable;
- 4. That the foundations certificate of implementation of the building to be rebuilt be submitted at the time of application for the building permit. This certificate prepared by a land surveyor must include the following:
  - a) The boundaries of the property;
  - b) The land slope percentage and the high-water mark;
  - c) The main building shore occupation before its demolition or destruction;
  - d) The main building shore occupation after reconstruction
- 5. No off roof construction can be attached to the main building between the high-water mark and the wall of the building facing shore.

# 6.3 Regulations related to the reconstruction of a main building or dependency rights erected in whole or partly on the shore outside the zones of an urbanization perimeter

Notwithstanding Section 4.3 on riparian land, on which a building has been erected, in whole or in part on the riverbank, before February 11th 1984, outside an urbanization perimeter zone identified in the (G-V RCM) land use development plan, can be rebuilt if they are destroyed or demolished for any reason if their reconstruction respects the following requirements:

- 1. Reconstruction must begin within six months from the date of demolition or destruction;
- 2. That the occupation area on the shore by the main building or dependency before its destruction or its demolition is reduced by forty per cent when reconstructed;
- 3. That the main building or dependency roof drip be either channel toward an evacuation storm sewer, when land soils where the main building is located are permeable or, an absorption pond when the land soils are little permeable or not permeable;



- 4. That a certificate of implementation for the foundations of the building to be rebuilt be submitted at the time of application for the building permit. This certificate prepared by a land surveyor must include the following:
  - a) The boundaries of the property;
  - b) The land slope percentage and the high-water mark;
  - c) The main building shore occupation before its demolition or destruction;
  - d) The main building shore occupation after reconstruction
- 5. No off roof construction can be attached to the main building between the high-water mark and the wall of building facing shore.

# 6.4 Regulations on reconstruction or expansion rights of an accessory building erected in whole or in part on the shore

An accessory building erected in whole or in part on the shore before February 11th 1984 cannot be rebuilt on the shore If it is destroyed for any reason whatsoever or demolished.

An accessory building erected on land not occupied by a main building and which encroach on the shore before February 11th1984 cannot be rebuilt if demolished for any reason.

In no case a building erected in whole or partly in the front shore February 11th1984 cannot be enlarged on the shore.

## <u>Chapter VII Special regulation following a denunciation by the owner of a building overlapping on the shore</u>

### 7.1 Denunciation

When the owner, of an encroaching building, on the shore, or riparian land, which shore is not occupied by herbaceous vegetation, shrubby or tree, cannot proceed to the shore prescribe revegetation on his property within twenty-four (24) months of the entry into force of this By-law, for any reason whatsoever, he may send to the responsible municipal official his own denunciation on which form he declares that he will undertake the re-vegetation of the shore within thirty-six (36) months of the entry into force of this By-law, conform to a re-vegetation plan prepared by a competent professional in that field that must include the following information:

- 1. Name and the address of the person named in the denunciation and telephone number;
- 2. The cadastral designation on which lot the project will be carried out or in the absence of cadastral designation, the most precise description of the area where the project will be carried out and the civic address of the land;
- 3. The assessment roll number;
- 4. A characterization study of the shore for the concern land and including;
- 5. The topography of the land in whole, indicating the North, its scale and the land limits;
- 6. The slope of the shore;
- 7. The soils level of permeability for the land and the shore that there is to be revitalized;
- 8. The rock level;
- 9. The location of all undertakings, construction or building fully or partly on the shore;
- 10. A scale plan showing plant species to be planted for the re-vegetation of the shore and their quantity;



- 11. A description of the all herbaceous plants to be planted and the quantity for each horticultural origin or indigenous plant species, hardiness zone, sunshine needs, height and width to maturity, requirements such as moisture, type of soil, preferential localization on the shore, tolerance to ground level salts, type of rooting, soil stabilizing effect, the importance of the plant as sunscreen, its resistance against ice erosion, importance as windscreen, type of growth, tolerance to PH and limitation if the plant compare to the nature of the soil;
- 12. The name, address and the telephone number of the professional who prepared the plan and proof of his affiliation with a professional order which he is a member as well as its signature;
- 13. The signature of the owner, the date and place of the signature ceremony for the revegetation plan;
- 14. The owner's commitment to carry out the full implementation of the plan before the expiring delay of the thirty-six (36) fixed months period of 36 of the entry into force of this By-law. This commitment should include an indication for the beginning and end of the shore revegetation work.

### 7.2 Minimum coverage

The total top diameter of all tree species once mature, of the re-vegetation plan, must cover a minimum of seventy per cent of the shore total area to be in re-vegetation. In any case conifers in the shrubby vegetation can represent over twenty per cent of the total tops diameter.

#### Chapter VIII Specific regulations for using certain materials on the shore

### 8.1 Prohibited materials on the shore

On shore the use of treated wood including chlorophenol, chromate (ACC), copper arsenate of pentachlorophenol (PCP), creosote or including a formulation-based of chlorophenate or borax as well as their derivatives for the protection of wood is prohibited.

### 8.2 Lost of acquired rights for usage of prohibited materials on the shore

On the shore, any existing and authorized construction by this By-law holding chlorophenol of chromate (ACC), pentachlorophenol (PCP), copper arsenate the creosote or including a formulation to chlorophenate or borax and database their derivatives for protection of wood, cannot be repaired, rebuilt or restored with materials holding such formulations.

### **Chapter IX Final provisions**

### 9.1 Legal action

When an offence under this By-law occurs, the (G-V RCM) may exercise the appropriate Civil or Penal Action, without limitation, may also take any legal action provided in Sections 227 to 233 of Act respecting land use planning and development (R.S.Q., c. A-19.1).

### 9.2 Provisions for the sanctions in the present By-law

Any person who contravenes this By-law and commits an offence shall be liable to the following penalties:

- 1. If the offender is an individual, for first offence, he shall be liable to a minimum fine of \$ 300 and a maximum fine of \$ 1,000 and each offence's fees;
- 2. If the offender is a legal person, for first offence, he shall be liable to a minimum fine of \$ 500 and a maximum fine of \$ 2,000 and each offence's fees;
- 3. For a second offence, if the offender is an individual, the minimum fine of \$ 500 and the maximum fine are \$ 2,000 and each offence's fees:



4. For a second offence, if the offender is a legal person, the minimum fine of \$ 2,000 and the maximum fine are \$ 4,000 and each offence's fees.

If the offence is continuous, this continuity constitutes a separate offense, day by day and the prescribe fine can be imposed for each day since the offence discovery.

### 9.3 Felling of trees made in contravention

Felling of trees made in contravention to this By-law is sanction to a minimum penalty of \$ 500 to which is added:

- 1. Tree felling on an area less than one hectare, a minimum amount of \$ 100 to a maximum of \$ 200 for each illegal tree, to a maximum of \$ 5,000;
- 2. Tree felling on an area of one or more hectare, a fine of a minimum amount of \$5,000 to a maximum of \$15,000 per each full cleared hectare, to which adds up, for each fraction of cleared hectare, an amount determined pursuant to paragraph 1.

#### 9.3.1 Second offense

The amounts provided for in the first subparagraph of Section 9.3 are doubled for second offence.

### 9.4 Other legal actions

In addition to penal actions that can be taken, the (G-V RCM) may exercise all other legal actions under the civil jurisdiction, to ensure the respect of the provisions of this By-law.

Specifically, the (G-V RCM) can obtain a court order from Quebec Superior Court to stop a land use or an incompatible construction to this By-law and order the execution of the required work including the demolition of any construction to restore the land to its original state.

The (G-V RCM) may ask to be allowed to execute the work at the property owner's expense, the cost of this work constitute a priority claim on the property in accordance to the Law.

### 9.5 Person taking part in the offence

A person who commits or omits to do any thing to help a person to commit an offence under the present By-law or which advises, promotes or encourages a person to commit an offence, also commits the offence and shall be liable to the same fine.

An administrator of an officer of a legal person that brings this legal person by order, authorization, by advice or encouragement, one to refuse or neglect to comply with the regulations of this By-law commits an offence and is liable to the same fine.

### 9.6 False declaration

Also commits an offence, which makes the offender liable to fines provided for anyone who, in order to obtain a certificate authorization, a certificate, permit, permission or approval issued under this By-law, makes a statement to the designated municipal official knowing that it is false or misleading.

### 9.7 Complaint

Any complaint in regard to the non respect of the regulations provided under this By-law must be addressed to the Director General of the municipality where the offence would have been committed. A complaint may be sent directly to the Director General of the (G-V RCM). A complaint received by the Director General of a local municipality must be addressed to the Director-General of the (G-V RCM) within 3 days of its receipt.

### 9.7.1 Form to complain



Any complaints should be presented on the form to complain, appearing in the annex to this Bylaw and duly signed by the complainant.

### 9.7.2 Receipt of the complaint

On receipt of a complaint the Director General of the (G-V RCM) sends an acknowledgment of receipt to the complainant informing him that he has received the complaint. If the complaint has been delivered by the Director General of a local municipality an acknowledgement of receipt is also sent.

### 9.7.3 Analysis of the complaint

The Director General of the (G-V RCM) makes an analysis of the complaint. If the complaint is well founded, it is then sent to the Regional shores and littoral zones Inspector for processing.

### **Chapter X Entry into force**

### 10.1 Entry into force

This By-law shall enter into force accordingly to the Law.

Adopted in Gracefield this June 16th 2009.

Pierre Rondeau

Marc Langevin
Warden

Clerk and Assistant to the Director General

NOTICE OF MOTION MAY 19th 2009
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