

**CANADA
PROVINCE OF QUÉBEC
REGIONAL COUNTY OFFICE
OF ARGENTEUIL
MUNICIPALITY OF THE TOWNSHIP OF WENTWORTH**

**BY-LAW NUMBER 2024-002
BY-LAW CONCERNING THE PROTECTION OF AND ACCESS TO BODIES OF
WATER ON THE TERRITORY OF THE MUNICIPALITY OF
THE TOWNSHIP OF WENTWORTH**

WHEREAS the Municipal Council wants to ensure the maintenance of water quality on its territory;

WHEREAS on August 27th, 2015, the Municipality of the Township of Wentworth adopted By-Law Number 2015-002-01 "By-law amending By-law number 2015-002, concerning the protection of bodies of water and access to Lake Louisa";

WHEREAS the Municipal Council wishes to reinforce measures to protect bodies of water from the threat posed by invasive species;

WHEREAS the Municipality wishes to establish tariffs according to the powers granted by Article 244.1 and following of the Municipal Taxation Act that allows to finance all or part of the goods, services, and activities to ensure the protection of bodies of water on the territory of the Municipality;

WHEREAS By-Law 2024-002 will replace "By-Law 2015-002-01 respecting the protection of bodies of water and access to Lake Louisa" when it comes into force;

WHEREAS a Notice of Motion and presentation of Draft By-Law 2024-002 were given at the regular sitting of Council held on February 5th, 2024;

THEREFORE, it is proposed by Councillor _____ and resolved that the By-Law number 2024-002 be adopted and decreed as follows:

PREAMBLE

ARTICLE 1

The preamble is an integral part of this By-Law.

BY-LAW REPLACED

ARTICLE 2

The present By-Law replaces By-Law number 2015-002-01 and its amendments.

OBJECTIVES

ARTICLE 3

The purpose of this By-Law is to prevent the invasion of bodies of water by invasive exotic species, to prevent the spread of species between various bodies of water, to maintain water quality and to ensure the safe use of bodies of water in the territory of the Municipality.

To this end, it legislates on the conditions of access to the various bodies of water in the territory for the various watercraft provided for in this By-Law, as well as the standards for use of the municipal public access located at Giles Road.

DEFINITIONS

ARTICLE 4

Washing certificate: A certificate issued after washing in accordance with this By-Law.

Non-resident taxpayer: Any taxpayer and non-resident in the territory of the Municipality, as owner of a non-constructed lot.

Designated official: In addition to a peace officer, any person authorized by the Municipality to apply this By-Law.

Private landing: A place where it is possible to carry out the launching of a watercraft and belonging to an owner bordering one of the bodies of water in the territory of the Municipality.

Municipal Landing: A place designated by resolution of the Municipality, which it owns and provides access to Lake Louisa.

Motorized watercraft: Any buoyant apparatus, structure or construction fitted with a motor and intended for movement on water.

Non-motorized watercraft: Any vessel that is not a motorized watercraft.

Utility watercraft: Any motorised watercraft whose sole purpose is to carry out work from the water's surface or to transport equipment via the water's surface. Also included in this category is any motorized watercraft used for surveillance by a competent authority, such as the *Sûreté du Québec* or the Canadian Coast Guard, or any motorized watercraft used for taking samples as part of environmental studies. Also included are barges for dock delivery and for emptying septic systems.

Invasive exotic species: An organism outside its natural range and can become invasive.

Washing: Action of cleaning a watercraft and its accessories at a washing station recognized by the Municipality, before launching, using a pressure sprayer, without detergent or acid, to dislodge any exotic or invasive organism that may be present on the watercraft and its accessories.

Non-resident non-taxpayer: Anyone who is not a taxpayer and is not a resident on the territory of the Municipality.

Person: An individual or a legal entity.

Washing station: A physical installation fitted for washing watercraft before launching and whose location is designated by the Municipal Council.

Waterfront property owner: Any natural or legal person who owns property bordering one of the Municipality's bodies of water. This also includes the owners of a notarised right of way giving access to one of the bodies of water on the territory of the Municipality.

Trailer: All equipment used to transport a watercraft.

Resident: Anyone who owns a residential or commercial building located on the territory of the Municipality (or who is domiciled on the territory of the Municipality), which holds a lease for a period of at least (3) months or is an occupant of a business establishment within the meaning of the Municipal Taxation Act (RSQ c. E-21), located on the territory of the Municipality.

User: Any person having custody and control of a watercraft.

Access permit: Mandatory sticker issued by the Municipality to identify boats that can be used mainly on a single lake.

OBLIGATION TO WASH

ARTICLE 5

Before launching any motorized or non-motorized watercraft, including utility watercraft, on one of the bodies of water within the territory of the Municipality, all users must hold an access permit issued by the Municipality or have the watercraft, motor, trailer, and any accessories washed at a washing station designated by the Municipal Council.

WASHING CERTIFICATE

ARTICLE 6

To obtain a washing certificate, users must:

- 1) Present to a washing station during opening hours and fill in the form, providing the following information:
 - a. His full name, address, telephone number;
 - b. The description of his watercraft, its category, brand, color, size, serial number, including the engine and, where applicable, the registration number and / or his vehicle and trailer;
 - c. Be able to provide proof of residence or proof of ownership by producing supporting documents such as tax bill or;
 - d. Present a valid membership card of the "Hunting and Fishing Club of Argenteuil", if applicable;
 - e. Provide information about the watercraft and the place where the watercraft will be launched;
- 2) Take note of this By-Law, attest to having read and agree to comply;
- 3) Have your boat and, if applicable, its motor and trailer washed at a wash station by an employee working there or under the supervision of the attendant working there;
- 4) Pay the cost of the washing certificate in the amount established by regulation.

A wash certificate is valid only for the body of water for which it is requested. It is not possible to access another body of water without having received a new washing certificate for that body of water.

Any false declaration in the application for a washing certificate is punishable, without prejudice to any other action that may be taken against it, by a fine.

CONDITIONS FOR THE REMITTANCE OF AN ACCESS PERMIT

ARTICLE 7

- 1) To take advantage of the provisions of this By-Law and obtain an access permit, the applicant must complete and sign the application form required by the Municipality;
- 2) An application must contain the following information:
 - a. The applicant's full name, address within the territory of the Municipality of the Township of Wentworth, telephone number and the address of the applicant's principal residence;
 - b. The description of his watercraft, its category, brand, color, size, serial number, including the engine and, where applicable, the registration number and / or his vehicle and trailer;
 - c. Be able to provide proof of residence or proof of ownership by producing supporting documents such as a tax account or rental lease (30 days);

- d. Provide information about the watercraft and the place where the watercraft will be launched;
 - e. Present a certificate that the boat has been washed at a municipal washing station within the 7 days following the application for an access permit.
- 3) Take note of this By-Law, attest to having read and agree to comply;
 - 4) Place the sticker issued by the Municipality attesting to the issue of an access permit in a visible place on the watercraft.

An access permit is valid only for the body of water for which it is requested. It is not possible to access another body of water without having received an access permit or washing certificate for that body of water.

Any false declaration in the application for a washing certificate is punishable, without prejudice to any other action that may be taken against it, by a fine.

POSSESSION OF A WASHING CERTIFICATE OR ACCESS PERMIT

ARTICLE 8

Any user whose watercraft is on one of the bodies of water on the territory of the Municipality must place in a visible area on the watercraft the sticker issued by the Municipality attesting to the issue of an access permit or must have in his or her possession his or her washing certificate.

DUTY TO PRESENT THE WASHING CERTIFICATE OR ACCESS PERMIT

ARTICLE 9

The user of a watercraft on one of the bodies of water on the territory of the Municipality must, at the request of the designated official, present his or her washing certificate or access permit.

VALIDITY OF THE WASHING CERTIFICATE OR ACCESS PERMIT

ARTICLE 10

A washing certificate ceases to be valid after 7 days or as soon as the boat leaves the body of water for which it was authorised.

An access permit ceases to be valid as soon as the boat is sold and/or the fee for renewing the access permit is not paid.

ACCESS TO LAKE LOUISA

ARTICLE 11

Access to Lake Louisa for any motorized or non-motorized craft, both for the launch and for the release from the water is done by the municipal landing or by a private landing for any user.

This provision does not allow for a private landing to be used for commercial purposes unless the municipal regulations permit.

INFRACTIONS

ARTICLE 12

It is an offence and strictly prohibited to deposit or allow to be deposited, in any manner whatsoever, invasive species in any way whatsoever in a body of water within the territory of the Municipality.

ARTICLE 13

Failure by any user of a motorised or non-motorised watercraft to produce a washing certificate or not produce the washing certificate or access permit for his or her watercraft, when requested by a designated official, constitutes an offence, and is strictly prohibited.

ARTICLE 14

All waterfront property owners in the Municipality are required to ensure that watercrafts are launched from their property in compliance with this By-Law.

Allowing a watercraft, whether motorised or not, to be launched without first obtaining a washing certificate or access permit is prohibited.

ARTICLE 15

It is an offence and strictly prohibited to access a body of water within the territory of the Municipality without first using the washing station. All boat owners, whether motorized or not, must use the washing station as soon as their boat leaves the body of water.

ADMINISTRATION REGULATIONS

ARTICLE 16

The designated officer is authorized to take any measure necessary to put a stop to any infraction of the By-Law. In addition, the administration and enforcement of this By-Law are entrusted to any person named "designated officer" by resolution of the Municipal Council and specifically designated to institute civil proceedings in the name of the Municipality for a contravention of the By-Law in accordance with the Code of Penal Procedure (R.S.Q., c. C-25.1).

INSPECTION

ARTICLE 17

The designated official is authorized to visit and examine between 7am and 7pm, any movable or immovable property, as well as the interior and exterior of any house, building or structure, to see if the regulations and application entrusted to it are observed, to verify any information or determine any fact necessary to exercise within its functions.

The owner or occupant of these houses, buildings and structures must allow entrance and answer all questions put to him in connection with the enforcement.

The designated official may be accompanied during the visit by anyone who can help him in his duties.

PENALTIES AND FINES

ARTICLE 18

Any person who contravenes any of the provisions of this By-Law commits an offense and is liable, for a first offense, to a minimum fine of one thousand dollars (\$1,000) and a maximum fine of two thousand dollars (\$2,000), if the offender is a natural person, and a fine of not less than two thousand dollars (\$2,000) and not more than four thousand dollars (\$4,000) if the offender is a legal person.

The details for the payment of fines and fees imposed under this section and the consequences of failure to pay said fines and fees on time, are prepared in accordance with the Code of Penal Procedure (RSQ, c. C25 .1).

If an infraction lasts more than one day, the offense committed each day constitutes a separate offense and the penalties decreed for each offense may be imposed for each day the offense under this section.

LANGUAGE

ARTICLE 19

In Case of differences between the French and English versions, the French version prevails.

ENTRY INTO FORCE

ARTICLE 20

This By-Law shall enter into force in accordance with the law.

Jason Morrison
Mayor

Natalie Black
General Manager, Clerk-Treasurer

Notice of motion:
Deposit of Project By-Law:
Adoption of By-Law:
Public notice:

February 5th, 2024
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