

**CANADA
PROVINCE OF QUEBEC
REGIONAL COUNTY OF ARGENTEUIL
MUNICIPALITY OF THE TOWNSHIP OF WENTWORTH**

**PUBLIC SAFETY BY-LAW
NUMBER 450-2019
CONCERNING NUISANCES**

WHEREAS the agreement regarding the provision of police services within the territory of the MRC of Argenteuil authorizes the Sûreté du Québec to enforce, in all or in part, municipal By-Laws;

WHEREAS the Council wishes to adopt a By-Law to ensure the peace, the general well-being and the improvement in the quality of life of the citizens of the Municipality;

WHEREAS articles 4, 59 and the following of the Municipal Powers Act permits municipalities to adopt By-Laws to regulate nuisances;

WHEREAS the Council wishes to adopt a By-Law in order to define what constitutes a nuisance, how to suppress it and to regulate when to impose fines on people who create or who allow a nuisance to continue;

WHEREAS a notice of motion of the present By-Law was previously given by Councillor Jean-Guy Dubé at the regular meeting of June 3rd, 2019;

WHEREAS a copy of the draft By-Law was presented and made available to the public and to the members of Council on June 3rd, 2019 in accordance with article 445 of the Quebec Municipal Code(C-27.1).

**CONSEQUENTLY, IT IS PROPOSED BY:
AND RESOLVED**

THAT the By-Law be adopted as follows:

ARTICLE 1

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

ARTICLE 2

The present By-Law repeals and replaces By-Law no. RM 450 and its amendments.

ARTICLE 3

The Municipal Council declares that it has adopted this By-Law, section by section, article by article, paragraph by paragraph, so that if one of these sections should be declared null by a competent court of law, the other sections of the By-Law continue to apply.

ARTICLE 4 – General noise

Is considered a nuisance and is prohibited to make, provoke or incite to make in any way, noise which is susceptible to trouble the peace, tranquility, comfort, rest, well-being of citizens or that prevents the peaceful use of properties within the neighbourhood.

ARTICLE 5 – Work

Is considered a nuisance and is prohibited to make noise which is susceptible to trouble the peace and well-being of a neighbourhood between 10:00 p.m. and 7:00 a.m., by executing construction work, demolition or repairs to a building or a vehicle, by using a lawnmower, by cutting trees, with the exception of emergency cases which aim to protect the safety and security of places and persons.

ARTICLE 6 – Shows/Music

Is considered a nuisance and is prohibited to produce or permit the productions of a show or the broadcast of music if sounds can be heard outside the limits of the lot on which the noise is broadcasted, with the exception of events which have a cultural or historical characteristic and which require an authorization from the Council. This article does not apply in the case of an activity organized by the Municipality.

ARTICLE 7 – Fireworks displays

Is considered a nuisance and is prohibited to use or allow the use of fire crackers or the display of fireworks without a permit.

This article does not apply in the case of an activity organized by the Municipality.

ARTICLE 8 – Lights

Is considered a nuisance and is prohibited to project a light outside the limits of the lot where it is located if it is susceptible to cause a danger for the public or an inconvenience to the citizens.

ARTICLE 9 - Speakers outside a building

Is considered a nuisance and is prohibited the use of or to permit the use of a speaker or other amplifying equipment outside a building if the sounds made by the speaker or amplifying equipment is susceptible to trouble the peace, tranquility, comfort, rest, well-being of citizens or that prevents the peaceful use of properties within the neighbourhood.

ARTICLE 10 - Speakers inside a building

Is considered a nuisance and is prohibited the use of or to permit the use of a speaker or other amplifying equipment inside a building in such a way as to be able to hear the sounds project by the speaker or amplifying equipment outside the building and that the sound is susceptible to trouble the peace, tranquility,

comfort, rest, well-being of citizens or that prevents the peaceful use of properties within the neighbourhood.

ARTICLE 9 – Right of inspection

The Municipal Council authorizes the police, the municipal officers, secretary-treasurers and municipal inspectors to visit and verify any moveable or immovable property between 7:00 a.m. and 7:00 p.m. to ensure that the By-Laws are being respected.

PENAL PROVISIONS

ARTICLE 10

The Council authorizes police and/or the municipal inspector or any other person designated by the Council to apply the present By-Law and to issue statements of offence (offence notices, tickets or other) and to undertake the following penal procedures:

- Any person who contravenes to one or any provisions of the present By-Law commits an infraction and is liable to a fine with or without costs;
- For a first infraction, the amount of the fine is set at minimum of two-hundred and fifty dollars (\$ 250) and a maximum of one thousand dollars (\$ 1 000) if the person who contravenes is a physical person and at double that amount if the offender is a moral person;
- For at repeat offence, the amount of the fine is double that set for a first infraction.
- If the infraction continues, this continuity constitutes, day by day, a separate offence and the offender is liable to the fine, with or without costs, for each day during which the infraction continues.
- In all cases, the costs of any legal proceedings are extra
- The time limits for the payment of fines and fees imposed under this section, and the consequences of failure to pay such fines and costs within the prescribed time, are established in accordance with the Quebec Code of Penal Procedure (L.R.Q., c.C-25.1).

The competent authority may use all legal, penal and/or civil resources, applicable against any person who contravenes this By-Law, alternatively or cumulatively if necessary.

ARTICLE 11 - Effective date

The present By-Law comes into effect in accordance with the law.

Jason Morrison
Mayor

Natalie Black
General Manager and
Secretary-Treasurer

Notice of Motion:
Presentation of the Draft By-Law:
Adoption of By-Law:
Notice of coming into effect:

June 3rd, 2019
June 3rd, 2019