

MUNICIPALITY OF LOW

REGULATION NUMBER: SQ 2017-006
Municipal By-law: LOW-06-2017

NOTICE OF MOTION: April 27, 2017

CARRIED ON: May 1, 2017

PUBLICATION: May 2, 2017

COMING INTO FORCE: May 2, 2017

**REGULATIONS ON THE OUTDOOR USE OF WATER FROM
PUBLIC AQUEDUCTS ENFORCEABLE BY THE SÛRETÉ DU
QUEBEC**

WHEREAS the Municipality of Low provides for the establishment and maintenance of public aqueducts;

WHEREAS the Council considers that the exterior use of the water coming from the public aqueduct should be regulated so that water is not used unnecessarily;

WHEREAS the Council needs to intervene to regulate the use of water given the limited quantities of water available, and especially during the summer season;

WHEREAS a copy of by-law 2017-006 was given to the members of the Council no later than 2 legal days before the regular meeting of the May 1, 2017, that all the members present declare that they have read the draft by-law and that they forfeit its reading .

CONSEQUENTLY,

It is moved by Michèle Logue-Wakeling
Seconded by Joanne Mayer
And resolved

THAT :
This By-law be adopted.

SECTION 1 The preamble shall form an integral part of this Regulation.

SECTION 2 "PUBLIC NOTICE" When water shortage takes place or is apprehended, the municipal Council may, by resolution, issue a public notice prohibiting, for a specified period, the use of water from the public aqueduct; or setting conditions for the use of that water for watering, car washing or pool filling purposes. This notice, unless specifically mentioned, does not refer to the use of

water by farmers for the purpose of watering crops.

SECTION 3 "PROHIBITED USE" It is forbidden to use drinking water for watering purposes, washing cars or filling swimming pools during the restriction period. If conditions for water use have been provided, the user must comply with these terms and conditions.

SECTION 4 "RIGHT OF INSPECTION" The municipal Council authorizes the officers of the Municipality or any municipal employee appointed by the Council and police officers to visit and inspect between 7 am and 7 pm or at any other times within reason, any movable or immovable property and the exterior or interior of any house, building or structures of any kind, to ascertain whether the by-laws are followed therein and thus any owner, tenant or occupant of such houses, buildings or buildings, shall receive such persons and answer any questions put to them in connection with the enforcement of this by-law.

PENALTIES

SECTION 5 "APPLICATION" Any officer or municipal employee appointed by the Council is responsible for the application of this by-law.

The Council also authorizes all police officers of the Sûreté du Québec to institute criminal proceedings against any offender and to issue statements of infraction for any contravention of any of the provisions of this by-law.

SECTION 6 "FARMER" A person engaged in the production of an agricultural product except:

- a) a person engaged in that production as an employee within the meaning of the Labor Code (chapter c-27);
- b) a person who is exploiting the forest except on the wooded portion of its farm;
- c) a person engaged in the production of an agricultural product consumed entirely by himself and the members of his family; or
- d) a person whose agricultural production for marketing is less than \$3,000.00.

SECTION 7 "PENALTY" Any person who contravenes any of the provisions of this by-law is guilty of an offense.

Every person who commits a first offense is liable to a fine of not less than two hundred dollars (\$200.00) and not more than five hundred dollars (\$500.00) in the case of a person, and not less than three hundred dollars (\$300.00) and not more than one thousand dollars (\$1,000.00) in the case of a legal entity.

A person who commits a second offense under the same provision within a period of two (2) years of the first offense is liable to a fine of not less than four hundred dollars (\$400.00) and not more than one thousand dollars (\$1,000) in the case of a person, not less than five hundred dollars (\$500.00) and not more than one thousand five hundred dollars (\$1,500.00) in the case of a legal entity.

A person who commits a subsequent offense under the same provision within a period of two (2) years of the first offense is liable to a fine of not less than five hundred dollars (\$500.00) and not more than one thousand two hundred dollars (\$1,200.00) in the case of a person, and not less than one thousand dollars (\$1,000.00) and not more than two thousand dollars (\$2,000.00) in the case of a legal entity.

SECTION 8 "PRESUMPTION" When this by-law is not respected, the owner of the lot on which the contravention is taking place is deemed to have committed the offense.

SECTION 9 "REPEAL" This by-law repeals and replaces in its entirety and for any purpose regulation 2011-006 and any previous municipal by-law inconsistent with the provisions of this by-law.

This repeal shall not be construed as affecting any matter or action done or to be done under the by-law so repealed. Any offense or prosecution under the repealed by-law or any regulation referred to therein may be continued in the manner prescribed in these regulations.

SECTION 10 "ENTRY INTO FORCE" This by-law shall come into force in accordance with the law.

Mayor

Secretary-Treasurer

Notice of motion given on: April 27, 2017

Regulation adopted on: May 1, 2017

Publication and entry into force: May 2, 2017

