

The Municipality of Sheenboro will be implementing a new By-law concerning property standards in the early spring of 2023. Council has decided to share the draft By-law with all ratepayers before approving it.

Ratepayers are welcome to share their feedback by email to
admin.sheenboro@mrcpontiac.qc.ca

**CANADA
PROVINCE OF QUEBEC
MUNICIPALITY OF SHEENBORO**

DRAFT BY-LAW

PROPERTY STANDARDS & NUISANCE BY-LAW IN ORDER TO MAINTAIN PEACE AND ORDER ON THE TERRITORY OF THE MUNICIPALITY OF SHEENBORO.

CONSIDERING THAT Article 59 of the Municipal Powers Act allows a Municipality to adopt a By-law to determine a property standard, in order to enforce such standards as well as prescribe fines to persons creating one or several nuisances and to maintain peace and order;

CONSIDERING THAT this Council deems it necessary and of public interest to implement a property standards & nuisance By-law;

CONSIDERING THAT a Notice of Motion was given on _____

CONSIDERING THAT the reading of this By-law was given and it was adopted unanimously by Council at their regular sitting of _____

ARTICLE 1- PREAMBLE

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

A nuisance property is one that shows a serious disregard for general maintenance and/or upkeep by being untidy, unsightly, offensive, dangerous, and/or interferes with the use or enjoyment of neighboring properties. This can include the overall condition of the property itself, or any structures, buildings or houses on the property. This By-law requires that all occupied buildings, unoccupied buildings, and other structures on private property be kept in good repair to promote welcoming and attractive neighborhoods and ensure community safety.

ARTICLE 2- DEFINITION OF TERMS

Garbage: All residual product from agricultural activity, domestic, residential, commercial, industrial, construction, demolition, including household garbage and other residue.

Scrap metal: Any product composed in whole or in part of metal or mineral.

Responsible Officer: The Municipal Inspector, or other person which has been delegated by resolution from Council.

Municipality: The Municipality of Sheenboro.

Vehicle: Any means of transportation or locomotion.

Moral Person: A collective entity that is recognized by law or custom as an artificial person which is given certain legal rights and duties of a physical person.

ARTICLE 3- TERRITORY

The present By-law applies to the entire territory under the jurisdiction of the Municipality of Sheenboro.

ARTICLE 4- OFFICER RESPONSIBLE

The officer responsible, while exercising their duties, has the right to visit, all immoveable properties, in order to determine if the present By-law is respected, between the hours of 8:00 am and 6:00 pm, including weekends. The owners, tenants, or occupants are encouraged to answer all questions in order to respect the present By-law.

Moreover, the officer responsible may take photos as well as any samples that they deem necessary.

ARTICLE 5- INSPECTION BY THE OFFICER RESPONSIBLE

Anyone who is present when the inspector is doing an inspection must not insult, molest, intimidate or threaten the officer, and must not in any circumstance, do harm in the exercising of their functions in any way.

ARTICLE 6- VIOLATION

By means of the present By-law, anyone doing the following is considered in violation:

- A) Causes or tolerates the presence of garbage, rubbish, nauseating substances and/or steel on a property.
- B) Stores outdoors, household appliances and/or interior furniture.
- C) Anyone that accumulates building materials on a property that a building permit from the Municipality of Sheenboro was not previously issued.
- D) Anyone that accumulates scraps of building material on their property once the construction or renovation is finished. During construction, the scraps must be kept in the appropriate containers.
- E) Anyone who allows a part of a vehicle, a vehicle, a trailer, a semi-trailer, a watercraft, farm equipment or recreational vehicle that is no longer functional, with the exception of a car pound or storage site that is conforming with the zoning By-laws and having the necessary permits of authorization.

The fact of leaving, disposing or storing, on an immovable property, one or several vehicles more than seven (7) years old, and is not licensed for the current year, is out of order, is not being used or its original design, also constitutes a nuisance and is prohibited.

- F) Anyone storing more than eight (8) tires outdoors.

This article does not apply to a site designated for the recycling of tires and that has the necessary permits for this purpose.

- G) Emits nauseating odors (including burning of) or use of certain products, substances, objects or garbage, that interferes with the comfort and the well-being of the citizens or the neighboring communities.
- H) It is forbidden to burn any garbage, household waste, or toxic material whatsoever such as tires, gas, oil, plastic, etc.
- I) In an urban area or village perimeters, a property that is unkempt and unsightly with the presence of tall weeds and tall grass (over 12”).

ARTICLE 7- SANCTION / INFRACTION

Whosoever contravenes a provision of this By-law commits an offence and will receive a warning letter with a specific time period for correction by the owner of the property. In failing

to perform corrections in the specified time frame, the owner of the property is liable to a fine of two hundred dollars (\$200) in the case of a natural person and four hundred dollars (\$400) in the case of a moral person, for the first infraction.

For any repeat offences, the fine is four hundred dollars (\$400) in the case of a natural person, and eight hundred dollars (\$800) in the case of a moral person. In each instance, legal expenses shall be additional and at the expense of the offender.

ARTICLE 8- POWER OF THE JUDGE

In a case where the Court Judge gives a sentence concerning in infraction to the By-law, they may, over and above the fine and legal costs, order the necessary correction in the prescribed delay, and failing to comply with the sentence, they may authorize the Municipality of Sheenboro to make the necessary corrections to the said infraction, at the offender’s cost. If the offender refuses to pay, the cost of the corrections, as well as the amount for the fine will be added to the offender’s tax bill.

ARTICLE 9- COMPATIBLE

This By-law abrogates all previous Municipal By-laws which are incompatible with these provisions, save for and in exception to any SQ By-laws adopted by the Municipality.

ARTICLE 10- COMING INTO FORCE

The present By-law shall come into force according to the law.

Notice of Motion: _____

Adoption of the By-law: _____

Notice of Publication: _____

Coming into Force: _____

Doris Ranger, Mayor

Simon Tessier, Interim Director General