

PROVINCE OF QUÉBEC
MRC D'ARGENTEUIL
MUNICIPALITY OF THE TOWNSHIP OF WENTWORTH

DRAFT BY-LAW NUMBER 93-1-2012

BYLAW NUMBER 93-1-2012 AMENDING CONSTRUCTION BYLAW NUMBER 93

WHEREAS under the *Land Use Planning and Development Act*, the Municipal Council may amend Construction Bylaw number 93;

WHEREAS Construction Bylaw number 93 of the Municipality of the Township of Wentworth is in force;

WHEREAS it is in the interest of the municipality to amend its construction bylaw of its own initiative to adapt certain clauses pertaining specifically to administrative provisions, durable construction techniques, construction delays, responsibilities of the owner or applicant, an unoccupied, not completed or damaged by fire constructions and applicable sanctions;

WHEREAS a notice of motion was presented at the Municipal Council meeting of July 3rd 2012;

It is proposed by councillor Marcel Raymond
and resolved

That the Council adopt draft by-law number 93-1-2012 titled "Bylaw number 93-1-2012 to amend Construction Bylaw number 93" and this bylaw is disposed of and enacted as follows:

CLAUSE 1 Chapter 1 pertaining to legislative purpose clauses is amended by adding Article 1.3 after Article 1.2:

"ARTICLE 1.3 – ADMINISTRATIVES PROVISIONS

12.1 Bylaw administration and application

Bylaw administration and application is entrusted to any person given the title "designated officer", by a resolution of the Municipal Council.

12.2 Powers of the designated officer

The powers of the designated officer are set out in the *Bylaw for the Administration of Planning Bylaws*."

CLAUSE 2 Clause 15 pertaining to wells and septic tank installations is amended as follows:

1. By replacing in the 1st paragraph the terms "Q-2, r.1.3" by the terms "(Q-2, r.6)";
2. By replacing in the 2nd paragraph the terms "(c. Q-2, r.8)" by the terms "(Q-2, r.22).

CLAUSE 3 Chapter 2 pertaining to construction standards is amended by adding Article 2.1.1 after Article 2.1:

"ARTICLE 2.1.1 – PROVISIONS PERTAINING TO DURABLE CONSTRUCTION TECHNIQUES

15.1 Insulation material

All types of insulation material are authorized with the exception of saw dust and straw, which are not in bales, for use in the roof or walls of main buildings as long as they are covered by an exterior concealing material authorized under the zoning bylaw.

15.2 Earth energy systems

Earth energy systems are authorized on the following conditions:

- 1) Earth energy systems must be installed more than 30 m from municipal potable water intakes and underground water catchment works serving more than 20 persons;
- 2) Earth energy systems must be installed outside bank and shoreline.

15.3 Green roofs

Extensive or intensive green roofs are authorized on the following conditions:

- 1) The slope of the roof must be less than 35 % ;
- 2) Access to the roof is from the interior or exterior of the building. The exterior access must be located in the back or lateral yard. Access to the roof may be located on the front yard when the site is adjacent to a lake or water course;
- 3) The applicant must provide a report, written by a professional, to indicate the carrying capacity of the roof according to the type of green roof.

15.4 Low volume toilets

All new buildings and constructions must be fitted with toilets using less than 6 liters per flush. This category is also applicable when renovations are made."

CLAUSE 4 Clause 22 pertaining to reinstatement and rebuilding standards is amended by replacing the text by the following:

"Standards pertaining to reinstatement and rebuilding are provided for in the *Zoning Bylaw*."

CLAUSE 5 Article 3.1 is amended by replacing the title of the article with the following:

"ARTICLE 3.1 – PROVISIONS PERTAINING TO THE RESPONSABILITIES OF THE APPLICANT AND OWNER"

CLAUSE 6 Clause 23 pertaining to the safety of buildings is amended by adding the following text at the end of the first paragraph:

"When works are undertaken, the owner is responsible for any accident, bodily harm or damage to public or private property."

CLAUSE 7 Clause 24 pertaining to unoccupied, non completed or damaged by fire constructions is amended by adding the following after the third paragraph:

"The following protection measures are applicable in all situations:

- 1) No heavy equipment can be used on the bank or shoreline;
- 2) Protection measures against erosion must be provided for and taken during the course of the works undertaken."

CLAUSE 8 Clause 26 pertaining to sanctions is amended by replacing the text of the clause with the following:

"Everyone who breaches the provisions of this bylaw commits an offence.

A person who commits an offence under this bylaw is liable for the following fines to which the legal action costs are added in every case:

| | Physical person | | Body corporate | |
|---------------------------|-----------------|---------|----------------|---------|
| | Minimum | Maximum | Minimum | Maximum |
| First fine | \$300 | \$1 000 | \$600 | \$2 000 |
| Subsequent offence | \$600 | \$2 000 | \$1 200 | \$4 000 |

The *Code de Procédure pénale du Québec* (Q.R.S., c. C-25.1) or the *Québec Code of Criminal Procedure* sets delays to pay fines and costs incurred under this bylaw and determines the consequences for not paying said fines and costs within the specified period.

If an offence lasts more than one day, then, the offence committed each day constitutes a separate offence and the penalties enacted for each offence may be levied for each day that the offence continues, in accordance with this clause."

CLAUSE 9 In case of difference between the French and English versions, the French version prevails.

CLAUSE 10 This bylaw comes into force according to law.

ADOPTED AT THE MEETING OF JULY 9th, 2012

Edmund Kasprzyk,
Mayor

Paula Knudsen, g.m.a.
General Manager, Secretary-Treasurer