

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

**BY-LAW NUMBER 2015-002
BY-LAW FOR THE PROTECTION OF WATER BODIES AND ACCESS
TO LAKE LOUISA**

WHEREAS a boat can access Lake Louisa by the municipal landing via Giles Road, which is the property of the Municipality of the Township of Wentworth;

WHEREAS the municipal council wants to ensure the maintenance of water quality on its territory;

WHEREAS scientific studies have shown that invasive species can cause considerable damage to the flora, fauna, water quality, public health, docks, buoys, boats and dams in that they constitute a direct threat to the maintenance of the water quality;

WHEREAS invasive species can spread from one lake to another through the hulls of boats and motors, trailers or live bait used for sport fishing and that preventive measures should be put in place to counter the spread and infiltration of these species to inland lakes, which would have major potential impacts on the global economy and the property value of waterfront properties of affected lakes;

WHEREAS the costs of establishing the boat wash service and property maintenance for this service;

WHEREAS the Municipality wishes to establish pricing 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 Lake Louisa;

WHEREAS a notice of motion has been given to this effect Feb. 2, 2015;

THEREFORE, it is moved by councillor Deborah Wight-Anderson and resolved that the by-law number 2015-002 be adopted and decreed as follows:

PREAMBLE

ARTICLE 1

The preamble is an integral part of this Regulation.

OBJECTIVES

ARTICLE 2

This By-Law aims to regulate access to Lake Louisa by a municipal or private landing to prevent the invasion of water bodies by invasive alien species, to ensure the maintenance of water quality and ensure the safe use of Lake Louisa.

DEFINITIONS

ARTICLE 3

Washing certificate: A certificate issued or renewed after washing in accordance with this Regulation.

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

Controller: In addition to a municipal officer, any person authorized by the Municipality to implement this Regulation.

Private landing: A place where it is possible to carry out the launching of a boat, which belongs to a waterfront property owner of Lake Louisa.

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

Motorboat: Any device, structure and buoyant device provided with a motor, and which is intended for movement on water, with the exception of an aircraft.

Non-motorized craft: Any vessel that is not a motorized boat.

Utility boat: Any motorized boat whose sole purpose is to carry out work from the surface of the water or move equipment through the water surface and whose presence on Lake Louisa is also included in this category, any motorized boat used for supervision by a competent authority, such as the Sûreté du Québec and the Canadian Coast Guard, or any motorized boat to take samples as part of environmental studies.

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

Lake: Subject to this By-Law is Lake Louisa.

Washing: Action to clean a boat and its accessories at a washing station before the launching, using a pressure washer, with no detergent or acid to remove from the boat and all accessories exotic and invasive organisms that may be present.

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

Person: Person or entity.

Washing station: A physical installation fitted for washing boats before launching and whose location is designated by the municipal council.

Waterfront Property owner: Any natural or legal person who owns a property adjacent to Lake Louisa. Also included are the owners of a notarized right of way at Lake Louisa.

Trailer: All equipment used to transport a boat.

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 vessel;

OBLIGATION TO WASH

ARTICLE 4

All users must, prior to the launching of a motorized or non-motorized boat on Lake Louisa from any place in the territory of the Municipality, wash the boat, motor and trailer, if appropriate, at a washing station designated by the municipal council.

WASHING CERTIFICATE

ARTICLE 5

To obtain a washing certificate, users must:

1) Apply to this effect to an attendant working at a washing station, during opening hours, providing the following information:

- a. His name, address, telephone number and identification which includes a photograph;
- b. The description of his boat, 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;

- 2) Take note of this By-Law, attest to having read and agree to comply;
- 3) Make clear his craft and, if applicable, motor and trailer, at a washing station by an employee working there;
- 4) Pay the cost of the washing certificate in the amount established by regulation.

POSSESSION OF A WASHING CERTIFICATE

ARTICLE 6

Any user whose boat is on Lake Louisa must possess a washing certificate.

DUTY TO PRESENT THE WASHING CERTIFICATE

ARTICLE 7

The user of a boat that is on Lake Louisa must, at the request of the controller, show his washing certificate.

VALIDITY OF THE WASHING CERTIFICATE

ARTICLE 8

A washing certificate ceases to be valid when the boat that had been allowed to circulate leaves Lake Louisa.

SPECIAL RATE

ARTICLE 9

All members of the "Hunting and Fishing Club of Argenteuil" are liable to the same amounts for a washing certificate as residents, and that, according to the current pricing regulations provided for in Article 5.

For participants fishing in tournaments of the "Hunting and Fishing Club of Argenteuil" and "Lake Louisa," the washing certificate is free for those days, for every fisherman with a boat, on the express condition that the boat has previously been washed at the washing station designated by the municipal Council and it is free of any residual water.

UTILITY TYPE VESSEL

ARTICLE 10

This By-Law applies to any user of a utility type boat.

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

A person who deposits or allows to be deposited in any manner whatsoever, invasive alien species in a water body of the Municipality is an offense and is strictly prohibited.

ARTICLE 13

The fact that any user of a motorized or non-motorized craft that does not provide their boat washing certificate, as described in Article 5, on the request of an authorized person by the Municipality to implement this By-Law is an offense and is strictly prohibited.

ARTICLE 14

Any violation under these Regulations is an offense and is prohibited.

All owners of a building in the Municipality are responsible tenants and occupants of that building and must ensure that this Regulation is respected.

ADMINISTRATION REGULATIONS

ARTICLE 15

The municipal council may authorize by resolution any measure necessary to stop any infringement to the By-Law and may appoint any person designated specifically to take criminal or civil action on behalf of the Municipality for breach of regulations under the Code of Criminal Procedures (RSQ, c . C-25.1).

INSPECTION

ARTICLE 16

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

PENALTIES AND FINES

ARTICLE 17

Any person who contravenes any of the provisions of this By-Law commits an offense and is liable, for a first offense, to a fine of three hundred dollars (\$ 300) up to no more than one thousand dollars (\$ 1000) if the offender is a physical person, and two thousand dollars (\$ 2000) for a corporation. For any subsequent offense, the person is liable to a fine of two thousand dollars (\$ 2000) if the offender is a physical person and four thousand dollars (\$ 4,000) if the offender is a corporation.

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 Criminal Procedures (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 18

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

ENTRY INTO FORCE

ARTICLE 19

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

Marcel Harvey
Mayor

Natalie Black
General Manager, Secretary-
Treasurer

Notice of motion: February 2nd, 2015
Adoption of By-Law: April 7th, 2015
Public notice: April 21st, 2015