

BY-LAW NUMBER 264-2016

NUISANCE BY-LAW

WHEREAS Council wishes to adopt a By-Law to ensure the well-being and improving the quality of life of citizens of the municipality;

WHEREAS Council wishes to adopt a By-Law to define what constitutes a nuisance and to remove what does not and by imposing fines on people who create or continue to create such nuisances;

WHEREAS a notice of Motion for the present By-Law was given at the regular sitting held on August 8th, 2016;

FOR ALL THESE REASONS,

BE IT ENACTED AND STATUED BY-LAW NUMBER 264-2016, THE FOLLOWING:

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NUISANCE BY-LAW NUMBER 264-2016

Chapter -1- Declaratory and interpretative provisions

1.01 This By-Law may be cited as the "Nuisance By-Law."

1.02 This By-Law applies to the whole territory under the jurisdiction of the Municipality of the Township of Harrington.

1.03 Any person appointed to issue authorizations, permits, licenses or certificates required by this By-Law must do so in accordance with the provisions of this By-Law. Failing to comply, the authorization, the permit, the certificate, the license are null and void.

1.04 The titles, schedules, charts, plans herein form an integral part of this By-Law.

1.05 This By-Law is adopted in its entirety, chapter by chapter, article by article, paragraph by paragraph, line by line, so that if a chapter, section, paragraph, sub-paragraph or line was or should one day be declared invalid, the remaining provisions of this By-Law continue to apply.

Definitions:

Unless otherwise stated, expressly or resulting from the context of the provision, expressions, terms and words have, in this By-Law, the meaning and application given in this article:

-A-

Advertising brochures: All promotional flyers, advertisements, pamphlets, single sheets, leaflets, circulars, newspapers or any other materials, usually printed, to promote one or more public institutions, trades, businesses, corporate institutions, to promote a cause, an opinion, a philosophy, a political party, a candidate, designed exclusively or in a way that more than fifty percent (50%) of its content is for announcement or advertisement of commercial nature and freely distributed. Exclude local weeklies.

Alarm system: System or electrical, electronic or mechanical equipment intended in any way by noise, by visual means, by a relay to an alarm center or other, to warn, inform, notify or other, of a fire, of a theft, of any offense committed, of any state of emergency, a need for assistance, also includes the so-called medical alarms.

Animal: Includes all domestic and wild animals.

-B-

Building: Any building or structure having a roof supported by pillars, poles or walls, used or designed to shelter, to house or receive persons, animals or things.

-C-

Competent authority: General management, services of the Sûreté du Québec, the Town planning department, the public works department or any other department or person declared by resolution of the municipal council.

Construction: Building, structure or other ordered set resulting from the assembly of materials. Also means anything that is built, erected or constructed, and whose use requires a location on the ground or is attached to something requiring a location on the ground. Without restricting the generality of the foregoing, a mobile home, a wharf and a dock are constructions.

Container: Any bottle, flask, glass or receptacle.

Council: Municipal Council of the Municipality of the Township of Harrington.

-D-

Display or sign: All assembly of letters, words, numbers or numerals, any graphic representation, any fixed or intermittent light assembly, including panels of electronic or digital display, any symbol, emblem or logo, any flag, pennant or banner, any person, any animal or any other volume built, inflated or otherwise constituted and any assembly, device or means used or intended to be used to inform or warn or to advertise, identify or publish a business, a profession, a service, an establishment, an activity, a place, a destination, an event, an entertainment, a product, a project or an opinion, which is visible from the outside of the road or a path and is an autonomous building, a part of a construction or which is attached or painted, including the structure and the display medium.

Domestic animal: Means any animal whose species was domesticated and/or trained and/or tamed by humans, who lives and/or breeds in the conditions set by humans and dependent on them for survival.

Dust: Mixture of solid particles, of very diverse nature, extremely tenuous and lightweight, which remain suspended in the air or which are deposited in the form of a powdery film.

Dwelling: Building or part of building intended to house a person, comprising of one or more units, but excluding a boarding house or a commercial lodging establishment, such as hotel, motel, inn.

-F-

False alarm: Any triggering of an alarm system for any reason other than those for which it was designed. Includes a medical alarm, an alarm triggered due to a mechanical, electrical or electronic breakdown, a defect, an improper installation, an improper maintenance, a human error or by negligence.

Firearms: Weapon consisted of a tube intended to guide towards a target a launched projectile or by explosion of a propellant charge (pistol, rifle, most guns) or by the reaction of a fusing load (rocket launcher).

Fire department: The Fire department of the Municipality of the Township of Harrington.

-G-

Games of chance: All games that are based on the whims of fate and not on the calculation or skill of the players, includes but not limited card games, dice games and with or without gambling.

Garage sale: The sale of original domestic objects carried out on the land occupied by residential use.

Gathering: The meeting of at least two or more people.

Glass: Transparent material or not, brittle, fragile and hard manufactured with silicate.

Guardian: Means a person who owns, who has custody of a domestic animal or gives refuge, feeds or maintains a domestic animal, as well as the father, the mother, the tutor or the responder with whom resides a minor person who owns, who has custody or gives shelter, feeds or maintains a domestic animal.

Guide dog: Refers to a dog trained to compensate for visual impairment or any other disability of a person.

Gun: All firearms including air and lead shotguns.

-I-

Immovable: A land and a construction or a permanent character of work in it and all that is an integral part to the extent that this structure, work or what is an integral part of the land, the construction or work but that is not movable according to the civil Code of Québec (L.Q., 1991, c. 64).

Industry: Establishment which main objective is extraction, handling, storage or primary processing of raw materials; processing or packaging of agricultural products or fisheries products; transformation, assembly, processing, manufacturing or the making of finished or semi-finished products from raw materials or finished or semi-finished products; treatment, handling or processing of byproducts of industrial activities or human activities including composting of waste or of organic matter but excluding sludge from sewer treatment plants.

-L-

Legal person: Includes a company, corporation, trade union, limited partnership, any corporation or consolidation or any association of individuals forming a legal person.

-M-

Mayor: The mayor or pro-mayor of the Municipality of the Township of Harrington.

Multipurpose trail: Biking or hiking trails are included in the multipurpose trail, namely the road, shoulders, ditches, culverts, bridges, swamps, waterways, greenery, woodlands, fences, rest stops and parking lots. Also included are all the amenities, facilities and constructions located on the trail.

Municipal building and environment Officer: the person responsible for the planning department.

Municipality: The Municipality of the Township of Harrington.

-N-

Nozzle: Metal fitting on the end of a pump pipe or watering hose for directing water.

Nuisance: An activity or condition, an illegal act or not, or the failure to perform a legal duty, which activity, condition, act or omission which has the effect of endangering or creating a wrong to people's lives, safety, health, property or welfare of the public, or that would interfere with or obstruct the public in the exercise or enjoyment of a common right or right to peaceful enjoyment of their property.

-O-

Occupant: Person who occupies a dwelling or an immovable under a verbal agreement or a lease that was granted.

-P-

Park : All parks of the Municipality of the Township of Harrington, including all green spaces, land and lake facilities, multipurpose trails, playgrounds, rest areas, and without limiting the generality of the foregoing, all locations, properties or not of the municipality and used by the latter for any of the above purposes.

Patroller: Includes peace officers and all persons appointed by the Council to patrol.

Peace officer: A member of the Sûreté du Québec.

Peddler or itinerant merchant: Anyone who sells items, wares or merchandise, or solicits a consumer in order to conclude a contract or a sale, door-to-door or in public, on the whole territory of the Municipality of the Township of Harrington.

Pedestrian: Means any person travelling on foot or a person in a wheelchair, motorized or not, or a child in a stroller.

Permit: Written authorization given by the Municipality.

Physical person: Any other person other than a legal person.

Planning department: The planning department or the management and development service of the territory of the Municipality of the Township of Harrington.

Projectiles: Anything launched by a weapon or by hand.

Private property: Any property that is not public property as defined in this Article.

Public road: The surface of land or of a structure whose maintenance is the responsibility of the municipality, its organizations or its subcontractors on which are fitted one or more roadways open to public traffic.

It includes roadways, sidewalks, greens, shoulders, medians, ditches. It encompasses all streets, including those belonging to the Ministry of Transport of Quebec, places, parks, public squares, public walkways, bridges, approaches to a bridge and all other land intended for public vehicular traffic and pedestrians.

Public place: Any road, street, public roadway, alley, passage, staircase, garden, park, walkway, multipurpose trail, playground, stage, parking for public use or any other place of gathering outside or inside where the public has access including land or vacant lot accessible to the public, owned by the Municipality.

Public property: All stores, garages, churches, schools, community centers, municipal or government buildings, restaurants, bars, breweries or any other similar establishment where services are offered to the public.

Public Works department: The Public Works department of the Municipality of the Township of Harrington.

Pyrotechnics: Which belong to the use of explosives for outdoor fireworks, with a high risk and used for entertainment purposes, include firecrackers, torpedoes, roman candles, rockets, shells, noise crackers, great suns, bouquets etc.

Fireworks for use by domestic consumers designate pyrotechnics for exterior applications with limited risk, used for entertainment and that can be bought in all stores.

The big fireworks mean all fireworks sold and used only by certified fireworks and pyrotechnicians.

Special effects can be inside or outside at shows or special events.

-R-

Road Vehicle: A motorized vehicle that can travel on a road, excluded from road vehicles are vehicles that run only on rails, electric wheelchairs, trailers, semi-trailers and detachable axles are assimilated to road vehicles.

-S-

Scrapping: To throw, get rid of, discard or abandon an object that became useless, worn or there is no need to use it either temporarily or permanently.

Solicitor: A peddler for non-profit purposes or a hoarder of donations or money or goods or commodities for non-profit purposes on the territory of the Municipality of the Township of Harrington.

Swimming pool: An outdoor or indoor artificial pool designed for swimming or water activities.

-V-

Valve: Mobile device allowing the passage of water in a pipe.

Velocipede or bike: A means of transportation device propelled only by foot pressure on the pedals. This includes, without limiting, the bicycle, tricycle, bicycle with an electric motor, but not fitted with an accelerator and scooters without motor.

Visibility triangle: Space on a corner lot bounded as follows:

- A segment of a street line with a length of 6 meters, measured from the intersection point of the street line with another street line or intersection point of their extension.

- A segment on the other street line with a length of 6 meters, measured from the intersection point defined in the preceding paragraph.

- A straight line joining the two ends of the street line segments established in the preceding paragraphs.

Inside the triangle of visibility, are prohibited all obstacles over 1 meter in height, measured from the crown of a street, and any part of a parking lot.

-W-

Wheelchair: Wheeled vehicle intended for people with disabilities. It can be driven by muscular force or by motor function.

Wild animal: Includes all animals that are not domestic, that is to say, not tamed, living in freedom and do not directly depend on humans for food, shelter or their other essential functions.

Winter: Period between the last Sunday of October and the first Sunday in April of the following year.

Chapter - 2- Peace and good order

2.01: Constitutes a nuisance the fact of to throw stones, sticks and projectiles

2.02: Constitutes a nuisance the fact to set up, sell or offer for sale goods or alcoholic or non alcoholic refreshments in a public place without having first obtained a permit from the Municipality for this purpose and when the case requires, a license from the "Régie des alcools, des courses et des jeux".

2.03: Constitutes a nuisance the fact to consume alcoholic beverages or possessing opened alcoholic beverages in a public place or in a place where the public has access unless specifically authorized under Article 2.02 or where a liquor license is issued.

2.04: Constitutes a nuisance the fact to be found drunk or intoxicated and thus to have caused disorder or disturbance in a public place.

2.05: Constitutes a nuisance the fact to commit actions contrary to decency in a public place.

2.06: Constitutes a nuisance, for domestic consumers, not to have complied with the conditions established for fireworks according to the instructions established for every piece and / or have negligent behavior to affect the safety of one or more people.

In these cases, the fire department can stop the fireworks at the expense of the domestic consumer by taking all the necessary measures including the seizure of the fireworks.

2.07: Constitutes a nuisance the fact to have used the pyrotechnics, large fireworks or executed special effects without having first obtained a permit from the Municipality for this purpose.

If the artificer or the pyrotechnician does not respect the conditions of the permit that is issued or has negligent conduct, the Fire Department can stop the fireworks by taking all the necessary measures including the seizure of pyrotechnics at the offender's expense.

2.08: Constitutes a nuisance the fact to drive and / or to hold and / or participate in a subscription, a public collection, raffle, bingo, games of chance, with the exception of events authorized by the Municipal Council and subject to obtaining in advance, permission from the Municipality for this purpose and when the case requires, a license from the "Régie des alcools, des courses et des Jeux".

2.09: Constitutes a nuisance the fact to insult, abuse or to swear or to provoke by words or gestures, a peace officer and / or any municipal officials in the exercise of their functions.

2.10: Constitutes a nuisance the fact, without lawful justification, to dial the 9-1-1 emergency telephone number and / or the Police.

2.11: Constitutes a nuisance the fact to refuse to obey an order to circulate legally given by a peace officer.

2.12: Constitutes a nuisance the fact to have caused and / or provoked and / or promoted and / or be part of a tumult and / or a battle and / or a brawl and / or scuffle.

2.13: Constitutes a nuisance the fact to take part in an unlawful gathering who, with the intention to achieve a common goal, assemble and / or once met behave so as to disturb the peace and to commit mischief to property or any other illegal offenses in a public place.

2.14: Constitutes a nuisance the fact to disturb the peace and / or to annoy a person or persons and / or to commit crimes.

2.15: Constitutes a nuisance the fact to climb or scale buildings, pieces of furniture, structures, wires, poles, trees, railings, gates, walls, park benches, fences or any other assembly of materials used as support in public places.

2.16: Constitutes a nuisance the fact to have been in possession and / or plucked and / or destroyed and / or damaged and / or broken and / or moved, all or part of a tree, shrub, lawn, flower, a bench, a decoration, a fountain, a movable object, an immovable object, a component of the flora, fauna and / or any other element of the physical environment in public places.

2.17: Constitutes a nuisance the fact to have camped in any way whatsoever in a public place.

2.18: Constitutes a nuisance the fact to hinder or harm the movement of pedestrians and cyclists.

2.19: Constitutes a nuisance the fact to be in a public facility or other while these facilities are closed.

2.20: Constitutes a nuisance the fact to swim where a sign prohibits it and / or outside the boundaries laid down at the beach.

2.21: Constitutes a nuisance the fact to urinate or defecate in a place other than provided for that purpose.

2.22: Constitutes a nuisance the fact to use the sidewalks, trails, public places or public roads, to practice a game, a sport, an amusement, festival or community event, except for special occasions authorized by the Municipal Council and subject to obtaining the prior permission from the Municipality for this purpose.

2.23: Constitutes a nuisance the fact to present a show or any manifestation in public except for special occasions authorized by the Municipal Council and subject to obtaining prior permission from the Municipality for this purpose.

2.24: Constitutes a nuisance the fact to make use of a road vehicle, all terrain vehicle or snowmobile in parks, multipurpose trails, spaces reserved for nature conservation, except in places specially provided for this purpose with the exception of municipal vehicles or vehicles used for the maintenance and / or monitoring.

2.25: Constitutes a nuisance the fact to throw, drop or place any refuse, household garbage, building materials, tires, grass, leaves, trees, animal carcasses, branches in containers or places other than those provided for this purpose to avoid outside access from animals and vermin.

2.26: Constitutes a nuisance the fact to bury building materials, metal, household garbage, tires and / or waste.

2.27: Constitutes a nuisance the fact to let waste, household garbage or waste build up inside, outside or around a building or on a land.

2.28: Constitutes a nuisance the fact to be the holder of a permit under sections of this chapter and / or of this By-Law and not have respected the terms and conditions of the permit.

Chapter -3- Private property

3.01: Constitutes a nuisance the fact to throw, pitch, deposit, allow to be thrown, deposited, launched, snow, ice, sand, earth or other object or any liquid on private property without the owner's permission except for municipal vehicles assigned to maintenance.

3.02: Constitutes a nuisance the fact to borrow, to move or to be, on foot, bicycle, road vehicle or toy vehicle on private property without the owner's permission.

3.03: Constitutes a nuisance the fact for any person, who is the owner or long-term lessee of a property, to not prominently display its address. Here, the term "prominently " means placing the civic number of his residence so that it is easily visible from the road and it is not buried in the winter.

3.04: Constitutes a nuisance to have disturbed the peace and good order on private property, by shouting and / or singing and / or insulting and / or swearing in order to harm the peace and tranquility of a prson and / or persons in the neighborhood.

3.05: Constitutes a nuisance the fact to have urinated, defecated in and / or on private property except in places specially designed for this purpose.

3.06: Constitutes a nuisance the fact to have rung and / or knocked on the door and / or window and / or any part of a private property without lawful justification.

3.07: Constitutes a nuisance the fact to have approached a private property for the purpose of spying and / or annoying and / or disturbing the occupants of this place.

3.08: Constitutes a nuisance the fact to have introduced and / or have housed and / or have taken refuge in a vacant and / or abandoned building without the owner's permission.

3.09: Constitutes a nuisance the fact to have damaged and / or deteriorated signs and / or private property.

3.10: Constitutes a nuisance the fact for the owner or occupant of an immovable to allow on such immovable, the existence of stagnant or dirty pond water and the existence of pools of grease, oil or gas.

3.11: Constitutes a nuisance the fact for the owner or occupant of an immovable to allow or maintain on such an immovable one or more trees in a state that is a danger to people travelling on public roads.

3.12: Constitutes a nuisance the fact for the owner or occupant of an immovable to leave his immovable, or part of his immovable, in a state that its appearance causes esthetic detriment or creates a risk for safety.

3.13: Constitutes a nuisance the fact for the owner or occupant of an immovable to leave one or more constructions in a deteriorated condition or in a state of poor maintenance so that rot, rust, the infiltration of vermin may in a long run threaten the security and public health or pose a danger or cause depreciation to neighboring properties.

3.14: Constitutes a nuisance the fact for the owner or occupant of a construction or a dwelling to tolerate, inside or outside of an immovable, the presence of vermin, insects and / or rodents and / or to maintain unsanitary conditions that may threaten the safety and / or health of one or more persons in the neighborhood and / or occupant of the premises.

3.15: Constitutes a nuisance, the fact for the owner or occupant of an immovable, to leave uncovered a pit, hole, excavation or foundation on an immovable, if this pit, hole or excavation or foundation is likely to create a danger to the public.

3.16: Constitutes a nuisance the fact for any owner, tenant or occupant, to not maintain his land or to let grow vegetation to excessive height to cause esthetic detriment to neighboring properties or create a security risk.

This article does not apply to land occupied by a nature conservation organization or the protective shoreline as defined in the zoning By-Law.

This article does not apply to woodland, to any parcel of land over 300 meters away from a built piece of land and land occupied by a nature conservation organization.

3.17: Constitutes a nuisance the fact for the owner, lessee or occupant of an immovable to leave outside garbage, trash, waste, empty bottles, scrap metal, scrap of all kinds, furniture, noxious substances, dead animals, earth mounds, stone, brick, concrete or any construction or demolition material, manure, old tires, the carcasses of over two road vehicles or road vehicle parts.

3.18: Constitutes a nuisance the fact for the owner, lessee or occupant to store or keep on an immovable or outside of a building more than eight (8) tires.

3.19: Constitutes a nuisance the fact for the owner, lessee or occupant of a construction or a dwelling to store or pile objects on the balcony so as to constitute a danger to public safety.

3.20: Constitutes a nuisance the fact for the owner, lessee or occupant of an immovable to keep electrical or mechanical devices outside that are not in working condition or carcasses, debris or parts of electrical and mechanical equipment.

3.21: Constitutes a nuisance the fact for the owner, lessee or occupant of an immovable to allow emanating from this immovable one or more odors, smoke, dust to affect the welfare or comfort of one or more persons in the neighborhood.

Chapter -4- Light provisions

General principle

4.01 Constitutes a nuisance (eye pollution) and is prohibited the fact, for any person, to use or permit the use of all light, continuous, rotating or intermittent, or any device reflecting or projecting light, or light device located inside or outside of an immovable, and positioned such that the light beam is projected or directed or is reflected so as to disturb the traffic, the peace, comfort or quiet enjoyment of the property in the neighborhood.

Various activities and situations

4.02 In a more particular way, but without limitation, constitutes a nuisance and is prohibited:

4.02.1 The installation, use or maintenance, at a distance of less than thirty (30 meters) of a public road, of a swivel or intermittent light where the intensity or color is not kept constant or stationary or who resembles to traffic lights and is likely to mislead the drivers of motor vehicles;

4.02.2 The use, except in cases of necessity, of a swivel or intermittent light or mechanism so as to suggest an emergency or danger.

Exceptions

4.03 This article is not intended to prohibit the use or maintenance of an illuminated sign authorized by the Municipality's By-Laws.

4.04 The provisions of Article 4 do not apply to emergency vehicles (police, fire, ambulance and first responders), to vehicles or facilities, structures or equipment used for public safety and for maintenance work, cleaning, repair, construction, landscaping, snow removal or other similar by or for the Municipality.

Chapter -5- Public property

5.01: Constitutes a nuisance the fact to throw, pitch, deposit, allow to be thrown, allow to be deposited, allow to be pitched, snow, ice, sand, earth, gravel, rocks, any article and / or any liquid in a public place.

5.02: Constitutes a nuisance the fact to create or allow to be created on private or public land a pile of snow, ice or other material, such as to obstruct the visibility for pedestrians, cyclists or motorists at an intersection.

5.03: Constitutes a nuisance the fact to install or permit to be installed, signs, posters, panels or other objects on public property, street lights, electrical or telephone poles without having first obtained permission from the Municipality.

5.04: Constitutes a nuisance the fact to allow trees, tree trunks, tree branches or tree roots to obstruct or cause damage to public property.

5.05: Constitutes a nuisance the fact to paint or change, by any means whatsoever, driveways, pavement, sidewalks or near public places or any public infrastructure.

5.06: Constitute a nuisance the fact to draw graffiti on public property.

5.07: Constitutes a nuisance the fact to install or allow to be installed or maintained on public property a lighting system or lighting device outside or inside of the property which affects driver's safety, bothers or disturbs the rest, tranquility and well-being of a person or persons in the neighborhood.

5.08: Constitutes a nuisance the fact to be without a reasonable excuse on public property outside of business hours.

5.09: Constitutes a nuisance the fact to be the owner and / or tenant and / or occupant of land where is located and / or the boundary where is located a municipal dry fire hydrant, to fail to ensure that it is constantly free of obstructions within two meters.

5.10: Constitutes a nuisance the fact to block within a radius of two meters a dry fire hydrant periphery.

5.11: Constitutes a nuisance the fact to unload and / or dispose of snow and / or ice and / or gravel and / or any obstacle in order to hinder the visibility and / or accessibility of a dry fire hydrant.

5.12: Constitutes a nuisance the fact for any person to unload, deposit, throw or allow being dumped snow and / or ice coming from a private immovable onto public places.

5.13: Constitutes a nuisance the fact for anyone to store construction materials in public places without having first obtained permission from the Municipality, for this purpose.

5.14: Constitutes a nuisance the fact for any person to leave machinery or construction equipment in public places without having first obtained permission from the Municipality for this purpose.

5.15: Constitutes a nuisance the fact for any person to obstruct the normal flow of water in the streets or modify culverts, bridges, ditches and public waterways.

5.16 Constitutes a nuisance the fact for any person to obstruct, alter, remove or demolish in any way whatsoever public dams in and around waterways and lakes.

5.17: Constitutes a nuisance the fact for any person to obstruct in any way the visibility triangle at the intersection of two (2) streets.

5.18: Constitutes a nuisance the fact to be the holder of a permit under sections of this chapter in this By-Law and not complying with the permit issuance conditions.

Chapter -6- Noise

6.01: Constitutes a nuisance (noise pollution) the fact, at any time, by any person, to do or cause, allow to be caused, allow to be provoking, inciting to cause, to provoke noise so as to affect the comfort and well-being of one or more persons in the neighborhood or bystanders.

The preceding paragraph does not apply to persons performing public works. The Council may authorize the holding of special events within municipal range taking into account the nature of the event and the consequences on the population. It must set the maximum time for which it allows the event and set conditions to be met.

6.02: Constitutes a nuisance, being owner and / or tenant and / or occupant and / or guardian and / or manager of a private and/or public property and / or place

of amusement to have used and / or allowed to make use of a sound system and / or an amplifier and / or a loudspeaker and / or a device for reproducing sound and / or an instrument causing noise, except for events specifically authorized under Article 5.01.

6.03: Constitutes a nuisance the fact for anyone to install or permit to be installed a loudspeaker or another sound instrument close to walls, doors or windows of a building, so that the reproduced sounds are projected to private or public properties.

6.04 Constitutes a nuisance the fact to circulate in the Municipality with a vehicle equipped with speakers for projecting sounds outside of the vehicle, with the exception of municipal vehicles, or of public security.

6.05: Constitutes a nuisance the fact for a driver or passenger of a motor vehicle to operate the radio or other device for reproducing sound to hinder peace and tranquility of one or more people of the neighborhood.

6.06: Constitutes a nuisance the fact to execute or to have work executed that could make noise in order to hinder the peace, tranquility and / or welfare of one or more people of the neighborhood and this, from Monday to Friday from 9:00 P.M. to 7:00 A.M. and Saturday to Sunday between 6:00 P.M. to 8:00 A.M., with the exception of work performed under any governmental jurisdiction and agricultural work.

6.07: Constitutes a nuisance the fact to have played a musical instrument in public places without first having obtained permission from the Municipality for this purpose.

6.08: Constitutes a nuisance the fact to hold or participate in road vehicle encounters and / or motor vehicles that may disturb the peace, tranquility and / or well-being of a person or persons in the neighborhood.

6.09: Constitutes a nuisance as driver of a vehicle, the fact to produce a sharp squeal of tires and / or use the engine at high revolutions.

6.10: Constitutes a nuisance the fact that being the owner and / or tenant and / or occupant of an industrial and / or commercial business to have caused and / or provoked and / or permitted to be caused noise to disturb the peace and / or tranquility and / or well-being of a person or persons in the neighborhood.

6.11: Constitutes a nuisance the fact to be the owner of a vehicle and / or have possession of a vehicle equipped with a beeper which operates the alarm for more than five minutes after being tripped due to improper handling and / or defect.

6.12: Constitutes a nuisance the fact to have done and / or permitted to be done on the property to which a person is in possession and / or occupied and / or custody, a noise that may be heard beyond the limits of his property or in a public place in order to advertise his goods and / or solicit customers.

6.13: Constitutes a nuisance the fact to have installed and / or operated a system of loudspeakers to broadcast to the public various advertising and / or commercial messages on the territory of the Municipality, without first having obtained permission from the Municipality for this purpose.

6.14: Constitutes a nuisance the fact to have from Monday to Friday between 9:00 P.M. and 07:00 A.M. and Saturday to Sunday between 6:00 P.M. and 8:00 A.M. , being the owner and / or tenant and / or occupant of a residential facility and / or industrial and / or commercial business, caused and / or provoked and / or permitted to be caused noise to disturb the peace, tranquility and well-being of a person or persons in the neighborhood during its loading and / or unloading operations, unless they have first obtained permission from the Municipality for this purpose.

6.15: Constitutes a nuisance the fact by being the driver of a motor vehicle to have used motor brakes unnecessarily.

6.16: Constitutes a nuisance the fact for any person to use an appliance or power tool or motor vehicle that may disturb or bother the rest, tranquility and / or well-being of one or more people from the neighborhood from Monday to Friday between 9:00 P.M. to 7:00 A.M. and Saturday to Sunday between 6:00 P.M. to 8:00 A.M.

This article does not apply to lands occupied for agricultural work as defined in the Zoning By-Law.

6.17: Constitutes a nuisance the fact to be the holder of a permit under sections of this chapter and / or By-Law and to not have respected the conditions regarding the issuance of the permit.

Chapter -7- Fires

7.01: Constitutes a nuisance for any person to make an outdoor fire without having first obtained permission from the Municipality for this purpose, with the exception of fires made in a fireplace or an outdoor stove designed for this purpose.

7.02: Constitutes a nuisance the fact to light, to turn on or permit to be lit an open air fire outdoors and / or in a fireplace or an outside stove designed for this purpose on public places without having first obtained permission from the Municipality for this purpose.

7.03: Constitutes a nuisance the fact to intervene in the handling of dry hydrants without having first obtained the authorization from the Director of Public Works or the Fire Department.

7.04: Constitutes a nuisance the fact to be the holder of a permit under sections of this chapter and / or By-Law and for not having respected the conditions regarding the issuance of the permit.

Chapter -8- Firearms

8.01: Constitutes a nuisance the fact to be in a public place and have a firearm, an air gun, a slingshot, a pea-shooter or any other offensive weapon.

8.02: Constitutes a nuisance the fact to be in a public place and have a knife, a sword, a bow, a crossbow, machete or any other cold steel.

8.03 Constitutes a nuisance the fact for all persons to shoot a gun, pistol, bow or crossbow on the territory of the Municipality of the Township of Harrington, at less than 150 meters, except in places specially designed for this purpose and places indicated by an Association accredited by the Municipal Council and only during hunting season.

Chapter -9- Water courses and boats

9.01: Constitutes a nuisance the fact to use a gasoline powered boat, except for lifeboats and / or environmental monitoring purposes, on the water courses and lakes where it is not allowed.

9.02: Constitutes a nuisance the fact to throw debris, waste, rubbish or any other harmful objects or substances in and around water courses and lakes.

9.03: Constitutes a nuisance the fact to provoke waves in order to cause erosion and to disturb the tranquility of riparians and swimmers.

9.04: Constitutes a nuisance the fact to drive a boat in a way to harm the safety of the occupants, riparians or swimmers.

Chapter -10- Parks

10.01: Constitutes a nuisance the fact to be in any parks from 10:00 P.M. to 7:00 A.M.

10.02: Constitutes a nuisance the fact to engage in games or sports that may interfere with users of a park.

10.03: Constitutes a nuisance the fact to use games and spaces arranged for purposes other than those for which they were designed and / or in unforeseen places for this purpose.

10.04: Constitutes a nuisance the fact to do any kind of activity that could affect the safety of users of the park.

10.05: Constitutes a nuisance the fact to circulate in a way not provided for in parks, outside of maintained trails foreseen for this purpose.

10.06: Constitutes a nuisance the fact to throw debris, waste, trash or any other object, in places other than those normally foreseen for this purpose.

Chapter -11- Animals

11.01: Constitutes a nuisance the fact for any person to keep any farm or poultry-yard animals or livestock outside of a fenced area.

11.02: Constitutes a nuisance the fact, subject of Article 11.01, for any person to keep more than four (4) dogs and four (4) cats per occupied unit, except in the case where an animal gives birth, small ones can be kept for a period not exceeding three months from birth.

11.03: Constitutes a nuisance the fact for every keeper of a domestic animal to not provide food, water, shelter and necessary and appropriate care to their species and age.

11.04: Constitutes a nuisance for every keeper of a domestic animal to not maintain in a proper sanitary condition where the animal is kept.

11.05: Constitutes a nuisance the fact for any owner or keeper of a domestic animal, to neglect to clean regularly the feces on his property and not to maintain the premises in a proper sanitary condition.

11.06: Constitutes a nuisance the fact for the keeper of an animal to not remove or clean up immediately and dispose of hygienically in a suitable container fecal matter on public property or private property.

11.07: Constitutes a nuisance the fact for every keeper of a domestic animal kept outside to not provide adequate shelter to its species and to the temperature.

11.08: Constitutes a nuisance the fact to not have tied his dog outside without having a lanyard with a minimum length of three (3) meters.

11.09: Constitutes a nuisance the fact for the keeper of a domestic animal, knowing that their pet is injured or suffering from a disease, to not take the necessary steps to seek treatment or submit it to euthanasia.

11.10: Constitutes a nuisance the fact for the keeper of a domestic animal to not within twenty-four (24) hours of the death of his animal, dispose of it according to the standards of the Ministry of Sustainable Development, Environment, Wildlife and Parks of Quebec or the Ministry of Agriculture, Fisheries and Food of Quebec.

11.11: Constitutes a nuisance the fact for every keeper of a domestic animal to leave it roam free and untied outside the building limits, dwelling or land of his guardian.

11.12: Constitutes a nuisance the fact for every keeper of a domestic animal that is out of bounds to not maintain it on leash in assuming the control and supervision at all times.

11.13: Constitutes a nuisance the fact for any owner or keeper of a dog, to let it bark in such a way as to disturb the tranquility of one or more people from the neighborhood.

11.14: The keeping of the dogs mentioned below is prohibited:

1^o All vicious, dangerous or rabid dogs;

2^o Any dog that attacks or is trained to attack on command or by a signal, a human or an animal;

11.15: Constitutes a nuisance the fact for the caretaker of a cat to allow repetitive and excessive meowing or leave a persistent impregnation and strong scents so as to affect the rest and comfort of one or several people in the neighborhood.

11.16: Constitutes a nuisance the fact for every keeper of a dog when a dog bites or threatens a person or another animal that behaves peacefully.

11.17: Constitutes a nuisance the fact that a dog or other animal in the control or custody of a guardian moves or digs in garbage or causes damage to the property of others.

11.18: Constitutes a nuisance the fact to abuse, molest, harass, provoke or be cruel to any animal.

11.19: Constitutes a nuisance the fact for every keeper of a dog, not to muzzle the animal when a legal order is given.

11.20: Constitutes a nuisance the fact for any person to keep any wildlife on the territory of the Municipality.

11.21: Constitute a nuisance the fact to abandon or to leave animals within the Municipality in order to discard them.

The keeper of an animal must give the animal to a competent authority that can put it up for adoption or have it euthanized. In the latter case, the costs are borne to the keeper.

11.22: Constitutes a nuisance the fact to have trapped and / or fished and / or hunted on the territory of the Municipality, at the exception and out of places and periods provided for this purpose.

11.23: Constitutes a nuisance the fact to take or destroy the eggs or nests of birds in parks or other places in the Municipality.

11.24: Constitutes a nuisance the fact to keep and / or store the carcass of dead animals within the boundaries of an immovable.

11.25: Constitutes a nuisance the fact for a farmer to keep and / or store outside of a building and in unsuitable conditions carcasses of dead animals and to not dispose of them by the standards of the Ministry of Sustainable Development, Environment, Wildlife and Parks of Quebec or the Ministry of Agriculture, Fisheries and Food of Quebec.

11.26: Constitutes a nuisance the fact to cause death or intentionally cause injury to one or more domestic and / or wild animals.

This article does not apply to a properly licensed hunter who hunts in a period where the specimen is legally allowed to be hunted along with members of a competent authority and a person protecting his life or that of others.

Chapter -12- Alarm system

12.01: Constitutes a nuisance the fact of owning an alarm system not equipped with a device to stop the alarm thirty minutes after being triggered.

Any peace officer or designated officer may interrupt the sound signal of an alarm system by entering the immovable, even those not belonging to the municipality, after thirty minutes when the alarm went off and nobody is found there at that time.

12.02: Constitutes a nuisance the fact for any owner, occupant or designated representative of the place where an alarm has been triggered and upon request from the police to not immediately go to the scene and to not give access to the premises and to not restore the system.

12.03: Constitutes a nuisance the fact to have housed and / or transmitted directly and / or indirectly transmitted either by a central alarm or otherwise more than two false alarms per calendar year to the police.

This provision does not apply to buildings owned by the Municipality of the Township of Harrington.

12.04: Constitutes a nuisance the fact to trigger without reasonable excuse or to interfere with the normal operation of an alarm system.

Chapter -13- Protection for non smokers

13.01: Constitute a nuisance the fact to smoke in all municipal buildings.

13.02: Constitutes a nuisance the fact to remove, move or damage a sign indicating no smoking allowed.

13.03: Constitutes a nuisance the fact to sell tobacco products in a municipal building.

13.04: Constitutes a nuisance the fact to hamper in the exercise of his functions, an inspector or a peace officer under the Act on the protection of non-smokers.

Chapter -14- Vehicles

14.01: Constitutes a nuisance the fact to have more than one parked or stopped vehicle in a public place or private property or public property in order to sell it or trade it.

14.02: Constitutes a nuisance the fact to leave a parked or stopped vehicle in a public place, private property or public property in order to show ads or posters.

14.03: Constitutes a nuisance the fact to leave a broken-down car on public roads for more than one (1) day without having secured the place and the people.

14.04: Constitutes a nuisance the fact to have left all vehicles parked and running for more than three (3) minutes with the exception of emergency vehicles.

Despite the provisions of the first paragraph and the third paragraph of this Article, the idling of a heavy vehicle with a diesel engine is permitted to idle for a maximum of 10 minutes.

Between November 1st and March 31st idling of a heavy vehicle with a diesel engine is permitted for a maximum of 10 minutes.

Are excluded from the application of this Article the following vehicles:

- A vehicle stopped because of a road accident, dense or slow moving traffic or mechanical difficulty;

- A heavy vehicle when necessary to let the engine run in order to conduct a pre-inspection, in accordance with Article 519.2 of the Road Safety Code;
- A vehicle when necessary to leave the engine running when performing maintenance or repair work;
- A tool vehicle whose engine power supplies auxiliary equipment used at work or a vehicle that includes a heating or air conditioning system to keep the goods or to transport animals;
- A vehicle affected by frost or freezing rain the time needed to render it safe for driving;
- A vehicle powered by hydrogen, electricity or a hybrid vehicle.

14.05: Constitutes a nuisance the fact for any person to park any pleasure-trip vehicle other than in a designated parking space.

14.06: Constitutes a nuisance the fact for the owner or occupant of a vehicle to let a leak or spill of oil, gas, mud, dirt, rocks or any other similar materials or liquids on public roads.

14.07: Constitutes a nuisance the fact to use, maintain, repair, park or store machinery, a generator, a road vehicle, a recreational vehicle, a watercraft or any similar vehicle, which disturbs the peace or tranquility of one or more persons by the noise, odor, light chips or smoke.

Chapter -15- Identification

15.01: Any person responsible for the application of this By-Law which has reasonable grounds to believe a person has committed an offense may, for the purposes of a complaint, require the person to give his name, address and date of birth, if not known.

If they have reason to believe that the offender has not told them their real name, address or date of birth, they may also require them to furnish the information needed to confirm its accuracy.

A person may refuse to give his name, address and date of birth or provide information to confirm its accuracy, as long as they are not informed of the alleged offense against him.

Chapter -16- Offenses and penalties

16.01: Anyone who contravenes the provisions of this By-Law, any physical person who violates any provision of this By-Law is liable to a fine of \$ 200.00 to \$ 1 000.00. For a repeat offense the amount of the fine is \$ 400.00 to \$ 2 000.00.

Any legal person that contravenes any provision of this By-Law is liable to a fine of \$ 400.00 to \$ 2 000.00. For a repeat offense the amount of the fine is \$ 800.00 to \$ 4 000.00.

16.02: Anyone who contravenes sections of Chapter 7, Fire, of this By-Law shall be liable besides the costs, to a fine of \$ 200 for the second false alarm and a \$ 200 fine plus costs incurred by the Fire Department for the third and any other following false alarms.

16.03: Any violation constitutes a separate offense for each day for which the offense lasts.

Chapter -17- Order

17.01: The court that pronounces the sentence may, in addition to imposing the payment of the fine and costs, order that the nuisance that made the object of the offense be removed, within the time fixed, by the owner, tenant, occupant or the person responsible and if such person or persons do not carry out the removal of the nuisance within this time period, to allow that the nuisance be removed by the municipality at the expense of such person or persons.

17.02: Other recourses of the Municipality

Notwithstanding any criminal prosecution, the Municipality may exercise all other recourses necessary to enforce the provisions of this By-Law.

Chapter -18- Responsibility for the implementation of this By-Law

18.01: Any person responsible for the application of this By-Law is authorized to visit and examine, between 07:00 A.M. and 07:00 P.M., any movable or immovable property as well as the exterior or interior of any house, building or structure, to see if the this By-Law is being executed and so the owner, tenant, manager or occupant of these houses, buildings and structures have to receive these persons and answer all the questions put to them regarding the implementation of this By-Law.

A person can refuse such entry or examination by the officer, employee or person responsible for the application of this By-Law who has not identified themselves as such and did not declare the reason for their request.

Chapter -19- Coming into force

19.01: This By-Law repeals the following By-Laws: 173-2008 and 175-2009 as amended.

19.02:

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

Jacques Parent, Mayor

Marc Beaulieu, Director General
and Secretary-Treasurer

ADOPTED
CAME INTO FORCE

September 12th, 2016
September 27th 2016

NOTE : Translation : the French version of this by-law prevails.