



MUNICIPALITY OF KAZABAZUA

BY-LAW NUMBER: SQ 2017-002

Notice of motion: February 7, 2017
Adopted: March 7, 2017
Publication and Entry into force: March 9, 2017
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**CANADA
PROVINCE OF QUEBEC
MUNICIPALITY OF KAZABAZUA**

**BY-LAW CONCERNING
SECURITY, PEACE AND ORDER
APPLICABLE BY THE SAFETY OF QUÉBEC**

WHEREAS Council wishes to adopt a by-law to ensure security, peace and order in its territory;

WHEREAS a copy of by-law 2017-002 was given to the members of the council not later than 2 legal days before the regular meeting of March 7, 2017, that all the members present declare that they have read the draft by-law and that they forfeit its reading .

CONSEQUENTLY, IT IS PROPOSED by Sandra Lacharity, **SECONDED** by Michel Collin and resolved at the majority

THAT: This by-law be adopted.

ARTICLE 1 The Preamble shall form an integral part of this By-Law.

ARTICLE 2 For the purposes of this By-Law, the following expressions and words mean:

« **PUBLIC LOCATION** » means parks, streets, beaches, wharves, public transportation vehicles, public areas, publicly accessible areas or places.

« **PARK** » means the parks within the territory of the municipality that are under its jurisdiction and includes all public spaces, grassed or not, where the public has access for rest, relaxation, play or sport or for any other similar purpose.

« **STREET** » means streets, roads, alleys, bicycle paths and sidewalks and other public and private places dedicated to pedestrian or vehicular traffic in the territory of the municipality.

« **PUBLIC AREAS** » Parking lots maintained by the municipality, the common areas of a business, even if it is private, of a public building or a residential building.

« **AREAS OR PLACES ACCESSIBLE TO THE PUBLIC** » Areas or places accessible to the public, such as church, factory lot, cemetery, shopping center, sports complex, cultural complex, tourist site, campsite operated by SÉPAQ and others Areas or places accessible to the public.

ARTICLE 3 « **ALCOHOLIC DRINKS** » In a public place, no person shall consume alcoholic beverages or have in his possession a container whose opening is not sealed unless a permit of sale has been issued by the **RÉGIE DES ALCOOLS, DES COURSES ET DES JEUX**.

ARTICLE 4 « **GRAFFITI** » No person shall draw, paint or otherwise mark houses, walls, fences, streets, or property in a public place.

This provision does not apply where a written consent of the municipality has been given by a designated municipal officer.

ARTICLE 5 « **POSTER** » No person shall display or cause to be displayed any paintings, drawings, writings on houses, walls, fences of private property or on any public property.

This provision does not apply where a written consent of the municipality has been given by a designated municipal officer.

ARTICLE 6 « WHITE WEAPON » No one shall be in a public place having a knife, a machete, a stick or a white weapon without reasonable excuse.

Self-defense is not a reasonable excuse.

ARTICLE 7 « INDECENCY » No person may urinate or defecate in a public place, except in the places provided for this purpose.

ARTICLE 8 « GAME / PAVEMENT » No person may make or participate in a game or activity on the roadway if it impairs the free circulation and / or tranquility of the neighborhood without written authorization.

This provision does not apply where a written consent of the municipality has been given by a designated municipal officer.

ARTICLE 9 « BATTLE » No one may fight or skirmish in a public place.

ARTICLE 10 « SHOUTING » No one can shout in a public place.

ARTICLE 11 « PROJECTILES » No person may throw stones, bottles or any other projectile into a public place.

ARTICLE 12 « EQUIPMENT » No person shall shake, cut, break, remove or otherwise damage any wall, fence, sign, shelter, seat, bench, lamp post, play equipment, grass, tree, shrub, plantation or Other property in a public place.

ARTICLE 13 « ACTIVITIES » No person may organize, direct or take part in a parade, march or race involving more than fifteen (15) participants in a public place before obtaining a permit from the municipality.

The municipality may, by a designated municipal officer, issue a written authorization to conduct an activity on the following conditions:

- a) the applicant has previously submitted to the police service serving the municipality a detailed plan of the activity;
- b) the applicant has complied with the security measures recommended by the police service.

Are exempted from obtaining such authorization, funeral processions, marriages and extracurricular activities.

ARTICLE 14 « USE OF STREETS OR PARKINGS » No person may use the streets or parking lots as a slide or playground, and the guardian of the person in contravention of this by-law is guilty of an offense.

This provision does not apply where a written consent of the municipality has been given by a designated municipal officer.

ARTICLE 15 « STROLLING » No person may lie down, lodge, beg or hang out in a public place.

ARTICLE 16 « LIFTING THE PEDESTRIAN PASSAGE » No one may obstruct, obstruct or impede the pedestrian crossing or the traffic by parking, prowling or strolling in a public place.

ARTICLE 17 « ALARM / CALL » No person shall cause any fire alarm or call the police or any person in the public security service without reasonable cause.

ARTICLE 18 « RINGING OR KNOCKING » No one can ring or knock on doors or windows of houses or on houses without grounds.

ARTICLE 19 « NOISE » No one may make or permit any person to make noise in places frequented by the public or in a public place by shouting, swearing, quarreling, fighting, or in any other way to annoy, inconvenience Disturb or disturb the peace of the persons on the premises.

ARTICLE 20 « INSULTING A PEACE OFFICER OR EMPLOYEE DESIGNATED BY THE MUNICIPALITY » No person may insult, insult or provoke by words or deeds in any place whatsoever, any peace officer or employee, inspector or other officer Of the municipality in the exercise of its functions.

ARTICLE 21 « REFUSAL TO WITHDRAW » No one may be in a public place where he is a foreigner when he refuses to withdraw at the request of any person in authority or in charge of such a place.

ARTICLE 22 « ALCOHOL / DRUGS » No one may be in a public place under the influence of alcohol or drugs.

ARTICLE 23 « SCHOOL / PARK » No person may be in a park or on the grounds of a school at the times when the signs indicate such a prohibition.

No person shall, without reasonable cause, be in a park or on the grounds of a school, even at times when the signage does not indicate a prohibition or if there are no signs of prohibition.

This provision does not apply where a written consent of the municipality has been given by a designated municipal officer.

ARTICLE 24 « CLIMBING / CLIMBING » No person may climb or climb a statue, pole, wire, rope, building, fence or other assembly of support, support or support materials.

ARTICLE 25 « PERIMETER OF SAFETY » No person shall cross or be within a safety perimeter established by the competent authority by means of signage (indicator ribbons, gates, etc.) unless Be expressly authorized to do so.

ARTICLE 26 « BATHING IN A PUBLIC PLACE » No person may swim in a public place where a sign prohibits it.

ARTICLE 27 « RIGHT OF INSPECTION » The municipal council authorizes the officers of the municipality or any municipal employee appointed by the council and the peace officers to visit and examine between 7 am and 7 pm or beyond Hours for any reasonable cause, any movable or immovable property and the exterior or interior of any house, building or building, to ascertain whether the by-laws are executed therein and thus any owner, lessee or occupant thereof Or buildings, shall receive such persons and answer all questions put to them in connection with the enforcement of this by-law.

PENAL PROVISION

ARTICLE 28 « APPLICATION » The person responsible for the application of this by-law is any officer or municipal employee appointed by the council.

The council also authorizes the peace officers of the Sûreté du Québec to institute criminal proceedings against any offender and to issue statements of offense for any contravention of any of the provisions of this by-law.

ARTICLE 29 « PENALTY » Any person who contravenes a provision of this by-law is guilty of an offense and is liable to the following fines:

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 natural person, And not less than three hundred dollars (\$ 300.00) and not more than one thousand dollars (\$ 1000.00) in the case of a legal person.

A person who commits a second offense under the same provision within 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 In the case of a natural person, not less than five hundred dollars (\$ 500.00) and not more than one thousand five hundred dollars (\$ 1,500.00) if Is a legal person.

A person who commits a subsequent offense under the same provision within 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 natural person, and not less than one thousand dollars (\$ 1,000.00) And not more than two thousand dollars (\$ 2000.00) in the case of a legal person.

ARTICLE 30 « ABROGATION » This by-law repeals and replaces in its entirety and for any purpose that By-Law 2011-002 as well as any previous municipal by-law inconsistent with the provisions of this by-law.

This abrogation shall not be construed as affecting any matter or thing done or to be done under the by-law so abrogated. Any infringement or prosecution under the abrogated By-Law or any By-Law referring to it may be continued in the manner prescribed in those By-Laws.

ARTICLE 31 « ENTRY INTO FORCE » This by-law shall come into force in accordance with the law.

Pamela Lachapelle registers her dissidence.



Mayor

Secretary-treasurer