



REGIONAL COUNTY MUNICIPALITY OF PONTIAC

BY-LAW NUMBER 231-2016

**INTERIM CONTROL BY-LAW
TO DEAL WITH THE DETERMINATION AND
PROTECTION OF THE FLOODPLAINS
ALONG THE OTTAWA AND COULONGE
RIVERS, AND MINIMUM PROTECTION
STANDARDS ARISING FROM THE
PROTECTION POLICY FOR LAKESHORES,
RIVERBANKS, LITTORAL ZONES AND
FLOODPLAINS ADOPTED BY THE
QUEBEC GOVERNMENT**



**Adopted on October 18, 2016
Resolution Number C.M.
2016-10-11**

**Effective on
December 8, 2016**

PREAMBLE

- WHEREAS on April 21, 2002, flooding was observed along the Ottawa River, with significant damage to riverfront property;
- WHEREAS on June 28, 2004, the Council of the Regional County Municipality of Pontiac requested the Quebec Department of Environment to provide the latter with the benchmark levels of floods recurring every twenty years and every one hundred years with respect to the floodplain bordering the Ottawa River (Resolution C.M. 2004-205);
- WHEREAS on January 28, 2005, the Minister of Sustainable Development, the Environment and Parks, Mr. Thomas J. Mulcair, provided the Regional County Municipality of Pontiac with the benchmark levels of floods recurring every twenty years and every one hundred years with respect to the floodplain bordering the Ottawa River;
- WHEREAS the floods observed on April 21, 2002, reached for the most part the benchmark levels of floods recurring every twenty years, as provided by the Minister of Sustainable Development, the Environment and Parks;
- WHEREAS the Minister requested the Regional County Municipality of Pontiac to adopt an interim control by-law to include the benchmark levels of floods recurring every twenty years and every one hundred years, with respect to the floodplain bordering the Ottawa River, as well as the minimum standards included in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, looking specifically at the floodplain aspect, achieving this within 90 days of receiving notice from the Minister, in accordance with Article 53.13 of An Act Respecting Land Use Planning and Development (R.S.Q., c. A-19.1);
- WHEREAS on January 23, 2014, the Minister of Sustainable Development, the Environment, Wildlife, and Parks requested the Regional County Municipality of Pontiac to adopt an interim control by-law to include the benchmark levels of floods recurring every twenty years and every one hundred years, with respect to the floodplain bordering the Coulonge River, as well as the minimum standards included in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, looking specifically at the floodplain aspect, achieving this within 90 days of receiving notice from the Minister, in accordance with Article 53.13 of An Act Respecting Land Use Planning and Development (R.S.Q., c. A-19.1);

THEREFORE, this by-law ORDERS, ADJUDICATES AND ENACTS the following, to wit:

CHAPTER 1 DECLARATORY PROVISIONS

Article 1.1 PREAMBLE

The preamble is an integral part of this by-law.

Article 1.2 TITLE OF BY-LAW

By-law Number 231-2016 is titled: 'An Interim Control By-Law to Deal with the Determination and Protection of the Floodplains along the Ottawa and Coulonge Rivers, and Minimum Protection Standards Arising from the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains Adopted by the Quebec Government'.

Article 1.3 AFFECTED JURISDICTIONS

This by-law applies to all of the following municipalities: Alleyn-Cawood, Bristol, Bryson, Campbell's Bay, Chichester, Clarendon, Fort-Coulonge, Lac-Nilgaut, L'Île-du-Grand-Calumet, L'Isle-aux-Allumettes, Litchfield, Mansfield-Pontefract, Otter Lake, Portage-du-Fort, Rapides-des-Joachims, Shawville, Sheenboro, Thorne, and Waltham.

Article 1.4 REPEALED AND REPLACED BY-LAWS

By-Law Number 117-2006 enacting an Interim Control By-Law to Deal with the Determination and Protection of the Floodplains along the Ottawa River, as well as By-Law Number 122-2006 amending it, are repealed and replaced by this by-law. All other regulatory provisions inconsistent with this by-law are also repealed.

Such replacements do not, however, affect any legal action undertaken under the authority of the regulations hereby replaced, which will continue under the authority of the said replaced regulations until final judgement and execution. In the same way, these replacements do not affect permits and certificates of authorization issued under the authority of the regulations hereby replaced.

Article 1.5 VALIDITY OF BY-LAW

The Council of the Regional County Municipality of Pontiac adopts this by-law in its entirety, including chapter by chapter, article by article, paragraph by paragraph, in such a way that, if any chapter, article, or paragraph is or should be declared null and void by a court, the remaining provisions within this by-law would continue to apply.

Article 1.6 PERSONS AFFECTED BY THIS BY-LAW

This by-law applies equally to individuals and corporations, whether in public or private law.

Article 1.7 PRECEDENCE AND EFFECTS OF THIS BY-LAW

This by-law takes precedence over all other provisions contained in the municipal by-laws or planning by-laws of the municipalities mentioned in Article 1.3 and dealing with the same matters.

No permit or certificate of authorization may be issued with respect to a municipal by-law or planning by-law of any municipality mentioned in Article 1.3, unless it conforms to the provisions laid out in this by-law.

Article 1.8 PURPOSE OF THIS BY-LAW

This by-law aims to insure the natural flow of water in the floodplains, the safety of persons, and the protection of property. It also aims to protect lakeshores, riverbanks, and littoral zones of all lakes and watercourses, and the protection of plants and wildlife, taking the biological characteristics of that environment into account.

In particular, this by-law aims to control or prohibit either all land uses, constructions or works, or only certain uses, taking into account the risks of flooding, in accordance with An Act Respecting Land Use Planning and Development (R.S.Q., c. A-19.1).

Article 1.9 APPENDED MAPS

Maps on the scale of 1:20,000 showing the flood risk areas are appended to this by-law. These maps are for demonstration purposes only and have no legal standing beyond the use for which they have been created. These maps bear the following numbers and titles:

- Map 1: Chats Dam - Chenaux Dam Section (Part A)
- Map 2: Chats Dam - Chenaux Dam Section (Part B)
- Map 3: Grand Calumet Channel Section (Part A) and Rocher Fendu Channel Section (Part A)
- Map 4: Grand Calumet Channel Section (Part B) and Rocher Fendu Channel Section (Part B)
- Map 5: Grand Calumet Channel Section (Part C) and Coulonge Lake Section (Part A)
- Map 6: Allumettes Island Section (Part A) and Culbute Channel Section (Part A)
- Map 7: Allumettes Island Section (Part B) and Culbute Channel Section (Part B)
- Map 8: Allumettes Island – Sheenboro Section
- Map 9: Coulonge River Section (Part A – 31F15-020-0812-S)
- Map 10: Coulonge River Section (Part B – 31F15-020-0912-S)
- Map 11: Coulonge River Section (Part C – 31F15-020-1012-S)
- Map 12: Coulonge River Section (Part D – 31F15-020-1113-S)

CHAPTER 2 INTERPRETIVE PROVISIONS

Article 2.1 INTERPRETATION OF THE TEXT

The titles contained in this by-law are an integral part of the text. In the event of any inconsistency between the actual text and the titles, the text shall prevail. In the event of any inconsistency between the text and a chart, the information given in the chart shall prevail.

The use of the present tense includes the future tense as well. The singular includes the plural and vice-versa unless the meaning clearly indicates otherwise. The masculine gender includes the feminine gender unless the context dictates otherwise.

Article 2.2 MEASUREMENT UNITS

All measurement units in this by-law are expressed under the international unit system, i.e. the Metric System.

Article 2.3 DEFINITIONS

For the purposes of interpreting this by-law, unless the context dictates a different meaning, the following words and expressions have the meaning and significance attributed to them in this article.

Benchmark

A land surveyor's mark used as a reference point in measuring comparative elevations. For the purposes of this by-law, a benchmark is a standard or point of reference giving the land elevation above the mean sea level.

Constructible

A land that is suitable for construction. For the purposes of this by-law, this word means the right to build on a piece of land situated in the low-velocity zone of a floodplain in compliance with Article 4.3 of this by-law.

Ditch

A common ditch, a ditch along a public or private road or a drainage ditch within the meaning of subparagraph 4 of Article 103 of the Municipal Powers Act (chapter C-47.1).

Flood

A significant increase in water flow and, consequently, of the level of a watercourse, a lake or a dam, most frequently as a result of heavy rains or melting snow.

For the purposes of this by-law, floods are measured with respect to their level and frequency. The terms « return period » and « recurrence » are used in this sense. The benchmark levels of floods recurring every 20 years and every 100 years are used to specify the floodplain. These parameters correspond to the flood limits which, in accordance with the rules of probability, have an identifiable risk of occurring within a given period.

Flood that occurs every twenty years (high-velocity zone):

It is likely to occur once in 20 years. On an annual basis, this represents 5 chances out of 100.

Flood that occurs every one hundred years (low-velocity zone):

It is likely to occur once in 100 years. On an annual basis, this represents 1 chance out of 100.

Floodplain

An area occupied by a lake or watercourse during flood periods. For the purposes of this by-law, the floodplain corresponds to the geographic extent of the flood area whose limits have been identified using the 20-year and 100-year flood elevations, as referred to in this by-law. The floodplain includes two zones:

High-velocity zone:

This zone corresponds to the part of the floodplain that may be flooded during a 20-year flood event.

Low-velocity zone:

This zone corresponds to the part of the floodplain beyond the high-velocity zone that may be flooded during a 100-year flood event.

For the purposes of this by-law, the floodplain also includes the littoral of lakes and watercourses.

Flood-proofing

A set of measures intended to protect constructions and works against the risks of flooding.

Flood risk area

A part of the territory, illustrated on the maps appended to this by-law, in which safeguards apply once the extent of the floodplain is established, based on the flood levels provided in Articles 5.3, 5.4, and 5.5 of this by-law. For the purposes of this by-law, the extent of the flood risk area corresponds to a land elevation higher than that of floods recurring every one hundred years.

Geodetic coordinates

Coordinates giving the position of a point in space by means of the geographic coordinates and altitude, compared to the terrestrial reference ellipsoid.

High-water mark

For the purposes of this by-law, high-water mark refers to the line which marks the limit of the littoral zone and the shoreline or riverbank.

The high-water mark corresponds to the natural high-water mark, namely:

a) the point where predominantly terrestrial plants succeed predominantly aquatic plants, or where there are no aquatic plants, the point closest to the water where terrestrial plants no longer grow.

Plants considered to be aquatic plants are all hydrophytes, including submergents, floating plants, emergents and emerged herbaceous and woody plants characteristic of open marshes and swamps.

b) where a water retaining structure exists, the maximum operating water level of the hydraulic structure for the upstream portion of the body of water;

c) where there is a legally erected retaining wall, the top of the structure;

If the high-water mark cannot be determined using the above criteria, it may be sited as follows:

d) where the information is available, the 2-year flood limit, considered to correspond to the mark established according to the botanical criteria defined in paragraph a.

Lakeshore and riverbank

For the purposes of this by-law, lakeshore or riverbank refers to a strip of land bordering a lake or watercourse and extending inland from the high-water mark. The width of the shore or bank to be protected is measured horizontally.

The lakeshore or riverbank is at least 10 m wide where:

- the slope is less than 30%; or
- the slope is greater than 30% with a bank less than 5 m high.

The lakeshore or riverbank is at least 15 m wide where:

- the slope is continuous and greater than 30%; or
- the slope is greater than 30% with a bank over 5 m high.

The Sustainable Forest Development Act (chapter A-18.1) and the regulatory provisions concerning forest management standards that apply to forests in the domain of the State also contain special protection measures for lakeshores and riverbanks.

Land elevation

Value indicating the degree of elevation of a portion of land above the mean sea level.

Littoral zone

For the purposes of this by-law, littoral zone refers to the part of a lake or watercourse that extends from the high-water mark to the centre of the body of water.

Sanitation cutting

Sanitation cutting consists in the cutting or harvesting of deficient, defective, dying, damaged or dead trees in a stand.

Topographic map

An even, precise and detailed representation of a parcel of land. For the purposes of this by-law, the topographic map is the result of a topographical survey and shows, among other things, property limits, land elevations, gradients and ground undulations.

Watercourse

This by-law applies to all watercourses. They include:

a) any mass of water running along a bed in a regular or intermittent flow, including a

bed created or altered by human intervention, except a ditch as defined in this article;

b) in a forest in the domain of the State, a watercourse as defined by the Regulation respecting standards of forest management for forests in the domain of the State (chapter A-18.1, r. 7).

CHAPTER 3 ADMINISTRATIVE PROVISIONS

Article 3.1 APPLICATION OF THIS BY-LAW

Article 3.1.1 Designated officer

The enforcement of this by-law is carried out by the designated officer responsible for granting permits and certificates of authorization, or his assistants, in each of the municipalities mentioned in Article 1.3 of this by-law.

Article 3.1.2 Powers and duties of the designated officer

The designated officer referred to in Article 3.1.1 is responsible for enforcing the provisions of this by-law within the territory over which he has jurisdiction. He looks after administrative matters and deals with requests for permits and certificates of authorization. He also carries out on-site inspections. More specifically, the designated officer is responsible for the enforcement of this by-law and, therefore, he must:

- a) Issue, or refuse to issue, permits and certificates of authorization required under this by-law within the territory over which he has jurisdiction;
- b) Maintain a registry of permits and certificates of authorization issued, or officially denied, under the authority of this by-law, as well as the reasons for refusing to issue a given permit or certificate of authorization;
- c) Maintain an up-to-date file on each request for a permit or certificate of authorization;
- d) Provide a written report to his municipal council on all violations of this by-law and make recommendations to address the situation; following the decision made by the municipal council, issue an official statement to persons in violation of this by-law;
- e) Warn the owner or occupant to cease all works that violate this by-law;
- f) Warn the owner or occupant to take any necessary corrective steps to ensure that all works are in conformity with this by-law;
- g) In the case of a repeated violation, demand that the individual immediately cease the prohibited activity within the territory over which the officer has jurisdiction, as prescribed in this by-law, and inform him that the fact of having violated the by-law leaves him open to penalties for each day that he continues to violate this by-law, and this, on top of any civil actions provided for in the Law.

Article 3.1.3 Right of visit

In the exercise of his duties, the designated officer has the right to visit and examine, between seven (7) a.m. and seven (7) p.m., all moveable or immovable properties to determine whether the provisions of this by-law are being respected. Owners, tenants or their representatives must allow the designated officer to visit the property and respond to all the questions he may raise with regard to the enforcement of this by-law. The designated officer may be accompanied by an expert in order to verify the conformity with this by-law.

Article 3.2 ISSUE OF PERMITS AND CERTIFICATES OF AUTHORIZATION

Article 3.2.1 Obligation to obtain a permit or certificate of authorization

A permit is required by all persons wishing to build, transform, repair, renovate, or extend a building or other type of construction, install a prefab building, add a foundation, or undertake excavation work in order to erect a building or other type of construction.

A certificate of authorization relating to the intended use of the building or construction is mandatory for all persons planning to establish a particular use, or wanting to modify the intended use of a building or any other type of real estate.

The designated officer is authorized, for and in the name of the Regional County Municipality of Pontiac, to issue the permits and certificates of authorization required under this by-law.

No other authorization by the Regional County Municipality of Pontiac is required for the designated officer to issue the permits and certificates of authorization required under this by-law.

Article 3.2.2 Follow-up of the requests for permits or certificates of authorization

The designated officer shall issue the permit or certificate of authorization within a maximum of thirty (30) working days from the date the request is made, provided the request is in conformity with this by-law.

If the request is not in conformity with this by-law, he must state the reason for refusal, in writing, within the same thirty (30) day period.

Article 3.2.3 Validity of permits or certificates of authorization

All permits and certificates of authorization are valid for a period of twelve (12) months following the date of issue. If the permit or certificate of authorization expires, the holder must obtain a new permit or certificate of authorization.

Article 3.2.4 Fee for obtaining a permit or certificate of authorization

The fee for obtaining a permit or certificate of authorization, related to the enforcement of this by-law, is the fee currently in effect in each of the municipalities mentioned in Article 1.3 of this by-law.

CHAPTER 4 PROVISIONS RELATING TO THE PROTECTION OF THE FLOODPLAINS

Article 4.1 PRIOR AUTHORIZATION FOR ACTIVITIES IN FLOODPLAINS

All structures, undertakings and works that are liable to alter the water regime, interfere with the free flow of water during flood periods, disturb plant or wildlife habitats or threaten the safety of persons or property, are subject to prior authorization. The pre-verification must be performed as part of the process, when permits or other forms of authorization are issued, by the municipalities mentioned in Article 1.3 or by the government or its departments or bodies, according to their respective jurisdictions.

The authorizations granted by the municipalities mentioned in Article 1.3 and by the government authorities must take into account the scope for action allowed by the measures relating to floodplains, protect the integrity of the environment and ensure that the free flow of water is maintained.

Structures, undertakings and works connected with forest management activities and subject to the Sustainable Forest Development Act (R.S.Q., c. A-18.1) and its pursuant regulations, as well as agricultural activities that do not require filling or the removal of fill, are not subject to the prior authorization of municipalities mentioned in Article 1.3.

Article 4.2 MEASURES RELATING TO THE HIGH-VELOCITY ZONE OF FLOODPLAINS

All structures, undertakings and works are prohibited in the high-velocity zone of a floodplain, subject to the measures provided for in Articles 4.2.1 and 4.2.2 of this by-law.

Article 4.2.1 Permitted structures, undertakings and works

Notwithstanding the above, the following structures, undertakings and works may be allowed in the high-velocity zone of floodplains, provided they are consistent with the protection measures applicable to lakeshores, riverbanks and littoral zones:

- a) Works to maintain land in good condition, to maintain, repair, modernize or demolish existing structures and undertakings, provided the flood-prone area of land does not increase as a result of the works ; however, when work is carried out to modernize or reconstruct infrastructures associated with a public thoroughfare, the flood-prone area of the undertaking may be increased by 25 % for public safety reasons or to bring the infrastructure into conformity with applicable standards ; in all cases, major work on a structure or undertaking shall entail flood-proofing the entire structure or undertaking;
- b) works, structures or undertakings for public access purposes or for municipal, industrial, commercial or public purposes that are essential to port activities, navigation or shipbuilding, in particular, wharves, breakwaters, canals, locks and fixed navigation aids and their equipment and accessories; appropriate flood-proofing measures should be applied to any part of an undertaking situated below the flood level of the 100-year flood elevation;
- c) Linear, underground public utility facilities such as pipelines, power lines, telephone lines, aqueducts and sewers that have no service entrance for structures and undertakings situated in the high-velocity zone;

- d) Construction of underground aqueduct or sewer systems in built-up areas not supplied by services in order to supply the structures and undertakings existing on the date of coming into force of this by-law for the Coulonge River and on March 14, 2006 for the Ottawa River;
- e) Septic installations for existing structures or undertakings; the planned installation must be in conformity with the regulation concerning waste water disposal systems for isolated dwellings made under the Environment Quality Act (R.S.Q., c. Q-2);
- f) alteration or replacement, for the same use, of an existing water withdrawal facility, as well as the installation of a surface water withdrawal facility below ground level, in accordance with the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);
- g) An open-air undertaking, other than a golf course, intended for recreation purposes and that does not require filling or the removal of fill;
- h) Reconstruction of an undertaking or structure destroyed by a disaster other than a flood; all reconstructed undertakings and structures shall be flood-proofed in conformity with the requirements of Article 4.4 of this by-law;
- i) Development of wildlife habitats that does not require filling and development of wildlife habitats that requires filling, but in the latter case, only if an authorization must be obtained under the Environment Quality Act (R.S.Q., c. Q-2);
- j) Agricultural land drainage works;
- k) Forest management activities that do not require filling or the removal of fill, and that are subject to the Sustainable Forest Development Act (R.S.Q., c. A-18.1) and its pursuant regulations;
- l) Agricultural activities that do not require filling or the removal of fill.

Article 4.2.2 Structures, undertakings and works eligible for an exemption

Certain structures, undertakings and works may also be permitted if they are consistent with other protection measures applicable to lakeshores, riverbanks and littoral zones, and if they have been exempted pursuant to the provisions of an Act respecting Land Use Planning and Development (R.S.Q., c. A-19.1). The following structures, undertakings and works are eligible for an exemption:

- a) Any project to widen, raise, or create an entrance or exit, bypass or to realign along their present axis existing thoroughfares including railroads;
- b) Thoroughfares crossing bodies of water and their access roads;
- c) Any project to construct new aboveground public utilities such as pipelines, power lines, telephone lines, and infrastructures connected with aqueducts and sewers, with the exception of new thoroughfares;
- d) the installation of a groundwater withdrawal facility in accordance with the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);
- e) the installation of a surface water withdrawal facility below ground level in accordance with the Water Withdrawal and Protection Regulation;

- f) Waste water treatment plants;
- g) Flood protection works undertaken by governments or government departments or bodies, or by municipalities, to protect areas already built-up, and special flood prevention undertakings designed to protect existing structures and undertakings used for public, municipal, industrial, commercial, agricultural or public access purposes;
- h) Flood prevention works designed to protect zones bounded by land having an elevation higher than the 100-year flood elevation and that are flooded only by the backing up of aqueducts or sewers;
- i) any undertaking:
 - to expand an agricultural, industrial, commercial or public facility;
 - to enlarge a structure and its dependencies without changing the zoning typology;
- j) Commercial fishing and aquaculture facilities;
- k) Development of land for recreational purposes or for agricultural or forest management activities that requires filling or the removal of fill, involving undertakings such as roads, footpaths and bicycle paths; flood protection undertakings and golf courses are not eligible for an exemption;
- l) Development of wildlife habitats that requires filling, and for which an authorization does not need to be obtained under the Environment Quality Act (R.S.Q., c. Q-2);
- m) Dams used for municipal, industrial, commercial or public purposes, for which an authorization is obtained under the Environment Quality Act (R.S.Q., c. Q-2).

Article 4.3 MEASURES RELATING TO THE LOW-VELOCITY ZONE OF FLOODPLAINS

The following are prohibited in the low-velocity zone of a floodplain:

- a) All structures and undertakings which are not flood-proofed, in compliance with Article 4.4 of this by-law;
- b) Filling works other than works required to flood-proof authorized structures and undertakings.

Article 4.4 FLOOD-PROOFING MEASURES APPLICABLE TO STRUCTURES, UNDERTAKINGS AND WORKS IN FLOODPLAINS

Authorized structures, undertakings and works must comply with the following flood-proofing standards, adapted to the specific context of the infrastructure concerned:

- a) No opening (window, base window, door, garage, etc.) may be lower than the 100-year flood elevation;
- b) No ground floor is allowed at a level that is lower than the level of the 100-year flood elevation;

- c) No cement block foundation (or its equivalent) may be reached by the 100-year flood elevation;
- d) Drains must be equipped with check valves;
- e) For any structure or part of a structure built below the 100-year flood elevation, a study made by an engineer member in good standing of the Quebec Order of Engineers must show the structure's resistance to flooding, including the calculations relating to:
 - Waterproofing;
 - Structural stability;
 - Any necessary reinforcement;
 - Seepage water pumping capacity;
 - Resistance of the concrete to compression and tension.
- f) The filling of land must be restricted to protecting the area immediately around the structure or undertaking concerned and not be extended to the entire landsite:
 - Filling of land can be carried out on a maximum surface of 75 square metres in order to clear entrance-ways and access roads to properties, without blocking the free flow of water;
 - Filling of land can only be allowed around the foundation of a building whose width, measured from the foundation, does not exceed twice the height of the building, as measured from the base of the foundation;
 - The top of the filling of land must remain below the 100-year flood elevation;
 - Filling of land must be levelled in such a way as to prevent, after compacting, any water flowing back to the foundation;
 - The average slope downward from the top of the fill next to the protected structure or undertaking must not be less than 33 $\frac{1}{3}$ % (vertical to horizontal ratio of 1: 3);
 - No filling of land is allowed on the lakeshore or riverbank.

**CHAPTER 5 DETERMINATION OF FLOOD LEVELS IN RELATION TO THE
EXTENT OF THE FLOODPLAINS ALONG THE OTTAWA AND
COULONGE RIVERS**

Article 5.1 DELIMITATION OF THE FLOOD RISK AREAS

The flood risk areas are identified on the maps of Article 1.9 of this by-law. However, these maps are only provided for information purposes. Thus, benchmark levels take precedence over the maps in the enforcement of this by-law.

**Article 5.2 SPECIAL MEASURES TO BE TAKEN WHEN A REQUEST IS
MADE FOR A PERMIT OR A CERTIFICATE OF AUTHORIZATION
IN A FLOOD RISK AREA**

Anyone who wishes to introduce a new usage, a new construction, a new work, or to undertake works in a flood risk area must submit to the municipality mentioned in Article 1.3, at the time one request a permit or a certificate of authorization, a topographic map or a letter indicating the land elevations on the site where the projected usage, construction or work is to be implemented on the property. In the instance of a letter, the position of the land elevations must refer to geodetic coordinates. The topographic map or the letter must be drafted by a land surveyor in good standing with the Quebec Order of Land Surveyors. The land elevations indicated on the topographic map or the letter must then be compared with the flood levels for the river section concerned, as shown in Articles 5.3, 5.4, and 5.5 of this by-law, in order to determine the extent of the floodplain.

**Article 5.2.1 Land elevations equal to or less than the comparable flood level
for a high-velocity zone**

When the land elevations indicated on the topographic map or the letter are equal to or less than the comparable flood level for a high-velocity zone, the provisions in Article 4.2 of this by-law do apply.

**Article 5.2.2 Land elevations included between the comparable flood level for
a high-velocity zone and the comparable flood level for a low-
velocity zone**

When the land elevations indicated on the topographic map or the letter are included between the comparable flood level for a high-velocity zone and the comparable flood level for a low-velocity zone, the provisions in Article 4.3 of this by-law do apply.

**Article 5.2.3 Land elevations equal to or greater than the comparable flood
level for a low-velocity zone**

When the land elevations indicated on the topographic map or the letter are equal to or greater than the comparable flood level for a low-velocity zone, the provisions in the planning by-laws of the municipality mentioned in Article 1.3 of this by-law do apply.

Article 5.3 BENCHMARK LEVELS OF FLOODS RECURRING EVERY TWENTY YEARS AND EVERY ONE HUNDRED YEARS ON SECTIONS OF THE OTTAWA RIVER BORDERING THE TERRITORY OF ALL MUNICIPALITIES BETWEEN BRISTOL AND WALTHAM (PORTION)

Benchmark levels of floods recurring every twenty years and every one hundred years on sections of the Ottawa River bordering the territory of the municipalities of Bristol, Bryson, Campbell's Bay, Clarendon, Fort-Coulonge, L'Île-du-Grand-Calumet, Litchfield, Mansfield-Pontefract, Portage-du-Fort, and Waltham (portion) are provided by the *Centre d'expertise hydrique du Québec*. For the purposes of this by-law, the provisions in Article 4.2 apply to high-velocity zones and those in Article 4.3 apply to low-velocity zones.

Municipality	Location	Distance from the last benchmark level (km)	Distance from the mouth of the river (km)	Benchmark levels for high-velocity zones Elevation (m)	Benchmark levels for low-velocity zones Elevation (m)	
CHATS DAM – CHENAUX DAM SECTION						
Bristol	Mulligan Island	0,36	176,00	74,42	74,48	
		1,00	177,00	74,99	75,21	
		1,00	178,00	75,56	75,94	
	Chats Rapids (downstream)	0,14	178,14	75,64	76,04	
		0,86	179,00	75,64	76,04	
		1,00	180,00	75,64	76,04	
		1,00	181,00	75,64	76,04	
		1,00	182,00	75,64	76,04	
		Chats Bay (Pontiac Station)	0,69	182,69	75,64	76,04
			0,31	183,00	75,64	76,04
			1,00	184,00	75,64	76,04
			1,00	185,00	75,64	76,04
			1,00	186,00	75,64	76,04
		1,00	187,00	75,64	76,04	
		1,00	188,00	75,64	76,04	
		1,00	189,00	75,64	76,04	
		1,00	190,00	75,64	76,04	
		1,00	191,00	75,64	76,04	
	Norway Bay dock	1,00	192,00	75,64	76,04	
		1,00	193,00	75,64	76,04	
		1,00	194,00	75,64	76,04	
		0,73	194,73	75,64	76,04	
		0,27	195,00	75,64	76,04	
		1,00	196,00	75,64	76,04	
		1,00	197,00	75,64	76,04	
		1,00	198,00	75,64	76,04	
		1,00	199,00	75,64	76,04	
1,00		200,00	75,64	76,04		
	1,00	201,00	75,64	76,04		
	1,00	202,00	75,64	76,04		
	1,00	203,00	75,64	76,04		
Clarendon	Sand Bay (Sand Bay Road)	0,59	203,59	75,64	76,04	
		0,41	204,00	75,72	76,12	
	1,00	205,00	75,90	76,30		
	1,00	206,00	76,08	76,48		
	1,00	207,00	76,26	76,66		
	1,00	208,00	76,45	76,85		
	1,00	209,00	76,63	77,03		
	1,00	210,00	76,81	77,21		
	1,00	211,00	76,99	77,39		
	1,00	212,00	77,18	77,58		
	1,00	213,00	77,36	77,76		
	1,00	214,00	77,54	77,94		
	1,00	215,00	77,72	78,12		
Portage-du-Fort	Chenaux Dam (downstream)	0,19	215,19	77,76	78,16	
GRAND CALUMET CHANNEL SECTION (eastern arm)						
Portage-du-Fort	Chenaux Dam (upstream)	0,06	215,25	86,87	86,87	
		0,75	216,00	86,87	86,89	
		1,00	217,00	86,87	86,92	
		1,00	218,00	86,88	86,95	

GRAND CALUMET CHANNEL SECTION (eastern arm) (continued)					
		1,00	219,00	86,88	86,98
		1,00	220,00	86,88	87,01
		1,00	221,00	86,88	87,04
		1,00	222,00	86,88	87,07
Grand Calumet Island	Intersection of eastern and western arms (downstream)	0,09	222,09	86,88	87,07
	Sable Rapids (downstream)	0,86	222,95	86,98	87,25
		0,05	223,00	87,03	87,30
		1,00	224,00	87,89	88,16
		1,00	225,00	88,74	89,01
		1,00	226,00	89,60	89,87
		1,00	227,00	90,46	90,73
Bryson	Calumet Street (east-west)	0,13	227,13	90,57	90,84
	Bryson Dam (downstream)	0,30	227,43	90,83	91,10
	Bryson Dam (upstream)	0,02	227,45	105,85	105,85
		0,55	228,00	106,16	106,23
		1,00	229,00	106,71	106,92
	800, Albert Street	0,64	229,64	107,07	107,36
		0,36	230,00	107,07	107,36
	Mgr. Martel Bridge (upstream)	0,28	230,28	107,07	107,36
Litchfield		0,72	231,00	107,11	107,39
		1,00	232,00	107,17	107,45
		1,00	233,00	107,23	107,51
		1,00	234,00	107,29	107,57
		1,00	235,00	107,35	107,63
Campbell's Bay	15 Second Street	0,92	235,92	107,40	107,69
		0,08	236,00	107,40	107,69
		1,00	237,00	107,46	107,75
		1,00	238,00	107,52	107,81
		1,00	239,00	107,58	107,87
		1,00	240,00	107,64	107,93
		1,00	241,00	107,70	107,98
		1,00	242,00	107,76	108,04
		1,00	243,00	107,82	108,10
		1,00	244,00	107,87	108,16
		1,00	245,00	107,93	108,22
		1,00	246,00	107,99	108,26
Grand Calumet Island	Joseph Lemaire Road	0,84	246,84	108,04	108,33
		0,16	247,00	108,05	108,34
		1,00	248,00	108,09	108,38
		1,00	249,00	108,13	108,42
		1,00	250,00	108,17	108,46
		1,00	251,00	108,21	108,50
		1,00	252,00	108,25	108,54
		0,20	252,20	108,26	108,55
		0,80	253,00	108,31	108,60
		1,00	254,00	108,37	108,66
		1,00	255,00	108,43	108,72
		1,00	256,00	108,49	108,78
GRAND CALUMET ISLAND – WALTHAM SECTION					
Mansfield-Pontefract	Inters. eastern and western arms (upstream)	0,42	256,42	108,52	108,81
		0,58	257,00	108,55	108,84
	La Passe Road	0,52	257,52	108,58	108,87
		0,48	258,00	108,61	108,90
		1,00	259,00	108,67	108,96
		1,00	260,00	108,73	109,02
		1,00	261,00	108,79	109,08
	Frost Island	0,29	261,29	108,84	109,16
		0,71	262,00	108,86	109,15
		1,00	263,00	108,94	109,23
		1,00	264,00	109,01	109,30
	Thomas Lefebvre Road	0,43	264,43	109,01	109,33
		0,57	265,00	109,04	109,33
		1,00	266,00	109,05	109,34
		1,00	267,00	109,05	109,34
	Esprit Road	0,06	267,06	109,05	109,34
		0,94	268,00	109,06	109,35
		1,00	269,00	109,07	109,36
	521 Route 148	0,86	269,86	109,07	109,36
		0,14	270,00	109,07	109,36
		1,00	271,00	109,07	109,36
		1,00	272,00	109,07	109,36
		1,00	273,00	109,07	109,36
	619 Route 148	0,04	273,04	109,07	109,36
		0,96	274,00	109,09	109,38
		1,00	275,00	109,11	109,40

GRAND CALUMET ISLAND – WALTHAM SECTION (continued)					
		1,00	276,00	109,12	109,41
		1,00	277,00	109,14	109,43
		1,00	278,00	109,18	109,45
Waltham	Ferry Road	0,96	278,96	109,18	109,50
ROCHER FENDU CHANNEL SECTION (western arm)					
Portage-du-Fort	Chenau Dam (upstream)	0,06	215,25	86,87	86,87
		0,75	216,00	86,87	96,89
		1,00	217,00	86,87	86,92
		1,00	218,00	86,87	86,95
		1,00	219,00	86,88	86,98
		1,00	220,00	86,88	87,01
		1,00	221,00	86,88	87,04
		1,00	222,00	86,88	87,07
Grand Calumet Island	Inters. of eastern and western arms (downstream)	0,09	222,09	86,88	87,07
		0,91	223,00	86,88	87,08
		1,00	224,00	86,88	87,09
		1,00	225,00	86,88	87,11
	Broome Road, Ontario	0,40	225,40	86,88	87,11
		0,60	226,00	86,89	87,12
		1,00	227,00	86,89	87,13
		1,00	228,00	86,89	87,15
		1,00	229,00	86,89	87,16
	Downstream of the rapids	0,14	229,14	86,89	87,16
		0,86	230,00	88,67	88,94
		1,00	231,00	90,76	91,03
		1,00	232,00	92,84	93,11
		1,00	233,00	94,92	95,19
		1,00	234,00	97,00	97,27
		1,00	235,00	99,09	99,36
		1,00	236,00	101,17	101,44
		1,00	237,00	103,25	103,52
		1,00	238,00	105,33	105,60
		0,47	238,47	106,32	106,59
		0,53	239,00	107,07	107,36
	Rocher Fendu Dam (downstream)	0,87	239,87	108,32	108,64
		0,13	240,00	108,32	108,64
	Rocher Fendu Dam (upstream)	0,16	240,16	108,35	108,67
		0,84	241,00	108,35	108,67
		1,00	242,00	108,39	108,71
		1,00	243,00	108,42	108,74
		1,00	244,00	108,45	108,77
	Windy Island Trail, Ontario	0,41	244,41	108,46	108,78
		0,59	245,00	108,48	108,79
		1,00	246,00	108,51	108,81
Mansfield-Pontefract	Inters. eastern and western arms (upstream)	0,26	246,26	108,52	108,81

Article 5.4 BENCHMARK LEVELS OF FLOODS RECURRING EVERY TWENTY YEARS AND EVERY ONE HUNDRED YEARS ON SECTIONS OF THE OTTAWA RIVER BORDERING THE TERRITORY OF THE MUNICIPALITIES OF ALLUMETTES ISLAND, CHICHESTER, SHEENBORO, AND WALTHAM (PORTION)

Benchmark levels of floods recurring every twenty years and every one hundred years on sections of the Ottawa River bordering the territory of the municipalities of Chichester, L'Isle-aux-Allumettes, Sheenboro, and Waltham (portion) are contained in a report produced by the Regional County Municipality of Pontiac in 1998, assessing the extent of the floodplains along the Ottawa River. For the purposes of this by-law, the provisions in Article 4.2 apply to high-velocity zones and those in Article 4.3 apply to low-velocity zones.

Municipality	Location	Distance from the last benchmark level (km)	Distance from the mouth of the river (km)	Benchmark levels for high-velocity zones Elevation (m)	Benchmark levels for low-velocity zones Elevation (m)
CULBUTE CHANNEL SECTION (eastern arm)					
Waltham	Ferry Road	0,96	278,96	109,18	109,50
	Route 148 Bridge	0,82	279,88	109,18	109,50
	American Point	1,00	280,88	109,18	109,50
	Black River	0,10	280,98	109,18	109,50
	Libby Point	1,00	281,98	109,18	109,50
		1,00	282,98	109,18	109,50
		1,00	283,98	109,18	109,50
	Oscar Béchamp Island	1,00	284,98	109,18	109,50
Allumettes Island	Indian Point (downstream)	1,00	285,98	109,18	109,50
		1,00	286,98	109,18	109,50
		1,00	287,98	109,18	109,50
		1,00	288,98	109,18	109,50
		1,00	289,98	109,18	109,50
		1,00	290,98	109,18	109,50
		0,10	291,08	109,18	109,50
Chichester	John Park Island (upstream)	0,81	291,89	109,18	109,50
Allumettes Island	Chapeau Rapids (upstream)	1,00	292,89	109,46	109,93
		1,00	293,89	109,46	109,93
		1,00	294,89	109,46	109,93
		1,00	295,89	109,46	109,93
Chichester	Chichester Point	1,00	296,89	109,46	109,93
		1,00	297,89	109,46	109,93
	Henry Island	1,00	298,89	109,46	109,93
		1,00	299,89	109,46	109,93
		0,22	300,11	109,46	109,93
	Culbute Rapids (downstream)	1,00	301,11	113,27	113,53
		1,00	302,11	113,27	113,53
		1,00	303,11	113,27	113,53
		1,00	304,11	113,27	113,53
Allumettes Island	Head of Allumettes Island	1,00	305,11	113,27	113,53
		1,00	306,11	113,27	113,53
	Border with Ontario	0,57	306,68	113,27	113,53
WALTHAM – HEAD OF ALLUMETTES ISLAND SECTION (western arm)					
Waltham	Ferry Road	0,96	278,96	109,18	109,50
Allumettes Island	Paquette Rapids (downstream)	1,00	279,96	109,18	109,50
		1,00	280,96	111,07	111,60
	Fitzpatrick Island (upstream)	1,00	281,96	111,07	111,60
		1,00	282,96	111,07	111,60
		1,00	283,96	111,07	111,60
	Marcotte Island (upstream)	1,00	284,96	111,07	111,60
	Hog Island, Ontario (downstream)	1,00	285,96	111,07	111,60
		1,00	286,96	111,07	111,60
		1,00	287,96	111,07	111,60
		1,00	288,96	111,07	111,60
		1,00	288,96	111,07	111,60
		1,00	289,96	111,07	111,60
	Kelly Point	1,00	290,96	111,07	111,60
	Ryan's Bay	1,00	291,96	111,07	111,60
		1,00	292,96	111,07	111,60
		1,00	293,96	111,07	111,60
		1,00	294,96	111,07	111,60
		1,00	295,96	111,07	111,60
		1,00	296,96	111,07	111,60
		1,00	297,96	111,07	111,60
		1,00	298,96	111,07	111,60
		1,00	299,96	111,07	111,60
		0,55	300,51	111,07	111,60
		0,80	301,31	113,27	113,53
	Allumettes Bridge	1,00	302,31	113,27	113,53
		1,00	303,31	113,27	113,53
		1,00	304,31	113,27	113,53
	Roys' Bay	1,00	305,31	113,27	113,53
		1,00	306,31	113,27	113,53
		1,00	307,31	113,27	113,53
	Kelly Point	1,00	308,31	113,27	113,53
	Sikorski Road	1,00	309,31	113,27	113,53
		1,00	310,31	113,27	113,53
	Murphy Point	1,00	311,31	113,27	113,53
		1,00	312,31	113,27	113,53

WALTHAM – HEAD OF ALLUMETTES ISLAND SECTION (western arm) (continued)					
		1,00	313,31	113,27	113,53
		1,00	314,31	113,27	113,53
		1,00	315,31	113,27	113,53
	Leblanc Island	1,00	316,31	113,27	113,53
	D'Arcy Island	1,00	317,31	113,27	113,53
		1,00	318,31	113,27	113,53
	Gagnon Island	1,00	319,31	113,27	113,53
		1,00	320,31	113,27	113,53
		0,75	321,06	113,27	113,53
		1,00	322,06	113,27	113,53
	Inters. eastern and western arms (upstream)	1,00	323,06	113,27	113,53
ALLUMETTES ISLAND – SHEENBORO SECTION					
Sheenboro		1,00	324,06	113,27	113,53
	Lorelei Island	1,00	325,06	113,27	113,53
		1,00	326,06	113,27	113,53
		1,00	327,06	113,27	113,53
	Fort William	1,00	328,06	113,27	113,53
		1,00	329,06	113,27	113,53
		1,00	330,06	113,27	113,53
		1,00	331,06	113,27	113,53
		1,00	332,06	113,27	113,53
		1,00	333,06	113,27	113,53
	Mackey Point	1,00	334,06	113,27	113,53

Article 5.5 BENCHMARK LEVELS OF FLOODS RECURRING EVERY TWENTY YEARS AND EVERY ONE HUNDRED YEARS ON THE SECTION OF THE COULONGE RIVER LOCATED BETWEEN THE ROUTE 148 BRIDGE (WHITE BRIDGE) AND THE COULONGE WATERFALLS ON THE TERRITORY OF THE MUNICIPALITY OF MANSFIELD-PONTEFRACT

Benchmark levels of floods recurring every twenty years and every one hundred years on the section of the Coulonge River located between the Route 148 Bridge (White Bridge) and the Coulonge waterfalls on the territory of the municipality of Mansfield-Pontefract are provided by the *Centre d'expertise hydrique du Québec*. For the purposes of this by-law, the provisions in Article 4.2 apply to high-velocity zones and those in Article 4.3 apply to low-velocity zones.

Municipality	Location	Distance from the last benchmark level (m)	Cumulated distance (m)	Benchmark levels for high-velocity zones	Benchmark levels for low-velocity zones
				Elevation (m)	Elevation (m)
WHITE BRIDGE – COULONGE WATERFALLS SECTION					
Mansfield-Pontefract	0,9 (Section downstream)	0,0	0,0	109,84	110,35
	0,95 (White Bridge (Route 148))	---	---	---	---
	1	11,9	11,9	109,85	110,37
	2	652,7	664,6	109,99	110,51
	3	516,9	1181,5	110,10	110,64
	4	422,8	1604,3	110,17	110,72
	5	599,7	2204,0	110,27	110,83
	6	325,6	2529,6	110,38	110,95
	7	462,3	2991,9	110,45	111,02
	8	902,9	3894,8	110,60	111,19
	9	662,5	4557,3	110,73	111,37
	10	464,0	5021,3	110,85	111,44
	11	779,8	5801,1	111,03	111,62
	12	104,6	5905,7	111,06	111,65
	13	240,5	6146,2	111,13	111,73
	14	265,7	6411,9	111,25	111,85
	15	222,4	6634,3	111,37	112,00
	16	382,7	7017,0	111,46	112,10
	17	386,4	7403,4	111,54	112,18
	17,1	100,6	7504,0	111,55	112,20
	17,2	100,6	7604,6	111,58	112,22
	17,3	100,6	7705,2	111,61	112,25
	18 (Section upstream)	100,6	7805,8	111,67	112,30

**CHAPTER 6 PROVISIONS REGARDING THE PROTECTION OF LAKESHORES,
RIVERBANKS AND LITTORAL ZONES**

**Article 6.1 PRIOR AUTHORIZATION FOR ACTIVITIES ON LAKESHORES
AND RIVERBANKS AND IN LITTORAL ZONES**

All structures, undertakings and works that are liable to destroy or alter the vegetation cover of a lakeshore or riverbank, expose the soil or affect the stability of the lakeshore or riverbank or encroach on the littoral zone are subject to prior authorization. The pre-verification should be performed as part of the process when permits or other forms of authorization are issued by municipal authorities, the Government or its departments or bodies, according to their respective jurisdictions. The authorizations granted by municipal and government authorities are to take into account the scope for action allowed by the measures relating to lakeshores and riverbanks and those relating to littoral zones.

Structures, undertakings and works connected with forest management activities and subject to the Sustainable Forest Development Act (chapter A-18.1) and its regulations are not subject to the prior authorization of municipalities.

Article 6.2 MEASURES RELATING TO LAKESHORES AND RIVERBANKS

All structures, undertakings and works are prohibited on lakeshores and riverbanks. The following structures, undertakings and works may be permitted provided they are consistent with other protection measures recommended for floodplains:

- a) the maintenance, repair and demolition of existing structures and undertakings used for purposes other than municipal, commercial, industrial, public or public access purposes;
- b) structures, undertakings and works for municipal, commercial, industrial, public or public access purposes, including their maintenance, repair and demolition, if an authorization must be obtained under the Environment Quality Act (chapter Q-2);
- c) the construction or enlargement of a main building for purposes other than municipal, commercial, industrial, public or public access purposes, provided that:

— the size of the lot does not allow for the construction or enlargement of the main building once the buffer strip has been established, and the construction or enlargement cannot reasonably take place elsewhere on the land;

— the lot was subdivided before the coming into force of the first applicable municipal by-law that prohibits construction on the lakeshore or riverbank;

— the lot is not located in a high-risk erosion or landslide area identified in the land use planning and development plan;

— a buffer strip of a minimum of 5 m is maintained in its current state, or preferably returned to its former natural state;

- d) the construction or erection of a subordinate structure or an appurtenance such as a garage, shed or pool is possible on the part of a lakeshore or riverbank that is no longer in its natural state, provided that:

— the size of the lot does not allow for the construction or erection of the subordinate structure or appurtenance once the buffer strip has been established;

— the lot was subdivided before the coming into force of the first applicable municipal by-law that prohibits construction on the lakeshore or riverbank;

— a buffer strip of a minimum of 5 m is maintained in its current state, or preferably returned to its former natural state;

— the subordinate structure or appurtenance is sited without excavation or fill;

e) the following vegetation-related undertakings and works:

— forest management activities subject to the Sustainable Forest Development Act (chapter A-18.1) and its regulations;

— sanitation cutting;

— harvesting of 50% of stems 10 cm or more in diameter, provided that at least 50% of the forest cover is maintained in private woodlots used for forestry or agricultural purposes;

— felling required for an authorized structure or undertaking;

— felling required to create a 5-metre wide access to a body of water whose shore or bank has a slope of less than 30%;

— pruning and trimming required to create a 5-metre wide view window if the slope of the lakeshore or riverbank is greater than 30%, or to create a trail or stairs giving access to the body of water;

— for the purpose of restoring permanent and sustainable vegetation cover, the seeding or planting of plants, trees or shrubs, and the related work involved;

— all methods used to harvest herbaceous vegetation if the slope of the lakeshore or riverbank is less than 30%, and only on the top of the bank if the slope is greater than 30%.

f) cultivation of soil for agricultural purposes provided that a strip of vegetation at least 3 m wide, measured from the high-water mark, is preserved and, where there is a bank and the top of the bank is less than 3 m from the high-water mark, provided that the width of the strip of vegetation to be preserved is a minimum of 1 m wide at the top of the bank;

g) the following undertakings and works:

— installation of fencing;

— installation or creation of outlets for sub-surface and surface drainage systems and pumping stations;

— creation of water crossings for fording, culverts and bridges and the related access roads;

— aquaculture facilities;

— septic installations that conform to the regulation concerning waste water disposal systems for isolated dwellings made under the Environment Quality Act;

— where the slope, soil type and site conditions prevent the restoration of vegetation cover and the return of a lakeshore or riverbank to its natural state, undertakings or works to stabilize the soil using vegetation or mechanical means such as riprap, gabions or retaining walls. Preference should be given to the technique most likely to promote the eventual establishment of natural plant growth;

— groundwater withdrawal facilities used for purposes other than municipal, commercial, industrial, public purposes or used for purposes of public access, and installed in accordance with the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2);

— reconstruction or widening of an existing road, including farm and forest roads;

— undertakings and works required for the structures, undertakings and works authorized in littoral zones under Article 6.3;

— forest management activities subject to the Sustainable Forest Development Act and its regulation pertaining to standards of forest management for forests in the domain of the State.

Article 6.3 MEASURES RELATING TO LITTORAL ZONES

All structures, undertakings and works are prohibited in littoral zones. The following structures, undertakings and works may be permitted provided they are consistent with other protection measures recommended for floodplains:

a) wharves, shelters or docks on pilings or made of floating platforms;

b) creation of water crossings for fording, culverts and bridges;

c) aquaculture facilities;

d) surface water withdrawal facilities installed in accordance with the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2), except facilities composed of inlet or diversion channels intended for non-agricultural purposes;

e) (paragraph revoked);

f) encroachment on the littoral zone that is required for works authorized on the lakeshores or riverbanks;

g) cleanup and maintenance in watercourses, without disturbing the bed, carried out by a municipal authority pursuant to the powers and duties assigned to them by law;

h) structures, undertakings and works for municipal, commercial, industrial, public or public access purposes, including their maintenance, repair and demolition, for which an authorization must be obtained under the Environment Quality Act, the Act

respecting the conservation and development of wildlife (chapter C-61.1), the Watercourses Act (chapter R-13) or any other statute;

- i) maintenance, repair and demolition of existing structures and works that are not used for municipal, industrial, commercial, public or public access purposes.

CHAPTER 7 FINAL PROVISIONS

Article 7.1 FINES

All persons who violate the provisions contained in this by-law are considered to have committed an offence and, by virtue of having done so, are liable to receive the following fines.

The fine for a first offence is a fixed sum of a thousand dollars (\$ 1,000.00) if the offender is an individual and two thousand dollars (\$ 2,000.00) if the offender is a corporation. For any subsequent offence, the amount of the fine is doubled.

If the offence continues, day after day, each day that the by-law is violated shall be considered as a separate offence and a fine shall be imposed for every day that the offence persists.

Article 7.2 RECOURSE

The Regional County Municipality of Pontiac may, upon being informed that this by-law has been violated, exercise all other recourses available to it under civil law and, without limitations, all other forms of recourse provided for in Articles 227 to 233 of An Act respecting Land Use Planning and Development (R.S.Q., c. A-19.1).

Article 7.3 COMING INTO FORCE

This by-law shall come into force according to law.

**CERTIFIED TRUE COPY TO THE ORIGINAL
GIVEN AT LITCHFIELD, THIS**

Raymond Durocher
Warden

Gabriel Lance
General Manager

NOTICE OF MOTION: AUGUST 16, 2016
ADOPTION OF BY-LAW: OCTOBER 18, 2016
COMING INTO FORCE: DECEMBER 8, 2016
NOTICE OF PUBLICATION: DECEMBER 21, 2016