



## BY-LAW NUMBER 485-98 GOVERNING PUBLIC NUISANCE

THE MUNICIPALITY OF CHELSEA adopted, on May 11, 1998, the By-law Number **485-98** governing public nuisance on the territory of the Municipality of Chelsea, as well as the following By-law amendments since its entry into force:

- By-law Number **546-01** (in force June 11, 2001)
- By-law Number **943-15** (in force November 17, 2015)
- By-law Number **1018-17** (in force May 10, 2017)
- By-law Number **1019-17** (in force June 15, 2017)

**Here is the administrative compilation with the complete text updated with changes made since June 15, 2017:**

### **ARTICLE 1 – Definitions**

For the purpose of this By-law, unless the context otherwise requires, the following words and expressions mean, without limitation:

**"Noise"** means a sound or set of sounds harmonious or not, perceptible by hearing.

**"Construction"** means an assembly of materials connected or not to the ground or attached to any grounded object including, but not limited to, tanks, gas pumps, bleachers, swimming pools, sheds and buildings.

**"Public space"** means any property, thoroughfare, public park and land held by the municipality, located within the municipality.

**"Inhabited place"** means any building occupied or used by people to work, stay or live and includes, but is not limited to, a home, a business, an office building, a hospital, a boat, a camp or other similar place or part of such a place that constitutes a distinct room.

**"Flea market"** means an outdoor gathering of more than three (3) tables of 4 'X 8' each or equivalent in size used for the sale of various object.

**"Designated officer"** means the municipal officer or officers responsible for enforcing or administering this By-law (including their replacement / assistant).

**"Mobile restaurant"** means any motorized vehicle that transports, prepares and / or sells food products.

**"Stopped vehicle"** means anything that isn't a road vehicle in the sense of the *Québec Highway Safety Code*.

**"Recreational vehicle (RV)"** means an off-highway vehicle within the meaning of the *Québec Highway Safety Code* (RSQ, c. C-24.2) and any other vehicle, motorized or not, designed for recreational use such as pleasure crafts or other boats, personal watercrafts, caravans (house trailers), snowmobiles, trailers, all-terrain vehicles or any similar vehicles. *(Introduced by By-law Number 1019-17 in force June 15, 2017)*

**"Road vehicle"** means any vehicle as defined by the *Québec Highway Safety Code* (chapter C-24.2).

### **ARTICLE 2 –**

**2.1** It is prohibited to sell food products in mobile restaurants on the territory of the municipality.



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Notwithstanding the foregoing, a maximum of four (4) mobile restaurants are permitted exclusively on land where a public market has been accepted by a resolution of the Municipal Council, as described in Section 3.10.4 of Zoning By-law Number 636 -05. *(Amended by By-law Number 1018-17 in force May 10, 2017)*

**2.2** It is prohibited to hold flea markets on the territory of the municipality with the exception of special events and without the prior written consent of the designated officer.

**2.3** If an outdoor sale of various objects is made on less than three (3) tables of 4 'X 8' each or equivalent in size, vehicles must park on the property where the deal takes place.

### **ARTICLE 3 - Maintenance of land and buildings**

**3.1** All buildings must be maintained in good condition for their intended use and repaired if necessary so that they do not represent a danger to people.

**3.2** All lots must be kept free at all times of trash, garbage, waste, used tires, scrap metal, boat and vehicle carcasses or parts of axles and all other harmful things or objects.

**3.3** *(Revoked by By-law Number 546-01 in force June 11, 2001)*

**3.4** All lots must be kept free of any excavation, accumulation of dirt, stones or other similar materials that:

- i) May constitute a danger to anyone,
- or
- ii) Cannot reasonably be recognized as an integral part of landscaping of the said lot.

### **ARTICLE 4 – Parking and storage of recreational vehicles (RVs) outside of garages or carports** *(Introduced by By-law Number 1019-17 in force June 15, 2017)*

**4.1** An RV may be stored or parked only on land occupied by a main building.

**4.2** The RV must belong to the occupant of the land on which it is stored or parked

**4.3** The RV may be parked in the side yard or back yard. However, with the exception of lots where the rate of wooded area can create a sufficient green screen to ensure that the parking or storage of the RV does not create a visual nuisance to neighbors contiguous to the property in question, the RV must be parked in the side yard or rear yard must at a maximum distance of five (5) metres from the main building and always outside the setback margins of the lot.

**4.4** RVs intended for summer activities may be stored or parked in the front yard between the period of May 15th to October 1st of the same calendar year, and this, only on lots of two thousand square metres (2,000 m<sup>2</sup>) or more.

**4.5** RVs for winter activities may be stored or parked in the front yard between the period of October 1st to May 15th of the following year, and this, only on lots of two thousand square metres (2,000 m<sup>2</sup>) or more.

**4.6** When located in the front yard, RVs must be stored or parked in the driveway or parking area.



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- 4.7 No more than 3 recreational vehicles may be stored or parked on the same lot.
- 4.8 Storage or parking of an RV is prohibited in a thoroughfare's right-of-way.
- 4.9 Provisions of this Article shall not apply to businesses engaged in the sale or rental of RVs, marinas and recreational sailing clubs.

**ARTICLE 5 – Offences** *(Amended by By-law Number 1019-17 in force June 15, 2017)*

5.1 Any person or persons who contravenes any or all of the provisions of this by-law is guilty of an offence and in addition to paying the costs for each infraction, is liable to a set fine of \$ 1,000.00 if the offender is a physical person, or a set fine of \$ 2,000.00 if the offender is a corporation or other legal entity.

In the event of a repeat offence committed within two years of declaration of guilt for the same infraction, the offender, in addition to paying the costs for each infraction, is liable to a set fine of \$ 2,000.00 if the offender is a physical person, or a set fine of \$ 4,000.00 if the offender is a corporation or other legal entity.

If an infraction continues for more than one day, it shall constitute a separate offence for each day during which it continues, and may be detailed as a single charge. *(Amended by By-law Number 943-15 in force November 6, 2015)*

**ARTICLE 6 – Repeals** *(Amended by By-law Number 1019-17 in force June 15, 2017)*

This By-law revokes for all purposes of the Law, any by-laws of the same effect, and specifically By-law Number 398-93.

**ARTICLE 7 - Entry into force** *(Amended by By-law Number 1019-17 in force June 15, 2017)*

This By-law shall enter into force by Law, the date of its publication.

GIVEN AT CHELSEA, QUEBEC, this 11<sup>th</sup> day of May 1998.

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Alcide Cloutier  
Secretary-treasurer

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Judith Grant  
Mayor

DATE OF NOTICE OF MOTION:	February 2, 1998
DATE OF ADOPTION:	May 11, 1998
RESOLUTION NUMBER:	119-98
PUBLICATION DATE:	June 2, 1998