

NATIONAL ASSEMBLY  
Thirty-fourth Legislature, third session

1994, chapter 66

## AN ACT TO AMEND THE CHARTER OF THE CITY OF BEAUPORT

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### **Bill 277**

Introduced by Mr Michel Després, Member for Limoilou

Introduced 14 December 1993

Passage in principle 16 June 1994

Passage 16 June 1994

**Assented to 17 June 1994**

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**Coming into force: 17 June 1994**

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### **Act amended:**

Act to amend the charter of the city of Beauport (1983, chapter 61)





## CHAPTER 66

### An Act to amend the charter of the city of Beauport

[Assented to 17 June 1994]

Preamble WHEREAS it is in the interest of the city of Beauport that its charter, chapter 91 of the statutes of 1975, and the Acts amending it, be again amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. C-19,  
s. 411, am.  
for the city **1.** Section 411 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended for the city by inserting, after paragraph 1, the following paragraph:

Inflammable  
or explosive  
substances “(2) To compel the owner, tenant or occupant of a building in which inflammable or explosive substances are kept to place them in such a manner that they cannot cause a fire, and to authorize municipal officers or employees to order the owner, tenant or occupant to place such substances in the manner prescribed by by-law; to prescribe that in a case of failure to comply therewith, the substances may be removed at the expense of the owner, tenant or occupant;”.

c. C-19,  
s. 412, am.  
for the city **2.** Section 412 of the said Act is amended for the city

(1) by inserting, after paragraph 20, the following paragraph:

Tariff of  
costs “(20.1) To establish a tariff of costs for the removal or towing of a vehicle parked in contravention of a provision adopted under this Act or the Highway Safety Code, in all cases where it is provided that a vehicle may be removed or towed for a parking violation, the amount prescribed as costs for removal or towing may be claimed on the statement of offence and collected by the collector in accordance with articles 321, 322 and 327 to 331 of the Code of Penal Procedure (R.S.Q., chapter C-25.1);”;

(2) by replacing subparagraph *a* of paragraph 23.1 by the following subparagraph:

Apparatus and devices “(23.1) (a) To require, in the sectors of the city it determines, the owner, tenant or occupant of any building to instal therein one or more of the following apparatus and devices: a smoke detector, a heat detector, an alarm system, an automatic sprinkler, an extinguisher, a fire hose, any other fire warning, fire extinguishing and fire fighting apparatus or device and any fire safety equipment or device;”;

(3) by replacing subparagraphs *a* and *b* of paragraph 44.1 by the following subparagraphs:

Alarm systems “(44.1) (a) To regulate or prohibit alarm systems, certain categories of alarm systems or the alarm systems or certain categories of alarm systems installed in certain categories of buildings or establishments; to regulate the operation of alarm systems, require a permit for that purpose and fix the conditions for obtaining such permit;

Reimbursement of costs (b) To require the reimbursement of the costs incurred by the city in cases of any defect, malfunctioning or unnecessary release of such systems; to determine the cases in which alarm systems are released unnecessarily;”;

(4) by inserting, after subparagraph *e* of paragraph 44.1, the following subparagraphs:

Safety “(f) To require the owner, tenant or occupant of any immovable or any category of immovables, to provide the immovable with any construction item, device, mechanism, alarm system, apparatus or equipment to safeguard or preserve the safety of the property or the health and safety of persons, or to prevent crime;

Safety “(g) To require the owner, tenant or occupant of any immovable provided with the said construction items, devices, mechanisms, apparatus or equipment, to keep them in good working order at all times;

Subsidy “(h) To grant a subsidy, in such sectors of the city as it may determine or for certain categories of buildings, to defray the installation costs of such apparatus, device, mechanism or equipment in accordance with the conditions determined by by-law; the subsidy may be uniform or different for the various sectors of the city, for the various categories of buildings or a combination of the criteria on which the distinctions are based.”

c. C-19,  
s. 414, am.  
for the city

**3.** Section 414 of the said Act is amended for the city

(1) by inserting, after subparagraph 7, the following subparagraph:

Indecent paintings, photographs, etc. “(7.1) To prohibit the posting or exhibiting of indecent paintings, drawings, photographs, statues, inscriptions or placards in any street or public place, in particular for the purposes of protecting youth;”;

(2) by inserting, after subparagraph 13, the following subparagraph:

Massage parlours “(14) To regulate massage parlours.”

4. Section 415 of the said Act is amended for the city

c. C-19, s. 415, am. for the city (1) by replacing paragraph 6 by the following paragraph:

Parking spaces “(6) (a) To establish and maintain parking places or buildings for motor vehicles, install parking chronometers and fix tariffs for the use of such places;

Restriction (b) To allow public use of them or offer spaces in them for rent, exclusively to certain persons;”;

(2) by inserting, after paragraph 30.1, the following paragraphs:

Parking “(30.2) To regulate or prohibit parking on any land or in any building owned by the city; the applicable provisions must be indicated by means of appropriate signs;

Exclusive right “(30.3) To grant certain groups or categories of persons the exclusive right to park their vehicle on the roadway of certain streets on the conditions set out in the by-law and on the further condition that the applicable provisions be indicated by means of appropriate signs;

Parking on private land “(30.4) To prohibit the drivers of vehicles from parking or leaving their vehicles on private residential land without the authorization of the owner or occupant of the land; to provide for the towing and impounding of the vehicles at the expense of their owners; to require the prior lodging of a written complaint of the offence by the owner or occupant of the land or his representative;”.

Seal, emblem, graphic symbol 5. No person may use the seal, emblem or graphic symbol of the city without the authorization of the city.

Des Roches lake 6. In order, in particular, to protect Des Roches lake as a source of water supply, no person, except a riparian owner, may navigate

on the lake in or on any type of vessel, including a sailboard, or fish or swim in the lake.

**Motor vessel** No person may use a motor vessel to navigate on the lake.

**Riparian owners** The following persons are riparian owners within the meaning of this section:

(1) any owner or occupant, as tenant or usufructuary, of a lot of land fronting on Des Roches lake on which is erected a building;

(2) any member of the family of such owner or occupant living with the owner or occupant;

(3) the guests of such owner or occupant.

**Fines** Every person who contravenes the provisions of this section is liable to a fine, for a first offence, not exceeding \$1 000 if the offender is a natural person and \$2 000 if the offender is a legal person. For any subsequent offence, the fine shall not exceed \$2 000 if the offender is a natural person and \$4 000 if the offender is a legal person.

1983, c. 61,  
s. 1, am. **7.** Section 1 of the Act to amend the charter of the city of Beauport (1983, chapter 61) is amended by striking out paragraph 1.

**Coming into force** **8.** This Act comes into force on 17 June 1994.