

PROVINCE DE QUÉBEC

VILLE DE MONTRÉAL
ARRONDISSEMENT DE PIERREFONDS-ROXBORO

BY-LAW CA29 0018-2

BY-LAW CA29 0018-2 MODIFYING BY-LAW CA29 0018 CONCERNING OCCUPANCY OF PUBLIC PROPERTY IN ORDER TO INTEGRATE CLAUSES COMMON TO ALL BOROUGHS AND PROVIDE A BETTER NORMATIVE FRAMEWORK TO LIMIT THE DURATION OF OBSTRUCTIONS, THE AREA COVERED BY TEMPORARY OCCUPATIONS AND THEIR VISUAL IMPACTS

At the Borough of Pierrefonds-Roxboro regular council sitting held in the Borough Hall situated at 13 665, boulevard de Pierrefonds, in the said Borough, on June 3, 2024, at 7 p.m., in conformity with the Cities and Towns Act (L.R.Q., Chapter C-19), at which were present:

Mayor of the Borough Mr. Dimitrios (Jim) Beis and councillors Catherine Clément-Talbot, Chahi (Sharkie) Tarakjian, Benoit Langevin and Louise Leroux, all members of the Council and forming a quorum under the chairmanship of the Mayor of the Borough, Mr. Dimitrios (Jim) Beis.

Were also present, Mr. Dominique Jacob, Director of the Borough, and M^e Jean-François Gauthier, Secretary of the Borough.

CONSIDERING sections 67 and 67.1 of Annex C of the Charter of Ville de Montréal (R.S.Q., chapter C-11.4);

CONSIDERING sections 105 and 142 of the Charter of Ville de Montréal, Québec Metropolis (RLRQ, chapter C-11.4);

CONSIDERING section 2 of the By-law of the City Council concerning the delegation of certain powers relating to the arterial road network to borough councils (08-055);

THE BOROUGH COUNCIL ENACTS THE FOLLOWING:

By-law CA29 0018 is modified as follows:

ARTICLE 1 The preamble forms an integral part of the present by-law.

ARTICLE 2 The by-law is amended by adding section 32.1 at the beginning of subsection 2 and before section 33:

“32.1. At the request of the competent authority, the permit holder or a person in authority on the premises must immediately present a copy of the documents referred to in section 32”.

ARTICLE 3 The by-law is amended by replacing article 33, which should read as follows:

“33. At the end of the authorized occupancy period, the permit holder must vacate the public domain in its entirety and remove all residues resulting from the occupation.

When the holder plans to cease occupying the public domain before the end of the term, he must notify the competent authority in writing before 5 p.m. the day before the revised end date of the occupation. Failure to do so will result in payment of the occupancy fee due for the period indicated on the permit.

If the permit is cancelled before occupancy begins, or if occupancy ceases before the term authorized in the permit, the holder must also comply with the first paragraph”.

ARTICLE 4 The by-law is amended by adding section 33.1 after section 33:

“33.1. Study and permit fees are non-refundable”.

ARTICLE 5 The by-law is amended by the addition of article 33.2:

“33.2. The holder of a permit for temporary occupation of the public domain for a construction site must comply with the following requirements:

1° the public domain may not be occupied more than 24 hours before the actual start of work;

2° work cannot be interrupted for 5 days or more without reasonable justification;

3° only T-RV-10 tubular beacons may be used to channel or help direct traffic, unless a documented analysis, signed and sealed by an engineer who is a member in good standing of the Ordre des ingénieurs du Québec, demonstrates that, because of the environment, traffic flow, visibility and pedestrian or cyclist traffic, T-RV-7 tubular beacons are more appropriate for this purpose;

4° temporary signs must be removed as soon as work is completed at the latest.

The requirement set out in paragraph 1° does not apply to the installation of parking signs, which is governed by Chapter VIII of By-law 868 concerning traffic and public safety in the Borough of Pierrefonds-Roxboro and by sections 7 and 46 of By-law 159 concerning traffic and public safety in the City of Roxboro.

In the event of non-compliance with the requirement set out in paragraph 2° of the first subparagraph, the competent authority may issue a notice of interruption of work due to inactivity. After issuing a second notice, the competent authority may suspend the permit and demobilize the public domain at the expense of the holder of the public domain occupation permit.

In the event of non-compliance with the requirement set out in subparagraph 4° of the first paragraph, the competent authority may, at the end of a 24-hour period following completion of the work, remove the temporary sign at the expense of the permit holder”.

ARTICLE 6 The by-law is amended by the addition of article 33.3:

“33.3. When occupancy is authorized on or beside the sidewalk, the holder of a temporary occupancy permit must, unless otherwise specified, maintain, at all times:

- a clear, linear and continuous pedestrian corridor at least 1.5 m wide;
- adequate lighting, including, but not limited to, when a sidewalk or walkway is covered by a structure”.

ARTICLE 7 The by-law is amended by the addition of article 33.4:

“33.4. In the case of an occupation that requires the creation of a detour for pedestrians, the holder of a public domain occupation permit must design the detour to ensure universal accessibility. In particular, the detour must be able to be used safely by anyone with functional limitations, including those using a means of compensating for their disability such as a wheelchair or electric chair”.

ARTICLE 8 The by-law is amended by the addition of article 33.5:

“33.5. When occupancy prevents vehicular traffic, the permit holder must, unless otherwise specified, take charge of domestic residual materials that cannot normally be collected in front of the building. To do so, he or she must move the household waste to the location indicated by the competent authority when issuing the permit, without obstructing public roads, bicycle paths or sidewalks, and in compliance with applicable regulations.

No household waste can be collected directly from a construction site”.

ARTICLE 9 The by-law is amended by the addition of article 33.6:

“33.6. During occupancy, the permit holder must, at his own expense, clear snow from the public highway”.

ARTICLE 10 The by-law is amended by the addition of article 33.7:

“33.7. It is forbidden to park a passenger vehicle belonging to an individual and used mainly for personal purposes in the space covered by a public domain occupation permit for a construction site”.

ARTICLE 11 The by-law is amended by the addition of subsection 3, concerning cladding standards for a private worksite, to read as follows:

**“SUBSECTION 3
COVERING STANDARDS FOR A PRIVATE WORKSITE**

33.8. For temporary occupancy of 90 days or more in the case of a major private worksite, the permit holder must comply with the standards for worksite covering set out in the Guide attached as Appendix A to the present by-law.

For the purposes of this article, a major private worksite is defined as the construction of a building with 8 or more dwellings or a floor area of more than 600 m².

33.9. In addition to the requirements stipulated in article 33.3, any worksite occupying the public domain must be delimited by a covering structure that complies with the requirements of the Guide.

This structure must be installed within 72 hours of the first mobilization of the site and within 72 hours of the start of each new construction phase.

As a minimum, the following information must be displayed on the covering structure:

- 1° the nature of the work;
- 2° date of work completion;
- 3° the name of the contractor or promoter of the work, and if different, the name of the project owner;
- 4° the telephone number or e-mail address of the persons referred to in paragraph 3°.

33.10. It is forbidden to use a covering structure as a support for advertising”.

ARTICLE 12 The by-law is amended by the addition of Appendix A: “GUIDE AND STANDARDS FOR THE COVERING OF PRIVATE WORKSITES OCCUPYING THE PUBLIC DOMAIN”.

ARTICLE 13 The present by-law comes into force according to Law.