



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

BY-LAW NO.: 2013-54-7

**BY-LAW AMENDING BY-LAW NO. 2013-54
RELATING TO NUISANCES IN ORDER TO
REQUIRE PAYMENT OF REPAIR AND CLEANING
COSTS**

ADOPTION PROCEDURE

Notice motion:	May 3, 2021
Filing of draft by-law:	May 3, 2021
Adoption of by-law:	June 7, 2021
Publication:	June 11, 2021
Coming into force:	June 11, 2021

- WHEREAS pursuant to section 59 of the *Municipal Powers Act* (CQLR, c. C-47.1), the Town of Kirkland may adopt by-laws concerning nuisances;
- WHEREAS pursuant to section 356 of the *Cities and Towns Act* (CQLR, c. C-19), notice of motion of this by-law was given and a draft of this by-law was filed at the regular sitting of the Municipal Council held on May 3, 2021;
- WHEREAS copies of this by-law were made available to the public;
- WHEREAS the Preamble forms an integral part of this by-law;

THE MUNICIPAL COUNCIL DECREES AS FOLLOWS:

ARTICLE 1 NUISANCES RELATING TO AN IMMOVEABLE

Chapter III of the by-law is amended by replacing Article 6 with the following:

- “6. When a nuisance identified in sections 3 to 5 is observed, the Town or one of its representatives shall give the owner or occupant of the property affected by the observed nuisance a written notice and inform said person that they must take the necessary measures to eliminate the nuisance within twenty-four (24) hours of receipt of said notice. In the event of failure or refusal to do so, the Town may charge the person required to make the repair or cleaning the cost of the repair or cleaning that it has carried out in its place.”

ARTICLE 2 INFRACTION AND FINES

Chapter VII of the by-law is amended by replacing Article 14 with the following:

- “14. In addition to requiring payment of the fine and fees, the court dealing with a violation of this by-law may order the owner, tenant or occupant of the property to remove the nuisance or to carry out the necessary work to ensure that the nuisance does not recur within the time it sets and that, failing that person to perform, the nuisance is removed or the work is carried out by the Town.

The sums due to the Town through the application of the first paragraph are recoverable in the same manner as a special tax.

ARTICLE 3 COMING INTO FORCE

This by-law shall come into force in accordance with the law.

(Michel Gibson)

Mayor

(Annie Riendeau)

Town Clerk and Director of Legal Affairs