



PROVINCE OF QUEBEC
MRC DES LAURENTIDES
TOWN OF BARKMERE

BYLAW NUMBER 269

REGULATIONS RELATING TO THE CIRCULATION OF HORSES AND HORSE-DRAWN VEHICLES

WHEREAS the Council considers it appropriate and in the public interest to legislate on the circulation of horses and horse-drawn vehicles in order to ensure cleanliness and increase road safety;

WHEREAS the municipality is hereby acting pursuant to the powers conferred upon it under the Municipals Power Act (RLRQ, c. C-47.1);

WHEREAS a notice of motion was given and a draft bylaw was tabled at the meeting of August 13th 2022, a copy of the draft bylaw also being made available to the public at this meeting;

WHEREAS the mayor mentions that the purpose of this bylaw is to regulate the circulation of horses and horse-drawn vehicles on the territory of the Town of Barkmere ;

WHEREAS the mayor also mentions that the bylaw presented for adoption does not include any modification compared to the draft bylaw tables at the council meeting of August 13th 2022;

FOR THESE REASONS, THE COUNCIL DECREES AS FOLLOWS:

1. DEFINITIONS AND SCOPE

1.1. Preamble and annexes

The preamble and all the annexes attached to these regulations form an integral part thereof; all standards, obligations or indications found therein are also part of it as if they had been enacted therein.

1.2. Definitions

For the purpose of these rules, unless the context indicates a different meaning, the following terms and expressions mean:

« *Public road* » : Means any road whose maintenance is the responsibility of the municipality, a government or any of its agencies, and on a part of which

are laid out one or more roadways open to public circulation of vehicles and, if applicable, one or more cycle lanes.

«Driver » : Means a person who drives a horse-drawn vehicle or a person who has charge of a horse.

« *Public Area* » : Means any municipal park, land or building and any other area of public nature. Also includes any greenspace or playground to which the public has access for purposes of rest or relaxation, play or sport, or for any other purpose.

« *Officer* » : Means any physical person designated by the Council, any employee of a legal person or a security agency under contract with the municipality or any member of the Surété du Québec responsible for the application of all or part of this regulation.

1.3. Application

This bylaw completes and adds to the rules established in the *Highway Safety Code* (RLRQ, c. C-24.2), which must be respected by all drivers.

1.4. Application exceptions

The provisions of this regulation do not apply:

- 1° To a security agency under contract with the municipality and to any member of the Surete du Quebec;
- 2° During an event authorized or organized by the municipality

2. GENERAL PROVISIONS

2.1. Driving prohibited on certain public roads

No one may ride on horseback or drive a horse drawn vehicle on public roads identified in **Appendix 2.1** of this bylaw.

2.2. Prohibition to circulate in certain public places

No one may ride on horseback or drive a horse drawn vehicle on public roads identified in **Appendix 2.2** of this bylaw.

2.3. Conduct

In permitted places, the handler must, when in motion, walk beside the horse or mount it and hold the reins at all times so as to control it.

2.4. Cleanliness of the horse and the horse-drawn vehicle

Any horse or horse-drawn vehicle circulating on the territory of the municipality must be clean.

2.5. Excrement

The driver must pick up any excrement emitted by the horse he is driving.

3. PERMIT – <i>(Non Applicable)</i>
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4. PENAL PROVISIONS

4.1. Traffic Tickets

Any violation of this by-law constitutes an offense and is prohibited.

4.2. Fine

Any physical person who contravenes any of the provisions of this by-law commits an offense and is liable to a minimum fine of \$200 and a maximum of \$1,000 for a first offense and a minimum fine of \$400 and a maximum of \$2,000 for any subsequent offence.

Any legal person who contravenes any of the provisions of this by-law commits an offense and is liable to a minimum fine of \$400 and a maximum of \$2,000 for a first offense and a minimum fine of \$800 \$ and a maximum of \$4,000 for any subsequent offence.

In all cases, prosecution costs are extra.

The time limits for the payment of fines and costs imposed under this article and the consequences of failure to pay said fines and costs within the prescribed time limits are established in accordance with the Code of Penal Procedure of Quebec (CQLR, c. C-25.1).

If an offense lasts more than one day, the offense committed on each of the days constitutes a separate offense and the penalties enacted for each of the offenses may be imposed for each day that the offense lasts.

4.3. Autorization

The council generally authorizes any officer to undertake penal proceedings against any contravener of any provision of this by-law and authorizes him, consequently, to issue the statements of offense useful for this purpose.

For the purpose of enforcing the provisions of this by-law, the municipality may exercise, cumulatively or alternatively, all appropriate remedies of a civil or penal nature, without limitation.

4.4. Powers granted to the officer

As part of the functions, he exercises under this by-law, any officer may require the driver to stop driving on the territory of the municipality. He may also move a horse-drawn vehicle and store it, at the owner's expense, when the vehicle interferes with a maintenance operation or in an emergency.

5. FINAL PROVISIONS

5.1. Repeal

This bylaw repeals and replaces any other regulations and its amendments on the same subject

5.2. Coming into effect

These rules come into force in accordance with the law.

(original signed)

Luc Trépanier, Mayor

(original signed)

Martin Paul Gélinas,
Secretary Treasurer

Entry into force procedure	
Notice of motion	August 13th 2022
Adoption of the by-law	September 10 th 2022
Coming into effect	September 13 th 2022

Certified copy

This September 13th 2022

Martin Paul Gélinas, secretary treasurer

APPENDIX 2.1
Driving prohibited on certain public roads

APPENDIX 2.2

Driving prohibited in certain public places