

Lac Balzac

BY-LAW

By-law to establish criteria for settlement and rules to ensure the tranquillity of Territoire des Lacs.

PREAMBLE

WHEREAS there is an agreement between Territoire des Lacs Inc. and the Association du Territoire des Lacs Inc. to which all members are contractually bound;

WHEREAS servitude has been registered providing for certain standards, restrictions, and obligations in respect of the development and use of Territory land;

WHEREAS it is appropriate for members of the Territory to establish criteria for settlement and rules to ensure the tranquillity of Territoire des Lacs.

GENERAL

1. This by-law shall create a contractual relationship between the Association and its members.
2. Any member who transfers ownership or leases his or her property must notify the Association and provide it with the act evidencing such transfer or lease.

DEFINITIONS

3. "Member" means any owner of an immovable in Territoire des Lacs.
4. "Territory" means "Territoire" as defined in section 2 of Règlement no 1.

5. "Weekend" means 5:00 p.m. Friday to 7:00 a.m. Monday, and in the case of a holiday, means 5:00 p.m. the preceding day to 7:00 a.m. the following day.

SETTLEMENT AND CONSTRUCTION

6. No lot may have an area of less than (5) acres, unless the lot is intended for the Association or the common use of the owners.
7. Property limits along a lake must measure at least two hundred and sixty (260) feet or eighty (80) metres.
8. No owner shall be obliged to build a residence. However, an owner who does decide to build a residence and obtains a building permit must complete construction within one year following issuance of the permit, except for the exterior of the building and the landscaping, which must be completed within six (6) months.
9. No temporary building or dwelling (tent, house trailer) is allowed on the Territory, except during construction and for a maximum of twelve (12) months following issuance of the building permit.
10. No exterior siding of plastic, vinyl, wood imitation or aluminum is allowed.
11. Only one house may be built per lot. However, a second house may be built if the lot contains at least ten (10) acres, and a third house may be built if the lot contains at least fifteen (15) acres, and so on. All construction must be situated at least seventy five (75) feet from any sideline and at least one hundred (100) feet from the lake frontage, with the exception of docks.
12. Before applying for a building permit, an owner must furnish the Association with building plans and a surveyor's plan indicating the location of the residence. All building plans must be submitted to the architect of the Association before the commencement of construction. No construction is allowed without the approval of the Association, and the Association hereby undertakes to communicate its response within a reasonable time. The Association reserves the right to reasonably refuse any construction project in whole or in part. In its deliberations, the architecture committee of the Association shall consider the quality of materials more than the appearance of buildings, which buildings must, in any case, be far from the view of neighbouring properties and the lakes.
13. The owner of an individual lot shall leave a screen of trees along the perimeter of the property such that the principal residence and dependencies are not visible from the lake or neighbouring properties. However, an owner may top a certain number of trees in order to see the lake, subject to maintaining the wild and natural appearance of the lake frontage, the purpose of this restriction being to preserve the wild and natural aspect of

the lake in perpetuity. Notwithstanding the foregoing, an owner may, to create gardens or recreational areas, cut any tree he or she wishes on the property out of view of the neighbours and the lake, provided that sixty percent (60%) of the wooded area on the lot is preserved. A thirty-foot (30') wide strip along all sidelines must be kept wooded at all times.

14. Subject to the rights of present owners to build in accordance with municipal by-laws, all construction must have a footprint of at least one thousand square feet (1,000 ft²) and rest on concrete foundations. All plumbing facilities must be situated at least one hundred (100) feet from the lake or any watercourse, and a certificate of compliance must be obtained from the municipality and supplied to the Association. No stationary construction may be built less than one hundred (100) feet from a lake.
15. All acquired rights shall be retained in respect of present use and constructions, and the right to build. However, acquired rights shall be lost where the construction protected by acquired rights is destroyed.
16. All construction, renovation, and repairs, and the pruning and cutting of trees, must be carried out during the week, from Monday to Friday, between 7:00 a.m. and 5:00 p.m.
17. All residences must have a value of at least two hundred and fifty thousand dollars (\$250,000), excluding the value of the land and landscaping.
18. One floating dock, not longer than twenty (20) feet, is allowed per owner. Docks must be situated at a distance of one hundred (100) feet from any property line. No raft or floating dock that is not attached to the shore is allowed on territory lakes. The colour and construction of docks shall be determined by the architecture committee of the Association.
19. The construction of all new shared roads in the Territory must be in accordance with Territory regulations and approved in advance by the Association upon recommendation of the architecture committee, after the committee has examined the plans and road alignment. Shared roads must be at least twenty-six (26) feet in width, be bordered by trenches at least eight (8) feet in width, and have twenty-four-inch (24") galvanized steel culverts where required. The road bed must contain no vegetative soil and be composed of a base layer of 0-2½" stone at least eight (8) inches thick and a top layer of 0-¾" stone at least four (4) inches thick. All new roads must be accepted by the Association before the Association will maintain them. A road that does not conform shall remain the property of the owner, who shall assume its maintenance and repair, and access to that road shall be forbidden.
20. Upon construction of a new residence, construction fees in the amount of two thousand dollars (\$2,000) shall be payable to the Association by the new owner for the repair and maintenance of shared roads. The new owner shall be liable for any damages in excess of two thousand dollars (\$2,000.00).

TRANQUILITY

21. No individual lot may be used for other than private residential and recreational purposes.
22. The mowing of lawns is forbidden on weekends, except by the owner on Saturday between 9:00 a.m. and 12:00 p.m. and between 2:00 p.m. and 5:00 p.m.
23. No direct or indirect lighting is permitted on or towards the lakes.
24. No pollution, waste, or storage is permitted on the Territory.
25. No recreational vehicle, aqua scooter, pontoon, seaplane, helicopter, all-terrain vehicle, or snowmobile is allowed on the lakes or the Territory. However, all-terrain vehicles are permitted on private property, but only for property maintenance during the week. The Association shall nevertheless have the right to set aside certain designated areas for the use of such vehicles, subject to authorization by seventy-five percent (75%) of the owners present at a special meeting called for that purpose, the whole in accordance with the conditions set by the Association.
26. Waste must be deposited at the places provided for by the Association and no waste may be left in a place that is visible from the common spaces of the territory or from neighbouring properties. All waste must be placed in heavy-duty plastic bags.
27. No sign is allowed on private property unless it has been approved by the architecture committee of the Association.
28. No motors are permitted on the lakes unless they are electric motors.
29. No fire or fireworks are permitted on the Territory without the consent of the authorized representatives of the Association and the municipality.
30. Hunting and the use of firearms are strictly forbidden.
31. Domestic animals are allowed but must be kept on private property and must not disturb the neighbours or create unreasonably loud noise. When animals leave the property, they must be accompanied or be held on a leash; under no circumstances may they be allowed to stray.
32. No outside storage is permitted on the Territory.
33. Accessory buildings are allowed, but they must be in keeping with the style of the main building.

34. No music that can be heard from neighbouring properties or the common spaces is allowed outside residences. Notice must be given to the Association and immediate neighbours for special occasions or celebrations.
35. Fishing is allowed, but the use of live bait from a different lake is strictly forbidden.
36. Cross-country skiing and hiking are allowed on the common spaces only. No private property may be crossed without permission from the owner.
37. The following constitute disturbances and are prohibited:
 - a. Causing, or allowing to be caused, excessive noise that disturbs the neighbourhood;
 - a. Using, or allowing to be used, an instrument or device that produces excessive noise in a manner that disturbs the neighbourhood;
38. All persons are forbidden to disturb public peace and tranquillity on the Territory by yelling, swearing, singing, using abusive language, fighting, organizing or participating in a mob, or in brutal or depraved entertainment, and shall cease and desist when so required by a Territory guard.
39. A Territory guard who has reasonable grounds to believe that the tranquillity of a person in a residence is disturbed by noise that the guard considers excessive given the time, the place, and any other circumstance, may order anyone causing such disturbance to immediately cease and desist.
40. It is forbidden to hinder or impede pedestrians or traffic by parking a vehicle or loitering in a public place, and refusing, without valid reason, to move when so required by a territory guard.

PENALTY

41. Any person who contravenes this by-law and commits a first violation shall receive written notice to this effect. On a second violation, the violator shall be liable for a fine of not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1,000), payable to the Association.

A person who violates the same provision of the by-law more than three (3) times within a period of six (6) months, shall be liable for a fine of not less than two hundred dollars (\$200) and not more than two thousand dollars (\$2,000).
42. The Association may adopt fines for various violations. In the case of repeated violations and after at least four (4) written notices to the owner concerned, the other owners may

decide, by a majority vote of owners present in person or by proxy at a special meeting called for that purpose, to buy out the property of the delinquent owner, who shall be obliged to sell his or her property. The price and the terms and conditions of sale shall be determined by mutual agreement, failing which, the property shall be bought for market value and under terms and conditions determined by arbitration.

In that event, the association and the owner concerned shall each appoint an arbitrator within seven (7) days. The two arbitrators named shall appoint a third arbitrator within the following seven (7) days. The arbitration award must be rendered within thirty (30) days, the rules of arbitration being determined by the arbitrators themselves. In the event that the delinquent owner refuses to respect this section or appoint an arbitrator, the Association or one of the owners may apply to a court of competent jurisdiction for the enforcement of this section and the appointment of a sole arbitrator.

TERRITOIRE DES LACS INC.

per:

THE ASSOCIATION DU TERRITOIRE DES LACS INC.

per:
