

In case of discrepancy, the French version shall prevail

**PROVINCE OF QUEBEC
BROME-MISSISQUOI MRC
TOWN OF LAC-BROME**

BY-LAW 2024-08

**BY-LAW ESTABLISHING FINANCIAL
ASSISTANCE FOR THE DEVELOPMENT OF
A RAIN GARDEN**

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WHEREAS sections 4 and 90 of the *Municipal Powers Act* (RLRQ, c. C-47.1) provide that the Town has the necessary enabling powers to grant any environmental assistance it deems appropriate for the purposes of this by-law, notwithstanding *the Municipal Grants Prohibition Act*;

WHEREAS Town of Brome Lake wishes to be proactive in the fight against climate change;

WHEREAS poor water quality in hydric environments is an issue closely linked to stormwater management;

the Town wishes to support its citizens in adopting good stormwater management practices;

WHEREAS rain gardens are recognized for their benefits to water quality, biodiversity and the landscape;

WHEREAS the notice of motion and presentation of the draft by-law given at the regular Council meeting of July 2, 2024;

ACCORDINGLY, THE COUNCIL DECREES AS FOLLOWS:

ARTICLE 1 PREAMBLE

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

ARTICLE 2 PURPOSE OF THE REGULATIONS

The purpose of this by-law is to create a financial incentive and grant financial assistance to Town residents for work to install rain gardens on residential and commercial properties.

ARTICLE 3 TERRITORY COVERED

The present by-law applies to the entire territory under the jurisdiction of Town of Brome Lake.

ARTICLE 4 DEFINITIONS

Unless otherwise expressly stated or resulting from the context of the provision, the following expressions, terms and words have, in the present by-law, the meaning and application attributed to them in the present article.

"Storm sewer": A sewer system designed and intended exclusively to receive runoff (rainwater)

"Combined sewer": Sewer system designed and intended to receive wastewater from sinks, toilets, showers, baths, dishwashers, washing machines and other similar equipment, and runoff (rainwater)

"Residential building": A building used for residential purposes;

"Commercial building": A building used for commercial purposes;

"Rain garden": vegetated basin designed to temporarily collect rainwater or runoff and encourage infiltration into the soil;

"OBV Yamaska": Yamaska watershed organization;

"Owner": Means any natural or legal person who has a right of ownership over a building;

"Property" means individual lot(s) or part(s) of a lot, or a group of lots or parts of lots.

part(s) of contiguous lot(s) where the bottom of the lot belongs to the same owner;

"Town": Town of Brome Lake.

ARTICLE 5 PROGRAM DURATION

The program ceases to have effect when the funds available each year are exhausted.

To this end, Council will allocate funds for this program from the annual budget. Council may allocate additional sums during the course of a year if it deems it appropriate and necessary to pursue the objectives of the program.

Financial assistance is calculated for the year corresponding to the date of application, regardless of the date of payment.

ARTICLE 6 DESCRIPTION OF AID GRANTED

Assistance is granted in the form of a cash rebate, payable to the owner of a building who applies for it, in accordance with the present by-law.

The amount of assistance granted by the Town to a building owner is fifty percent (50%) of eligible expenses for rain garden landscaping (including applicable taxes), up to a maximum of \$1,000 per property.

Eligible expenses are as follows:

- Actual value of work to create the rain garden, including excavation (work done by a contractor or rental of machinery to do the work yourself);
- Materials and substrates (types and quantities as specified in the landscaping plan);
- Alterations to gutters directly linked to the rain garden;
- Plants (50% indigenous).

Assistance may be paid to the owner for each main building he or she owns in which a rain garden has been installed.

Only one rain garden per building is eligible for support, and only one rain garden per building is eligible for support. Only one building per property is eligible for assistance.

ARTICLE 7 ELIGIBILITY REQUIREMENTS

To be eligible for assistance, the following conditions must be met:

1. The main use of the building must be residential or commercial, and located on Town territory;
2. The owner must not have received financial assistance for the property in question;

3. The design of the rain garden must be approved by the technician authorized by OBV Yamaska;
4. The rain garden must be planted with a minimum of fifty percent (50%) native plants;
5. The application is completed and signed on the form provided;
6. The claim form must be submitted to the Town no later than six (6) months following completion of the development work;
7. The rain garden must be installed after January 1, 2024.

**ARTICLE 8 FALSE, INACCURATE OR INCOMPLETE
REQUEST FOR ASSISTANCE**

The owner must allow a Town representative to check the rain garden's address and layout.

The owner must also provide, upon request, any supporting documents deemed necessary by the Town to validate the information provided at the time of application.

If any fact is brought to the Town's attention that renders the applicant's application for financial assistance false, inaccurate or incomplete, the application will be cancelled. The applicant must reimburse any financial assistance already paid.

ARTICLE 9 APPENDICES

The application form is attached to these regulations as Appendix A, to form an integral part of them.

ARTICLE 10 ENTRY INTO FORCE

This by-law comes into force in accordance with the law.

Richard Burcombe
Mayor

Mr^e Owen Falquero
Clerk

Notice of motion: July 2, 2024
Project presentation: July 2, 2024
Adoption of regulations: August 5, 2024
Public notice: August 16, 2024
Publication date: August 16, 2024
Effective date: August 16, 2024

APPENDIX A - REFUND FORM

Owner information

Last name: _____ First name: _____

Address _____
Town : _____ Province _____ Postal code _____
Telephone _____ E-mail: _____

Information about the rain garden

Date of works : _____ / _____ / _____ to _____ / _____ / _____
Year Month Day Year Month Day
Location of work : _____
(if different from above address)
Town : _____ Province: _____ Postal code _____

Declaration and consent

I acknowledge that the information provided on this form will be used by Town of Brome Lake for the purposes of verifying eligibility and paying financial assistance in accordance with By-law No. 2024-08.

I understand that if I fail to comply with all the terms and conditions set out in By-law No. 2024-08, the application review may be delayed or the application may be deemed ineligible. I acknowledge that in the event of a false declaration, Town of Brome Lake may request reimbursement of any financial assistance provided.

I declare that I have read and understood all the terms and conditions of by-law no. 2024-08. I declare that the information provided in this form is true and complete.

Signature _____ Date _____

Supporting documents

In addition to the original version of this form, duly completed and signed, please enclose the following documents:

- Photo(s) of the rain garden
- Copy of invoices

Sending the form

Please return this completed form and supporting documents by post or e-mail.

Brome Lake Town Hall
To the attention of Ms Anaïs Renaud
122 Lakeside Road, Lac-Brome (QC) J0E 1V0

E-mail: anais.renaud@lacbrome.ca

FOR TOWN USE

Date received : _____ / _____ / _____ Personnel number _____
Year Month Day

Inspection date : _____ / _____ / _____ Representative _____
Year Month Day

Copy(ies) of invoice(s) Photo(s)

Total cost of work : _____ Amount granted : _____
50% of total cost of work (including taxes) maximum amount \$1000

Signature of Town representative : _____ Accepted Refused

TREASURY USE

Amount of financial assistance granted : _____ Budget item : _____

Signature of Treasury representative _____ Date : _____ / _____ / _____
Year Month Day