



## OWNER'S GUIDE



The appeal of our domain is deeply connected to the excellent quality of our lake, to its beautiful surrounding nature and to the tranquility of the premises. We are privileged to be able to benefit from this magnificent environment. It is our duty to protect this legacy not only for all of us, but also for future generations.

The *Owner's Guide* provides useful information to owners and their guests with the following goals:

- To preserve the health of our lake and its natural environment.
- To adopt safe and responsible behaviours.
- To maintain peace, tranquility and harmony between neighbours.
- To maintain the value of our properties.

We encourage you to keep this guide and to make it easily accessible.

To obtain more information and to discover our little corner of paradise, we invite you to consult our Website ([www.lac-malaga.ca](http://www.lac-malaga.ca)).

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## Section 1 – The Lac Malaga Community Association Inc.

The Lac Malaga Community Association (thereafter called the *Association*) was created in the early 1970's and was incorporated in 1987. The goal of the Association is to protect the interests of the lac Malaga community mainly connected to:

- the lake and the quality of its water;
- the road around the lake;
- the natural environment of the domain;
- all other important matters for the members of the community.

The businesses of the Association are managed by a board of directors composed of six (6) volunteers elected by the members during its annual general assembly.

### Membership Fee

The Association is responsible for the costs related to the maintenance of the road, the safety, the follow up concerning the quality of the lake water, the information to members etc. These costs are shared between all members who are owners of the community of the lac Malaga.

In accordance with article 10 of the regulations of the Association, the payment for these costs is called *annual dues* and is payable before the 1<sup>st</sup> of May of each year. The Association now accepts payments by *Interac*.

A special contribution to answer to urgent needs can be voted during the annual general assembly, or if needed, during an extraordinary one.

### Regulations of the LMCA (Lac Malaga Community Association)

A copy of the regulations of the Association is available on our Website ([www.lac-malaga.ca](http://www.lac-malaga.ca)).

## Section 2 – Our Lake

Lac Malaga is approximately 1.5 kilometers long. It has an area of 22 hectares and is located at an altitude of 291 meters. It is a head lake and therefore it does not have a tributary. It is fed strictly by underground springs and by runoff waters. According to the analysis made annually by the RAPPEL<sup>1</sup> organization, the quality of the lake water is excellent for swimming and other water activities.

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<sup>1</sup> Regroupement des associations pour la protection de l'environnement des lacs et des bassins versants.

However, the quality of the water remains fragile because of its weak renewal and human activity around the lake. Preserving a healthy lake requires **prevention, commitment** and **vigilance** from all members of the community.

## How to Protect our Lake

- Given the forever existing menace of invasion of exotic species, always wash thoroughly all boards and other watercraft used in other lakes before putting the boat in the water of our lake.
- Do not use soap, do not throw garbage and do not put caught fish back into the lake.
- For domestic usage, use soaps and detergents without phosphates. Phosphorus is an enemy of the lake.
- Do not use fertilizer, pesticides or any chemical or biological fertilizer on the domain.
- Ensure that all septic installations are compliant and well maintained.
- Leave the shoreline in its natural state (10 meters in width, or 15 meters if the slope is superior to 30°).
- In order to maintain the water temperature to a level not conducive to the growth of algae, do not deforest the lake shores, and if need be, reforest and re-vegetate when the shoreline has been altered.
- Respect the federal regulation that states that all mechanically propelled boats are forbidden on our lake.<sup>2</sup> Only electric motors of low power moving at low speed, without making waves are tolerated.
- Respect municipal regulations concerning the installation of a dock or a floating platform.<sup>3</sup>

## Section 3 – Public Services

All information concerning the different public services offered is provided on the municipality Website ([www.municipalite.austin.qc.ca](http://www.municipalite.austin.qc.ca)).

## Household Waste Collection

The collection of residual and recyclable materials occurs according to a calendar posted on the municipality Website. Materials must be put in the appropriate bin, placed on the side of the road on the evening before collection:

- Waste/garbage (black or green bin)
- Organic material-compost (brown bin)
- Recyclable material (blue bin)

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<sup>2</sup> Appendix 3 of the Vessel Operation Restriction Regulations (SOR/2008-120)

<sup>3</sup> *Règlement de zonage n° 16-430*, article 103.

## Bulky Items

The collection of bulky reusable items is done upon request by La Ressourcerie des Frontières (1 855 804-1018).

## Large Waste Items, Construction Materials & Hazardous Household Waste

The Austin municipality has reached an agreement with the Magog Écocentre (2300, Tanguay St.) allowing Austin citizens to dispose of large waste items, construction materials and hazardous household waste.

To benefit from this service, you must register with the municipality. You will then be able to obtain a numbered access card (annual) with the Écocentre. This card must be presented for each visit. Fees are charged for waste, residues and construction materials. The Écocentre rates are posted on the Austin municipality Website ([www.municipalite.austin.qc.ca/fr/ecocentres/](http://www.municipalite.austin.qc.ca/fr/ecocentres/)).

## Section 4 – Cleanliness

Cleanliness on our property and around the lake is everyone's concern. Each member has the responsibility to pick up and appropriately dispose of waste or debris that is on his/her property and on the side of the road.

According to municipal regulation, leaving waste on your property is considered a nuisance.<sup>4</sup>

## Cleaning of Wooded Areas

For the past few years, the Association has taken care of cleaning the sides of the road and shredding branches that have been collected.<sup>5</sup> As well, you can pile up branches from your property on the side of the road. These branches will also be shredded and the wood chips will be deposited on your property.

- All branches must be placed in the same direction (biggest end towards the road), with a maximum diameter of 6 inches and a maximum length of 8 feet.
- You must not mix other material (leaves, etc.) with the branches.

For everyone's safety and to prevent a power failure, each owner has the responsibility to ensure that branches and dead or sick trees close to electrical lines are pruned or removed.

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<sup>4</sup> *Règlement concernant les nuisances n° 01-264*, article 96.

<sup>5</sup> *Note that the cost for shredding branches is included in the annual membership fee*

**In case of emergency** on Lac-Malaga road (fallen electrical wires, etc.), contact **911** immediately.

In situations where the responsibility pertains to the Association (tree fallen on the road or other damage) please send an email to this address [lac-malaga@outlook.com](mailto:lac-malaga@outlook.com).

## Section 5 – The Environment

The vast majority of us have chosen the lac Malaga for the high quality of its environment. The Association makes it its main priority. The quality of the lake water, the wooded road around the lake and the tranquility of the premises are our main assets. The preservation of this environment depends on the commitment of each member of the community. It is the responsibility of each of us to stay informed and to respect instructions planned for this purpose.

### Noise & Outdoor Music

As we all know, sound travels a great distance on lakeshores. To respect all members of the community, we must restrain as much as possible, noises that we generate outside, and this, particularly in the evening and on Sunday.

The municipal regulation states that it is forbidden to make or cause noise in a manner that will disrupt neighbours or passers-by.<sup>6</sup>

Furthermore, concerning the use of sound reproducing instruments such as speakers, the municipal regulation stipulates this: « *It is forbidden to use or allow the use of a sound system, a radio or any other sound reproducing instruments causing excessive noise in such a way as to harm the well-being, peace, tranquility or rest of people in the neighborhood or passers-by.* »<sup>7</sup>

### Outdoor Lighting & Light Pollution

What is light pollution? It is any form of wasted lighting which, often when misdirected, veils the stars, reduces safety through glare and disturbs the biological rhythms of fauna and flora.<sup>8</sup>

As we all know, lac Malaga is a privileged place to observe the stars and appreciate the beauty of the night. In cities, this has become impossible these days because of light pollution.

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<sup>6</sup> *Règlement concernant les nuisances n° 01-264*, article 96.

<sup>7</sup> *Ibid.*, article 87.

<sup>8</sup> Bulletin d'information de la municipalité d'Austin, Summer 2010.

Exterior lighting should only be used when needed. Motion detectors, timers and the like are good ways to limit lighting. Light sources must be low, directed towards the ground and enclosed so as to prevent the horizontal diffusion of light which can be a nuisance to others in the area.

Municipal regulations prohibit the use of a continuous or non-continuous light, or any device that reflects light in such a way as to direct light rays onto the property of others.<sup>9</sup>

Light pollution also affects nocturnal fauna and flora. We should ensure that this kind of light pollution at lac Malaga is limited as much as possible. More information is provided on our website ([www.lac-malaga.ca](http://www.lac-malaga.ca)) and on the Municipality of Austin website ([www.municipalite.austin.qc.ca](http://www.municipalite.austin.qc.ca)).

## Outdoor Fires

Outdoor fires are permitted, subject to compliance with the following municipal regulations:

(Please note that the following are unauthorised translations from the original French language Municipal regulations and are provided by the Association as reference information only.)

### FIRE SAFETY REGULATION # 09-370

**17.1.** With the exception of cooking on a barbecue, it is strictly forbidden to light, to cause to be lit or to allow a fire to be lit in the open air, without having first obtained a permit from the competent authority. [...]

**17.3. Campfire** – The site of a campfire must be delimited in such a way as to prevent its spread, in particular by laying stones. The diameter of the site should be less than 1.2 meters and flames should not rise more than 2.5 meters above the ground.

**17.4. Smoke** – No one may permit or tolerate the propagation of smoke emitted by the combustion of materials used to fuel an open-air fire or an outdoor fireplace, in such a way as to disturb the comfort of a person living in the vicinity or to penetrate into an occupied building.

You must call **(819) 843-0000** to obtain **authorization** to make an outdoor fire. This authorization will be communicated to you by a recorded message. You will need to leave your name and the exact address where you will be making the fire.

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<sup>9</sup> *Règlement concernant les nuisances n° 01-264*, article 85.

## Fireworks

The natural environment surrounding lac Malaga does not lend itself to the safe use of pyrotechnics. In addition to causing great stress to wildlife and pets, pyrotechnic explosions produce chemical debris that pollutes lake water and can cause fires in wooded areas.

## Pets

Your dog is your responsibility. It is important to supervise and keep dogs on a leash to ensure the safety of walkers and residents. You should also pick up your dog's feces. In addition, barking disturbs the tranquility of residents.

Here is what the municipal regulations provide:

(Please note that the following are unauthorised translations from the original French language Municipal regulations and are provided by the Association as reference information only.)

### BY-LAW CONCERNING THE CONTROL AND RESPONSIBLE CARE OF ANIMALS # 20-480

#### Article 2.4.4 Animal kept on a leash outside the limits of its land

It is forbidden for a guardian to walk with his animal outside the limits of his occupancy unit without keeping the animal on a leash or otherwise assuming control and monitoring it at all times. In the absence of a device to restrain the animal, it is presumed not to be under the control of its guardian. [...]

#### Article 3.4 Feces

The guardian of an animal must immediately clean, by all appropriate means, any public place or any private property soiled by deposits of fecal matter left by the animal and must dispose of it in a hygienic manner. To this end, the guardian must have in his possession the necessary equipment. This provision does not apply to service dogs.

## Wild Animals

Being in the midst of nature, wild fauna is ever-present. We remind you that it is forbidden to feed wild animals. **Geese** and **ducks** can be a major source of pollution in our lake. We must not attract them or encourage their presence.

**Raccoons**, **skunks** or **foxes** can carry rabies, which is transmissible to pets and humans. It is important to properly secure the lids of your compost and waste bins against the entry of wild animals. You can help monitor raccoon rabies by reporting the presence of a raccoon, skunk or fox found dead or sick, paralyzed, disoriented or abnormally aggressive ([www.rageduratonlaveur.gouv.qc](http://www.rageduratonlaveur.gouv.qc)).



The **common loon** is very sensitive to human disturbance and has been experiencing a decline in its population for several years. The presence of fishermen and vacationers as well as certain human activities are harmful to this bird and its habitat. **Keeping a distance** from the loons is recommended when on the water, especially during the nesting period which extends from May to July, in order to prevent the adults from abandoning their nests.

## Septic Tanks

In accordance with the provincial Regulation respecting waste water disposal systems for isolated dwellings, the Municipality of Austin empties septic tanks at the following frequencies:

- every two years for residences occupied year-round;
- every four years for residences inhabited on a seasonal basis.

In December 2018, the municipality adopted a by-law on the management of septic systems<sup>10</sup> to ensure that such systems serving residences and businesses on the territory are not a source of nuisance or contamination of well water or surface water. The by-law obliges the owner of a septic system whose construction date is unknown or which is 35 years old or more to have it inspected and, if it is not functional, to repair or replace it, as the case may be. At the beginning of the year, the municipality sends a letter to the owners concerned advising them that they must have their septic system inspected.<sup>11</sup>

## The Road around the Lake

The Association owns and maintains the road around the lake. The road is approximately three (3) kilometers long, where pedestrians have priority, making it a paradise for walkers and runners. The road director takes care, among other things, of contracts for snow removal, filling of holes, regrading of the roadway and cleaning of ditches.

You can help preserve the beauty of the road by removing any waste or debris that may be present and by recovering your bins immediately after collections.

## Section 6 – Short-term Rentals

The policy of the Municipality of Austin provides that short-term rental, that is to say less than 32 days, is prohibited on its territory, with the exception of two areas, namely the village and the sector along road 112.

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<sup>10</sup> *Règlement sur la gestion des installations septiques n° 18-461.*

<sup>11</sup> Website of the Municipality of Austin ([Installations septiques – Municipalité d’Austin](#)).

Rentals of less than 32 days are therefore prohibited on properties surrounding lac Malaga, as they are not located in one of these areas.<sup>12</sup>

## Section 7 – Good Citizenship and Neighbourliness

Good citizenship occurs when one properly fulfills their role as a citizen. The word “citizen” derives from the Latin word “civis”, which designates the respect and devotion of the citizen for the community in which he lives, as well as respect for its conventions and laws.<sup>13</sup> At lac Malaga, we are a small community of property owners, the majority of whom have settled here for the beauty and tranquility of the surroundings and the high quality of the lake water. So that each of us can fully appreciate this beautiful environment, we invite you to read our **Short Guide to Good Neighbourliness**. You may also consider displaying it on your property, as a reminder to your guests. (It is available on our website: [www.lac-malaga.ca](http://www.lac-malaga.ca).) It is in this spirit that the Association, having the common good at heart, needs you. We all have a responsibility to preserve the exceptional environment of lac Malaga and to respect the members of its community.

## Section 8 – How to Preserve our Environment & Ensure Life at the Lake is Pleasant for Everyone

### 1. Get involved:

- Participate in the Association's annual meetings and speak out on issues affecting our community.
- Offer your services to the various committees of the Association (road, environment, other) to the extent of your availability and talents.
- Pay your annual dues on time, including any special dues approved at the annual general meeting.
- Participate in occasional chores.
- Pay attention to what is happening in your environment: on the lake, on your property and on those of your neighbours.
- Encourage family members and guests to respect all the Association's rules of good citizenship.

### 2. Prioritize the safety of others:

- Respect the priority given to pedestrians on the ring road.
- Reduce speed and respect its limit, which is 30 km/h.
- Be careful and respectful of cyclists.

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<sup>12</sup> Bulletin municipal, 3<sup>rd</sup> Quarter 2018 and 1<sup>st</sup> Quarter 2020.

<sup>13</sup> Wikipedia.

- Control your dog and keep it on a leash during walks.
- Be attentive and cautious on the water, especially towards swimmers.
- Report any danger that could cause injury on the ring road (e.g., large branches or dead trees that could possibly fall on someone).

### 3. Preserving Our Environment:

- Ensure that boats coming from outside are thoroughly washed before putting them in the water.
- Do not use soap or polluting products in or near the lake.
- Protect the banks of the lake by respecting regulations on shoreline buffer strips.
- Maintain and protect the existing forest.
- Find out about municipal regulations and respect them.
- Make sure your septic system works properly to avoid polluting.
- Never feed ducks or geese, so as to keep the water clean and prevent swimmer's itch.

### 4. Protect Your Property:

- Maintain your property, out of respect for yourself and your neighbours.
- Sort and deposit household waste in the appropriate bin and keep it inaccessible to animals.
- Keep the bins in good condition and recover them after collection.
- Obtain authorization from the municipality (819-843-0000) before lighting an outdoor fire.

### 5. Respect the Tranquility of the Site and the Privacy of Neighbours:

- Do not use noisy machinery on Sundays, so that everyone can appreciate the calm of the lake and the forest.
- Do not allow the sound of music to propagate outside.
- Limit the power and duration of outdoor lighting, and ensure that it does not illuminate your neighbours' property or cause flash blindness on the road.
- During outdoor fires, limit smoke and burn only dry, healthy wood.
- Do not set off fireworks, to avoid disturbing the tranquility of neighbours, wildlife and domestic animals, and to prevent pollution and forest fires.