

DEFINITION OF WATERWAY:

“Waterway”: All regular or intermittent waterways, including those that have been created or modified by human intervention with the exception of:

1° waterways where a portion of the waterway falls under the sole jurisdiction of the Quebec government and which has been determined by decree 1292-2005 as of December 20, 2005 (2005, G.O.2, 7381 A) (there are none in the Brome-Missisquoi MRC);

2° a ditch of a public road;

3° of a joint ditch within the meaning of article 1002 of the Quebec Civil Code, which reads as follows:

“Any owner of land may fence it, at his own expense, with walls, ditches, hedges or any other kind of fence.

He may also require his neighbour to make 1/2 of or share the cost of making a fence which is suited to the situation and use made of the premises, on the dividing line to divide his land from his neighbour's land.”

4° a drainage ditch satisfying the following requirements:

- a) used solely for drainage and irrigation;
- b) that exists only because of human intervention;
- c) whose watershed is less than 100 hectares.

The part of a waterway that serves as a ditch is also under the jurisdiction of the MRC.