

Canada
PROVINCE OF QUÉBEC
MUNICIPALITY OF PONTIAC

DRAFT BYLAW NO. 06-07

**BYLAW APPLICABLE TO PRIVATE SEWAGE SYSTEMS HAVING RECEIVED
TERTIARY TREATMENT WITH DISPOSAL INTO THE ENVIRONMENT**

WHEREAS in virtue of section XV.5 of the “Bylaw on the evacuation and treatment of wastewater of isolated residential systems” (c.Q-2 r.8), it is from now on possible to dispose of the effluent from a tertiary treatment system into a ditch;

WHEREAS these tertiary treatment systems entail risks for the environment and public health;

WHEREAS facing this situation, precaution will prevail in the Council’s decisions;

WHEREAS this Council deems it imperative to prohibit septic installations having tertiary treatment with disposal to the surface, such as a ditch, marsh, lake, pond or water course which offers a by-pass ratio in a low-flow period that is lower than 1:300;

WHEREAS the purpose of this prohibition is to protect public health, the environment, the integrity of the hydrographic network and the Municipality of Pontiac residents’ quality of life;

WHEREAS this prohibition prevails on any other provisions of the same nature which applies to the “Bylaw on the evacuation and treatment of wastewater of isolated residential systems” (c.Q-2 r.8);

WHEREAS a notice of motion for the present bylaw was duly given at a council meeting on March 14, 2006;

CONSEQUENTLY, it is

Moved by	Jean Amyotte
Seconded by	Raymond Gougeon

AND RESOLVED THAT the Council of the Municipality of Pontiac orders and decrees the following:

SECTION 1 PREAMBLE

The preamble is an integral part of the present bylaw.

SECTION 2 TERMINOLOGY

For the purpose of the application of the present bylaw, the terminology which is necessary for the interpretation of the standards and obligations found in the “Bylaw on the evacuation and treatment of wastewater of isolated residential systems” (c.Q-2 r.8).

Effluent: wastewater to be treated and disposed of.

Septic installation: work intended for the treatment and distribution of wastewater from a residence or another building which may consist of a primary, secondary, advanced secondary and tertiary treatment.

Tertiary treatment: a wastewater treatment system consisting of an ultraviolet radiation unit for disinfection which allows for additional standards for environmental release.

Disposal into the environment: act of directing, under certain conditions, the effluent of a tertiary treatment system towards a lake, a marsh, a pond, a ditch or a water course offering a by-pass ratio in a low-flow period that is lower than 1:300;

SECTION 3 CONDITIONS TO THE INSTALLATION

Any type of tertiary treatment system which is connected to a disposal in the environment, a ditch for example, is prohibited on the territory of the Municipality of Pontiac. However, the effluent of a septic system consisting of an advanced secondary treatment system or a tertiary treatment system may, according to one or the other case, be directed:

- a. towards a drain field which complies with the “Bylaw on the evacuation and treatment of wastewater of isolated residential systems” (c.Q-2 r.8);
- b. towards a water course offering a by-pass ratio in a low-flow period that is higher than 1:300 and that is not located upstream to a lake, marsh or a pond.

SECTION 4 OFFICER IN CHARGE

Application of the present bylaw is entrusted to the director of technical services as well as any other officer in charge which is designated for this purpose.

The officer in charge has the right to visit and examine any real estate between 7:00 a.m. and 7:00 p.m. as well the exterior and interior of houses or buildings so that the provisions of the present bylaw are respected.

Property owners, tenants or occupants of the sites visited must receive the officer and answer any questions that he may have related to the present bylaw.

SECTION 5 RECOURSE AND PENALTIES

Whoever contravenes or does not comply with one provision or another of the present bylaw commits an offence and is liable to a penalty for each offence. The fine is set at \$1,000.00 for an individual and at \$2,000.00 for a corporate body.

In the case of a repeat offence, within two years of a conviction for the same offence, the offender is liable for the fees for each offence, that is a fine set at \$2,000.00 if the offender is an individual, or a fine set at \$4,000.00 if a corporate body.

When an offence lasts for more than one day, a separate offence is considered for as many days or fraction of day that it lasted, and these offences may all be charged at once.

Notwithstanding recourse through the criminal justice system, council could direct any civil recourse before civil court necessary in order to enforce the provisions of the present bylaw.

SECTION 6 COMING INTO EFFECT

The present bylaw will come into effect following the accomplishment of all formalities foreseen by law.

GIVEN IN PONTIAC (QUÉBEC), this 11th day of April 2006.

Sylvain Bertrand
Secretary-treasurer

Edward J. McCann
Mayor