

**ADMINISTRATIVE COMPILATION
BYLAW NUMBER 08-22**

**BYLAW 08-22 FOR THE MAINTENANCE OF TERTIARY ULTRAVIOLET DISINFECTION
TREATMENT SYSTEMS**

Adopted by Municipal Council on May 10, 2022
Entry into force on May 16, 2022

Name and/or number of bylaw, policy, resolution	Date of approval by Council	Date of coming into force	Status
Bylaw 06-07	April 11, 2006	April 11, 2006	Abrogated
Construction bylaw 179-01	December 18, 2001	March 21, 2002	Modified
Administrative and interpretative bylaw 176-01	December 18, 2001	March 21, 2002	Modified

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PREFACE

The reader is hereby advised that any errors or omissions that may be identified in the text below do not affect the enforceability of the regulations and amendments referred to therein, as sanctioned in their original version.

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**BYLAW 08-22 FOR THE MAINTENANCE OF TERTIARY ULTRAVIOLET
DISINFECTION TREATMENT SYSTEMS**

REGULAR meeting of the Council of the Municipality of Pontiac, held on May 10, 2022, at 7:30 p.m., at the Luskville Community Center, at which meeting were present:

The Mayor, Mr. Roger Larose

The Council Members:

Diane Lacasse
Caryl McCann
Serge Laforest
Garry Dagenais
Chantal Allan
Jean Amyotte

All Council members and being a quorum.

WHEREAS section 87.14.1 of the Regulation respecting wastewater disposal systems for isolated dwellings (R.R.Q., c. Q-2, r.22) allows the installation of a tertiary disinfection system by ultraviolet radiation, provided that the Municipality takes charge of the maintenance of this system;

WHEREAS the Municipality is willing to maintain tertiary disinfection systems by ultraviolet radiation, if the conditions set out in this bylaw are respected;

WHEREAS the powers conferred on the Municipality by section 25.1 of the Municipal Powers Act;

WHEREAS it is in the interest of the Municipality to adopt this bylaw;

WHEREAS a notice of motion of this bylaw with the exemption of its reading was given by the Mayor, Roger Larose, at a Council meeting held on April 12, 2022;

WHEREAS all Council members have declared having read the draft bylaw and renounce to its reading;

WHEREAS the Mayor has mentioned the purpose of the bylaw and its scope;

THEREFORE, it is moved by Councillor Chantal Allen and seconded by Councillor Garry Dagenais.

AND RESOLVED THAT the Municipal Council decrees and enacts as follows:

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SECTION 1 : TITLE OF THE BYLAW

The bylaw is entitled « Bylaw 08-22 for the maintenance of tertiary ultraviolet disinfection treatment systems ».

SECTION 2 : PREAMBLE

the preamble to this bylaw forms part of this bylaw as if it were set out in full.

SECTION 3 : PURPOSE OF THE BYLAW

The purpose of this bylaw is to regulate the installation, operation and maintenance of tertiary ultraviolet disinfection treatment systems as a last resort.

SECTION 4 : PERMIT

Anyone wishing to install and use a tertiary ultraviolet disinfection system (hereinafter referred to as "system") must first obtain a permit from the Municipality in accordance with the Regulation respecting wastewater disposal systems for isolated dwellings (hereinafter referred to as "the Provincial Regulation").

SECTION 5 : PROVISIONS FOR THE PERMIT ISSUANCE

The issuance of a permit for the installation and use of a tertiary ultraviolet disinfection system is subject to compliance with the Provincial Regulation and the signing, by the owner of the building in question and by any tenant or occupant of said building, of an undertaking to the Municipality providing for the following:

1. The designation of the parties;
2. The description of the work to be performed on the building and the name of the supplier or manufacturer of the system, including the contact information of the person in charge of said manufacturer or supplier who can be contacted;
3. The date on which the work will be completed;
4. An undertaking by the owner that the system will be used in accordance with the Provincial Regulation and the recommendations of the manufacturer or supplier;
5. An undertaking by the owner, tenant and/or occupant to inform the Municipality of any change in the use of the building or any change in any of the information contained in the agreement;
6. An undertaking by the owner to provide the Municipality with any user's guide or other similar document, or update of such a guide, that may be provided to the owner from time to time by the manufacturer, within 5 days of receipt thereof;
7. An undertaking by the owner of the property to involve any subsequent purchaser of the property in the agreement.

SECTION 6 : MAINTENANCE BY THE MUNICIPALITY

Upon compliance with all of the provisions set out in the Provincial Regulation and upon signing the undertaking set out in Section 5 of this bylaw, the Municipality agrees to carry out or have carried out the maintenance of the tertiary ultraviolet disinfection treatment system referred to in the permit application and until the end of the useful life of the asset, in accordance with any applicable regulations and in accordance with the Manufacturer's Guide to be provided by the owner.

The Municipality will contract with a qualified third party for minimum maintenance of the system based on the intensity of use. The Municipality will proceed, if necessary, with the replacement of any part that has reached its life expectancy.

The Municipality shall forward to the owner of said property any analysis report or inspection report that may be submitted to it, from time to time, by the third party mandated for this purpose. The Municipality's maintenance obligation does not limit its powers of intervention under the Municipal Powers Act.

SECTION 7 : RESPONSIBILITIES OF THE OWNER, TENANT OR OCCUPANT

The owner, tenant or occupant of the building served by a system covered by this bylaw must take the necessary measures to allow, at all times, any employee of the Municipality or anyone expressly designated by the Municipality for this purpose, access to his or her building so as to allow maintenance of the tertiary ultraviolet disinfection treatment system.

To this end, and without restricting the generality of the foregoing, he must particularly visibly identify the location of the openings of his septic installation and clear them of any obstruction.

SECTION 8 : MAINTENANCE FEES

All maintenance fees of the system referred to in this bylaw shall be borne by the owner of the property concerned, in accordance with the prices set out in this bylaw.

SECTION 9 : PRICING

The fee for the maintenance of the system is equivalent to the amount that will be charged by the person mandated by the Municipality to carry out this maintenance, increased by 10% for the administrative costs of the plan. This fee may be modified, from time to time, in the taxation bylaw adopted by the Council of the Municipality.

SECTION 10 : INVOICING

The amount due for the maintenance of the system will appear on the tax bill of the owner of the property that received municipal maintenance service for the system in the previous year.

SECTION 11 : INSPECTION

Any employee of the Municipality as well as anyone expressly mandated by the Municipality to proceed with the maintenance covered by the present bylaw are authorized to visit and examine,

between 7:00 a.m. and 8:00 p.m. every day of the week, any property to ensure compliance with the present bylaw.

Any owner or occupant of such building shall receive them, give them access to the building and any building therein, and answer any questions relating to the enforcement of this bylaw.

The people referred to in the first paragraph may examine any septic system and, for that purpose, request that it be opened by the owner or occupant.

SECTION 12 : ISSUANCE OF STATEMENTS OF VIOLATION

The Building and Environment Inspector or any other person designated by resolution, is authorized to issue, in the name of the Municipality, statements of violation for any infraction of the present bylaw.

SECTION 13 : PARTICULAR VIOLATION

It is a violation for the owner, occupant or lessee of a property served by a tertiary ultraviolet disinfection treatment system to contravene any of the provisions of this bylaw or the contents of the undertaking provided for in section 5.

SECTION 14 : VIOLATION AND FINE

Anyone who violates or fails to comply with any of the provisions of this bylaw is guilty of a violation and is liable, in addition to the costs of each violation, to a fixed fine of \$1,000.00 if the offender is a natural person, or to a fixed fine of \$2,000.00 if the offender is a corporation.

In the case of a repeat violation, the offender is liable, in addition to the costs for each violation, to a fixed fine of \$2,000.00 if the offender is a natural person, or to a fixed fine of \$4,000.00 if the offender is a legal person.

When a violation lasts more than one day, there shall be as many separate violations as there are days or fractions of a day that the violation lasts, and such violations may be described in a single charge.

Notwithstanding any remedy by way of criminal action, the board shall have the right to pursue in the courts of civil jurisdiction all remedies at law necessary to enforce the provisions of this bylaw.

SECTION 15 : OTHER LAWS AND REGULATIONS

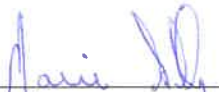
The contents of this bylaw shall not limit the responsibilities of the owner, lessee or occupant of a property with respect to any other responsibilities incumbent upon him or her by virtue of the applicable laws and regulations, including, in particular, the responsibilities contained in the Regulation respecting wastewater disposal systems for isolated dwellings (R.R.Q., c. Q-2, r.22).

SECTION 16 : COMING INTO FORCE


The present bylaw will come into force according to the Law.

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GIVEN at Pontiac this May 10, 2022



Mario Allen
Acting Director General



Roger Larose
Mayor

Notice of motion : April 12, 2022
Tabling of the draft bylaw: April 12, 2022
Adoption of the bylaw: May 10, 2022
Resolution : 22-05-4640
Public notice: May 16, 2022