

**Canada**  
**PROVINCE OF QUÉBEC**  
**MUNICIPALITY OF PONTIAC**

**DRAFT BY-LAW NO. 06-07**

**BY-LAW APPLICABLE TO PRIVATE SEWAGE SYSTEMS**  
**HAVING RECEIVED TERTIARY TREATMENT WITH**  
**DISPOSAL INTO THE ENVIRONMENT**

WHEREAS in virtue of section XV.5 of the “By-law 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 council’s decisions;

WHEREAS this council judges 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 “By-law on the evacuation and treatment of wastewater of isolated residential systems” (c.Q-2 r.8);

WHEREAS a notice of motion for the present by-law 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:

**ARTICLE 1**      **PREAMBLE**

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

**ARTICLE 2**      **TERMINOLOGY**

For the purpose of the application of the present by-law, the terminology which is necessary for the interpretation of the standards and obligations found in the “By-law 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;

### **ARTICLE 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 “By-law 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 situated upstream to a lake, marsh or a pond.

### **ARTICLE 4      OFFICER IN CHARGE**

Application of the present by-law 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 by-law are respected.

Property owners, tenants or occupants of the sites visited are obliged to receive the officer and answer any questions that he may have relating to the present by-law.

### **ARTICLE 5      RECOURSE AND PENALTIES**

Whoever contravenes or does not comply with one provision or another of the present by-law 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 by-law.

**ARTICLE 6      COMING INTO EFFECT**

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



GIVEN IN PONTIAC (QUÉBEC), this 11<sup>th</sup> day of April 2006.

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Sylvain Bertrand  
Secretary-treasurer

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Edward J. McCann  
Mayor