

NATIONAL ASSEMBLY
Thirty-fourth Legislature, second session

1992, chapter 73

AN ACT RESPECTING THE RÉGIE INTERMUNICIPALE DE GESTION DES DÉCHETS SUR L'ÎLE DE MONTRÉAL

Bill 221

Introduced by Mr Claude Dauphin, Member for Marquette

Introduced 14 May 1992

Passage in principle 16 June 1992

Passage 16 June 1992

Assented to 17 June 1992

Coming into force: 17 June 1992

Acts amended:

Act respecting the Régie intermunicipale de gestion des déchets sur l'île de Montréal (1988, chapter 93)

Act respecting the Régie intermunicipale de gestion des déchets sur l'île de Montréal (1990, chapter 95)



CHAPTER 73

An Act respecting the Régie intermunicipale de gestion des déchets sur l'Île de Montréal

[Assented to 17 June 1992]

Preamble **WHEREAS** it is expedient to grant additional powers to the Régie intermunicipale de gestion des déchets sur l'Île de Montréal and to amend the intermunicipal agreement of 3 December 1984;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Interpre-
tation

1. In this Act, unless the context indicates otherwise,

"member
municipa-
lity"

(1) "member municipality" means any municipality which is a party to the intermunicipal agreement;

"waste"

(2) "waste" means the matters referred to in subparagraph *a* of paragraph 10 of section 413 of the Cities and Towns Act (R.S.Q., chapter C-19);

"intermu-
nicipal
agreement"

(3) "intermunicipal agreement" means the intermunicipal agreement entered into on 3 December 1984, under the terms of which the Minister of Municipal Affairs ordered the establishment of the Régie intermunicipale, including amendments thereto;

"Régie"

(4) "Régie" means the Régie intermunicipale de gestion des déchets sur l'Île de Montréal.

Powers

2. The Régie may, by by-law,

(1) prescribe rules relating to the transport of waste and the conditions of its acceptance at the installations of the Régie, which may vary according to the classes established for that purpose, and designate a site for the deposit of waste;

(2) establish classes of waste, determine what waste is reusable or recyclable and prescribe procedures for the sorting and treatment of waste for the purposes of removal or selective collection;

(3) require every person who transports waste generated in the territory of a member municipality to hold a permit for such purpose and prescribe the fee for the permit, the procedure for its issue and the conditions for its issue, renewal, suspension and revocation;

(4) in the cases it determines, require every person whose waste is transported to furnish the person who transports it with a bill of lading, require the latter to keep the bill of lading in his possession when effecting such transportation and require each of such persons to keep a register of all bills of lading furnished or received;

(5) prescribe the form and minimum content of the bill of lading and register provided for in paragraph 4.

Powers

3. The Régie may limit the application of a by-law adopted under section 2 to a part of its territory; it may also exclude waste removed by or on behalf of a member municipality.

By-laws

The by-laws adopted by the Régie under section 2 shall prevail over any by-law of a member municipality relating to the same subject.

Applicable provisions

4. Section 356, the first paragraph of section 357, sections 359 and 361, the first paragraph of section 362 and sections 363, 367, 368 and 397 to 408 of the Cities and Towns Act (R.S.Q., chapter C-19), adapted as required, apply to the by-laws adopted under section 2.

Authorized visit

5. The Régie may, by by-law, authorize, on the conditions it determines, its agents or employees to visit the interior and exterior of any movable and immovable property in order to ascertain that its by-laws are being complied with. Every person is required to admit an agent or employee so authorized. The latter must exhibit, on request, a document identifying his status.

Exception

However, no agent or employee so authorized may visit the interior of a private residence unless he believes on reasonable grounds that the by-laws of the Régie are not being complied with in that residence.

Shares

6. The Régie may acquire all the shares of only one company under paragraph 2 of section 6 of the Act respecting the Régie intermunicipale de gestion des déchets sur l'Île de Montréal (1990, chapter 95).

New share Any new share issued by the company may be acquired only by the Régie, which may carry out the acquisition by way of a by-law adopted in accordance with sections 468.37 to 468.39 of the Cities and Towns Act.

Surety The Régie, with the authorization of the Minister of Municipal Affairs, may stand surety for the company or grant it financial aid in any form.

Obligations **7.** The performance of the obligations of the Régie may be levied against its property; the performance of the obligations of the company referred to in section 6 may be levied against the property of the company.

1988, c. 93,
s. 3, am.;
1990, c. 95,
ss. 6 and
11, am.

8. Section 3 of the Act respecting the Régie intermunicipale de gestion des déchets sur l'Île de Montréal (1988, chapter 93), and paragraph 3 of section 6 and the second paragraph of section 11 of the Act respecting the Régie intermunicipale de gestion des déchets sur l'Île de Montréal (1990, chapter 95) are amended by striking out the words "and the Minister of the Environment".

1990, c. 95,
s. 1, am.

9. Section 1 of the Act respecting the Régie intermunicipale de gestion des déchets sur l'Île de Montréal (1990, chapter 95) is amended by replacing paragraph 2 by the following paragraph:

"waste" "(2) "waste" means the matters referred to in subparagraph *a* of paragraph 10 of section 413 of the Cities and Towns Act (R.S.Q., chapter C-19);".

Intermu-
nicipal
agreement,
s. 1.2,
replaced

10. Section 1.2 of the intermunicipal agreement, replaced by section 7 of the Act respecting the Régie intermunicipale de gestion des déchets sur l'Île de Montréal (1990, chapter 95), is again replaced by the following section:

"1.2 In this agreement, the words "waste management system" mean the combination of administrative and technical operations ensuring a rational method of removal, transport, storage, treatment, recycling and final deposit of waste and/or permitting the generation, recovery, sale or use of energy or recyclable materials, and the movable and immovable property set aside for such purposes."

Intermu-
nicipal
agreement,
s. 8, am.

11. The first paragraph of section 8 of the intermunicipal agreement, amended by section 6 of chapter 93 of the statutes of 1988 and section 3 of chapter 101 of the statutes of 1989 and replaced by section 9 of chapter 95 of the statutes of 1990, is again replaced by the following paragraph:

“8. This agreement shall terminate on 2 December 2025.”

Declaratory
section

12. Section 10 is declaratory.

Applicabi-
lity

13. A by-law under section 2 does not apply to a person who transports waste pursuant to a contract of a determined duration valid and in effect on 14 May 1992, until the end of the contract, or of its renewal in effect on that date, whichever occurs first.

Effect

This section ceases to have effect on 14 May 1997.”

Coming into
force

14. This Act comes into force on 17 June 1992.