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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-THIRD LEGISLATURE

Bill 235  
(Private)

## **An Act to amend the charter of the city of Saint-Hyacinthe**

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### **Introduction**

**Introduced by  
Mr Charles Messier  
Member for Saint-Hyacinthe**

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# Bill 235

(Private)

## **An Act to amend the charter of the city of Saint-Hyacinthe**

WHEREAS it is in the interest of the city of Saint-Hyacinthe that it be granted certain powers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Section 413 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended for the city by inserting, after subparagraph *b* of paragraph 22, the following subparagraphs:

“(c) to prescribe quantitative standards for the discharge of surface, rain, underground or cooling water or industrial waste water into a purification works; to prohibit or regulate such discharge; to impose conditions to control, reduce, regularize or spread out such discharge;

“(c.1) to prescribe, according to the source of contamination, the class of establishment or the industrial process, a maximum quantity or concentration of or limit to the acidity, alkalinity, temperature, chemical or biochemical requirement for oxygen, oil, grease, suspended matter, dissolved matter, toxic substances or substances that are harmful to the environment in waste water discharged into a purification works; to prohibit or regulate the discharge, into a purification works, of waste water having a content of a substance in excess of the prescribed maximum or having characteristics not in conformity with such maximum;

“(c.2) to regulate the discharge of rain, surface or underground water into a domestic or unitary sewer; to prohibit the discharge of domestic waste water into a storm sewer; to prescribe qualitative or quantitative standards for the discharge of water into a storm sewer;

“(c.3) to determine the method of computing the quantity of water discharged into a purification works; to prescribe the use of meters, and determine the conditions, including payment of the cost, for connection to the purification works of the city;

“(c.4) to prescribe standards to prevent and control the supply of parasitic water through filtration or catchment;

“(c.5) to prohibit or regulate the discharge into a purification works of a substance which may, by itself or by reaction with another substance,

(a) damage the works, affect its operation, overload it or clog it;

(b) constitute a danger to the life or health of humans, wildlife or vegetation;

(c) cause a fire, an explosion or any other material damage; or

(d) constitute a nuisance by the emission of toxic or foulsmelling gas;

“(c.6) to require any person or class of persons that discharges or intends to discharge industrial waste water or cooling water into a purification works to obtain a permit from the city and prescribe the information that shall be furnished with permit applications; to exempt any person or class of persons it determines from the requirement to obtain a permit;

“(c.7) to prescribe the conditions, procedures and fees relating to the issue, renewal, suspension or revocation of a permit;

“(c.8) to fix the amount of the duties that shall be paid by any person who discharges industrial waste water into a purification works; the duties may be fixed on the basis of the volume of waste water, the quantity or concentration of suspended particles it contains, its biochemical or chemical requirement for oxygen, its chlorine requirement, the nature of its polluting agent or any other criterion;

“(c.9) to prohibit the discharge into a purification works of a substance which may, by itself or by reaction with another substance, have any of the effects enumerated in subparagraph c.5.

The city may claim, from any person who discharges waste water into a purification works in contravention of a by-law passed under subparagraphs *c* to *c.5* or of a prohibition made under this subparagraph, the reimbursement of the costs incurred for the maintenance or repair of the purification works because of such discharge;

“(c.10) to require that any person discharging waste water into purification works comply with all or part of the following conditions:

(a) the construction of a man-hole in conformity with the requirements prescribed by the city, to allow the inspection, sampling, measuring and registration of the quality and flow of the discharged waste water;

(b) the installation and maintenance in good repair of appropriate equipment for the sampling, analysis, measuring and registration of the quality and flow of the discharged waste water, in accordance with the methods prescribed by the city;

(c) the installation and maintenance in good repair of equipment for the treatment or pre-treatment of industrial waste water, to regularize the flow of the discharged waste water or to bring it into conformity with the prescriptions of a by-law passed under subparagraphs *c* to *c.5*;

(d) the presentation, for approval, of the plans relating to the installation of the equipment contemplated in subparagraph *a*, *b* or *c*, and the procedures for the use of such equipment;

(e) the maintenance of the discharged waste water within an average or maximum concentration or mass of discharged pollutants according to the class of pollutants;

(f) the presentation of periodic discharge reports indicating the volume and the qualitative and quantitative characteristics of the discharged waste water;

“(c.11) to prescribe the devices and methods whose use is recognized for the purposes of analysis, sampling or computation of concentration; to fix the duration of a sampling program, determine the analysis parameters and carry out its own sampling or analysis program at the expense of a permit holder if it considers that the data supplied by him are inaccurate;

“(c.12) to delegate the powers conferred on it by subparagraph *c.11* to the head of a department;”.

**2.** No allegation of irregularity or illegality may be raised against by-laws number 527, 746 and 835 on the ground that the city did not have the powers conferred on it by section 1 at the time of passage of the said by-laws.

The special tax and the compensation imposed and levied under by-laws number 746 and 835 to cover the financing and operating costs of the waste water treatment system and plant, are valid and incontestable for the fiscal years 1987 and 1988.

This section does not affect a case pending on 9 January 1988.

**3.** This Act comes into force on (*insert here the date of assent to this Act*).