

CANADA, PROVINCE OF QUEBEC
M.R.C. Pontiac
Municipality of Thorne

REGULATIONS FOR THE INSTALLATION AND BILLING OF SEPTIC SYSTEMS

WHEREAS the Municipality of Thorne finds it necessary to implement a by-law for the installation and billing of septic systems for those properties with systems that do not conform to environmental law;

WHEREAS the Municipal Powers Act article **25.1** states that "A local municipality may install or maintain the waste water treatment system of an isolated dwelling within the meaning of the Regulation respecting waste water disposal systems for isolated dwellings (R.R.Q., chapter Q-2, r. 22), or bring it into conformity with the regulation, at the expense of the owner of the immovable. It may also clean the septic tanks of any other immovable. For the purposes of the first paragraph, the second and third paragraphs of section 95 apply with the necessary modifications.

WHEREAS the Municipal Powers Act article **95** states "A local municipality may install any equipment or device on an immovable or do any work on the immovable necessary for the exercise of its powers.

For the purposes of the first paragraph, the employees of the municipality or the persons it authorizes may enter or move about on any immovable at any reasonable time.

The exercise of the powers granted under this section is subject, however, to the restoration of the premises to their former state and to compensation of the owner or person in charge of the premises for any damage. In addition, the municipality is bound, except in an emergency, to give the owner or any other person in charge of the immovable prior notice of at least 48 hours of its intention to enter or move about on the immovable for the purposes mentioned in the first paragraph."

WHEREAS the Municipal Powers Act article **96** states "An amount owed to the municipality following its intervention under this Act is considered a property tax if the claim is related to an immovable and if the debtor is the owner of the immovable. Otherwise, the claim is considered a non-property tax."

CONSIDERING THAT a Notice of Motion of this law was duly given by Councilor Mike Guitard, at the regular meeting of council held on July 5, 2011;

FOR THESE REASONS, THE COUNCIL OF THE MUNICIPALITY OF THORNE ORDERED THAT:

Article 1 Preamble

The preamble of this by-law forms part of all legal purposes.

Article 2 Title and Number

This Regulation is numbered 05-2011 and is entitled "Regulations for the installation and billing of septic systems."

Article 3 Purpose

The purpose of this by-law is to install septic systems for those properties with septic systems that do not conform to environmental law or those immovables where septic systems do not exist.

Article 4 Obligations

Ratepayers are obligated to install a septic system that conforms to the Regulation respecting waste water disposal systems for isolated dwellings (R.R.Q., chapter Q-2, r. 22).

Article 5 Price

Should a ratepayer refuse to install a septic system or make the necessary repairs to their existing system, the Municipality will have an Engineer make a septic plan and obtain 2 quotes to install the required system. The Municipality will hire the company with the lower of the 2 estimates and have the work performed at the earliest possibility.

Article 6 Method

The Director General will charge the fees for the Engineer's plan and the costs for installation to

the ratepayer's tax file, along with a \$20.00 administrative fee. The corresponding bill will be mailed to the ratepayer with a 30 day delay before interest will start accumulating.

Article 7 Interest

The same percent interest will apply for unpaid septic system expenses as that of annual land taxes.

Article 8 Entry into force

This By-law comes into force on the day of its publication in accordance with the Act.

ADOPTED AT THE MEETING OF August 2, 2011.

Ross Vowles, Mayor

Ginger Finan, Director General