



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 214

(Private)

An Act respecting Ville de Drummondville

Introduction

**Introduced by
Mr. Sébastien Schneeberger
Member for Drummond-Bois-Francs**

**Québec Official Publisher
2015**

Bill 214

(Private)

AN ACT RESPECTING VILLE DE DRUMMONDVILLE

AS the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques is proposing a model by-law on the discharge of waste into the sewer systems of Québec municipalities so that the latter can use similar tools to abate the discharge of waste into municipal wastewater networks, since they ultimately drain into natural watercourses;

AS Ville de Drummondville intends to revise the by-laws it had already adopted on this subject, namely, By-law 1863 entitled Règlement relatif aux rejets dans les réseaux d'égout (French only), amended by By-laws 2397, 2940 and 3625, and By-law 1862 entitled Règlement sur les branchements d'égout des résidences privées (French only);

AS Ville de Drummondville is a municipality governed by the Cities and Towns Act (chapter C-19);

AS the maximum fine that a municipality governed by section 369 of that Act may impose is limited to \$1,000 in the case of a natural person and \$2,000 in the case of a legal person and, for a subsequent offence, to \$2,000 in the case of a natural person and \$4,000 in the case of a legal person;

AS substantial environmental damage may result from noncompliance with municipal environmental by-laws;

AS the low fines that a municipality governed by the Cities and Towns Act can impose may do little to deter polluters;

AS the Environment Quality Act (chapter Q-2), in particular sections 115.29 to 115.32, enacts far more severe penal sanctions to fight polluters more effectively;

AS Ville de Drummondville wishes to be able to take effective action in that regard;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. For an offence against a by-law that it adopts in relation to discharge into a sanitary, storm or combined sewer system, Ville de Drummondville may impose the following sanctions:

(1) for a first offence, a fine of up to \$75,000 in the case of a natural person or up to \$150,000 in the case of a legal person, a term of imprisonment of up to 18 months, despite article 231 of the Code of Penal Procedure (chapter C-25.1), or both penalties together;

(2) for a second or subsequent offence, a fine of up to \$150,000 in the case of a natural person or up to \$300,000 in the case of a legal person, a term of imprisonment of up to 18 months, despite article 231 of the Code of Penal Procedure, or both penalties together.

2. A judge who orders imprisonment must give the reasons for a finding of guilty and for the sentence in writing, except in the case described in article 237 of the Code of Penal Procedure, whether or not the sentence involves both a fine and imprisonment.

3. The fine belongs to Ville de Drummondville.

4. Imposition or payment of a fine does not prevent Ville de Drummondville from instituting or continuing civil proceedings before a court of justice, whether for compensation for damage or the payment of punitive damages or as an extraordinary recourse.

5. This Act in no way restricts the Municipal Court of Drummondville from ordering any useful measure under section 29 of the Act respecting municipal courts (chapter C-72.01).

6. This Act has effect despite the limits specified in section 369 of the Cities and Towns Act (chapter C-19).

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