

Gouvernement du Québec

O.C. 1153-99, 6 October 1999

Public Buildings Safety Act
(R.S.Q., c. S-3)

Elevators and a standard for lifts for persons with physical disabilities
— Safety Code
— Amendments

Regulation to amend the Regulation respecting the application of a safety code for elevators and a standard for lifts for persons with physical disabilities

WHEREAS under section 39 of the Public Buildings Safety Act (R.S.Q., c. S-3), the Government may make regulations with respect to public buildings concerning the precautions to be taken as respects elevators and safety appliances in connection therewith;

WHEREAS the Regulation respecting the application of a safety code for elevators and a standard for lifts for persons with physical disabilities was made by Order in Council 111-97 dated 29 January 1997;

WHEREAS it is expedient to amend the Regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) the draft Regulation to amend the Regulation respecting the application of a safety code for elevators and a standard for lifts for persons with physical disabilities was published in Part 2 of the *Gazette officielle du Québec* of 2 June 1999 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS no comments were received;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour and Employment and Minister of Labour:

THAT the Regulation to amend the Regulation respecting the application of a safety code for elevators and a standard for lifts for persons with physical disabilities, attached hereto, be made.

MICHEL NOËL DE TILLY
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of a safety code for elevators and a standard for lifts for persons with physical disabilities^(*)

Public Buildings Safety Act
(R.S.Q., c. S-3, ss. 10, par. 8, and 39)

1. The following section 4.1 is inserted after section 4 of the Regulation respecting the application of a safety code for elevators and a standard for lifts for persons with physical disabilities:

“4.1 Every apparatus covered by section 1 shall bear a licence plate issued by the inspector. That plate shall be affixed by the inspector.”.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 1154-99, 6 October 1999

Building Act
(R.S.Q., c. B-1.1)

Fees exigible from owners of elevators

Regulation respecting the fees exigible from owners of elevators

WHEREAS under paragraph 20 of section 185 of the Building Act (R.S.Q., c. B-1.1), the Régie du bâtiment du Québec may, by regulation, determine the cases in which it shall collect fees for approval, authorization, revision, inspection, training, consultation, issuance of certificates of conformity, accreditation of authorized persons, and verifications, and fix such fees;

WHEREAS for that purpose, the Board adopted at its meeting of 5 March 1999, a Regulation respecting the fees exigible from owners of elevators;

^{*} The Regulation respecting the application of a safety code for elevators and a standard for lifts for persons with physical disabilities was made by Order in Council 111-97 dated 29 January 1997 (1997, *G.O.* 2, 1311) and has not been amended since.

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting the fees exigible from owners of elevators was published in Part 2 of the *Gazette officielle du Québec* of 2 June 1999 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS no comments were received;

WHEREAS at its meeting held on 10 August 1999, the Board adopted the Regulation respecting the fees exigible from owners of elevators with amendments;

WHEREAS under section 189 of the Building Act, every regulation of the Board is subject to approval by the Government which may approve it with or without amendment;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour and Employment and Minister of Labour:

THAT the Regulation respecting the fees exigible from owners of elevators, attached hereto, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting the fees exigible from owners of elevators

Building Act
(R.S.Q., c. B-1.1, ss. 185, par. 20, and 192;
1998, c. 46, s. 54)

1. Inspection fees of \$60 per calendar year per elevator shall be paid to the Régie du bâtiment du Québec by the owner of an elevator referred to in the Regulation respecting the application of a safety code for elevators and a standard for lifts for persons with physical disabilities, made by Order in Council 111-97 dated 29 January 1997.

Freight elevators, escalators, dumbwaiters, moving walks, freight platform lifts and lifts for persons with physical disabilities referred to in the Regulation mentioned in the first paragraph and funiculars are deemed to be elevators.

However, the fees payable under this section shall be \$120 per elevator declared for the calendar year in which the owner has informed the Board of the putting into service of the elevator in accordance with the Regulation mentioned in the first paragraph.

2. The following fees shall be paid to the Board by the owner for the inspection of an elevator referred to in section 1 not later than 30 days after the invoice date:

(1) in the case of an elevator other than a funicular:

(a) \$100 where the elevator serves ten landings or fewer;

(b) \$100 plus \$10 per storey in excess of the tenth landing, where the elevator serves more than ten landings;

(2) in the case of a funicular, \$100 per hour or fraction thereof.

3. Every owner shall pay to the Board fees of \$100 per hour or fraction thereof for any inspection of an elevator carried out following the issue of a notice of defects provided for in section 41 of the Public Buildings Safety Act (R.S.Q., c. S-3).

4. The fees payable under sections 1 to 3 shall be indexed on 1 January of each year as of 1 January 2001, according to the increase expressed as a percentage of the average of the Consumer Price Index for Canada published by Statistics Canada under the Statistics Act (R.S.C., 1985, c. S-19), for the period ending on 30 September of the preceding year in relation to the 12 months of the year prior to the latter year. Such increase takes effect as of 1 January.

The fees thus increased shall be rounded off to the nearest dollar.

The Board shall publish the indexation calculated under this section in the *Gazette officielle du Québec*.

5. Notwithstanding the first paragraph of section 1, the fees payable shall be \$120 for the first year following the coming into force of this Regulation.

6. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.