

Regulation to amend Regulation 1 respecting the signing of certain deeds, documents or writings of the Ministère de la Santé et des Services sociaux*

An Act respecting the Ministère de la Santé et des Services sociaux
(R.S.Q., c. M-19.2, s. 8)

1. Section 2 of Regulation 1 respecting the signing of certain deeds, documents or writings of the Ministère de la Santé et des Services sociaux is amended

(1) by replacing “et de l'équipement” in paragraph 1 by “, de l'équipement et des ressources informationnelles”;

(2) by replacing “Jean Turcotte” in paragraph 4 by “Nicole Laliberté”;

(3) by replacing “des” in paragraph 5 by “générale adjointe aux”.

2. Section 2.1 is amended by replacing “et de l'équipement or the Director of the Direction du budget et des ressources matérielles” by “, de l'équipement et des ressources informationnelles or the Assistant Director General of the Direction générale adjointe au budget”.

3. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 1087-2006, 29 November 2006

Environment Quality Act
(R.S.Q., c. Q-2)

Water quality in swimming pools and other artificial pools

Regulation respecting water quality in swimming pools and other artificial pools

WHEREAS, under paragraphs *a* and *b* of section 46, paragraphs *a* and *f* of section 87 and sections 109.1 and 124.1 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may make regulations on the matters set forth therein;

WHEREAS, in accordance with section 124 of the Environment Quality Act and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting water quality in swimming pools and other artificial pools was published in Part 2 of the *Gazette officielle du Québec* of 26 October 2005 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments to take into account the comments received following that publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Regulation respecting water quality in swimming pools and other artificial pools, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

* Regulation 1 respecting the signing of certain deeds, documents or writings of the Ministère de la Santé et des Services sociaux, made by Order in Council 420-93 dated 24 March 1993 (1993, *G.O.* 2, 2014), was last amended by the regulation made by Order in Council 89-2006 dated 22 February 2006 (2006, *G.O.* 2, 1065). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 September 2006.

Regulation respecting water quality in swimming pools and other artificial pools

Environment Quality Act
(R.S.Q., c. Q-2, s. 46, pars. a and b, s. 87, pars. a and f,
and ss. 109.1 and 124.1)

CHAPTER I

OBJECT, SCOPE AND INTERPRETATION

1. The object of this Regulation is to establish water quality standards for the swimming pools and other artificial pools referred to in section 2, located either indoors or outdoors and operated for swimming, recreation, sports or leisure purposes.

2. This Regulation applies to swimming pools and other artificial pools accessible to the general public or a restricted group of persons such as swimming pools and other artificial pools of the State, municipalities, educational institutions and non-profit organizations, and those in use in tourist establishments, sports centres and water parks.

It also applies to swimming pools and other private artificial pools reserved exclusively for the residents and invited guests of immovables or mobile home parks.

3. This Regulation does not apply to residential swimming pools for the use of only one family or to other swimming pools and artificial pools that are

(1) used only for medical, rehabilitation or religious ritual purposes;

(2) special purpose baths such as floating baths and algae or mud baths;

(3) temporary pools used only for international competition purposes;

(4) fountains or splash pads connected directly to a waterworks system, without water recirculation, and in which the accumulation of water is less than 5 cm;

(5) pools created for architectural or ornamental purposes; or

(6) artificial lakes.

4. For the purposes of this Regulation, “pool” means swimming pools and other artificial pools, including wading pools, whirlpools and splash pads.

The “person in charge of a pool” means the owner or operator of a swimming pool or other artificial pool to which this Regulation applies.

CHAPTER II

WATER QUALITY STANDARDS

5. The microbiological and physicochemical quality of pool water must meet the following standards:

MICROBIOLOGICAL PARAMETERS		
Parameter	Standard	
Fecal coliforms	<1 cfu/100 ml	
<i>Escherichia coli</i>	<1 CFU/100 ml	
<i>Pseudomonas aeruginosa</i>	<1 CFU/100 ml	
<i>Staphylococcus aureus</i>	<30 CFU/100 ml	
PHYSICOCHEMICAL PARAMETERS		
Parameter	Standard	
Alkalinity	60 to 150 mg/l CaCO ₃	
Chloramines	indoor pools	≤ 0.5 mg/l
	outdoor pools	≤ 1.0 mg/l
Residual disinfectant		
Free chlorine:	indoor pools	0.8 to 2.0 mg/l
	outdoor pools	0.8 to 3.0 mg/l
Total bromine	2.0 to 5.0 mg/l	
Ozone	0.0 mg/l	
Hardness	150 to 400 mg/l CaCO ₃	
pH	7.2 to 7.8	
Turbidity	≤ 1.0 NTU	

For the purposes of this Regulation, chloramine concentration is the difference between the measurements of total residual chlorine and free residual chlorine.

If cyanuric acid is used during the disinfection of the water in an outdoor pool, the same residual disinfectant power must be obtained. Cyanuric acid must not be used in indoor pools and its value must not be greater than 60 mg/l.

If a disinfectant other than chlorine or bromine is used, it must have the same residual disinfectant power. The product must be approved or certified by Health Canada.

If ultraviolet (UV) lamps or ozone are used to treat the water, the residual disinfectant power must be obtained with another disinfectant agent.

If equipment for measuring oxidation-reduction potential (ORP) is used, the value measured must be greater than 700 mV.

If sea water is used to fill a pool, the alkalinity, hardness, pH and residual disinfectant must be adjusted to obtain the same disinfectant power as the power obtained with the standards in this section.

6. If the pool water temperature exceeds 35 °C, the standards in section 5 apply, except the standards for chlorine, bromine and ORP which are the following:

Parameter	Standard
Residual disinfectant	
Free chlorine	2.0 to 3.0 mg/l
Total bromine	3.0 to 5.0 mg/l

If equipment for measuring oxidation-reduction potential (ORP) is used, the value measured must be greater than 750 mV.

7. Pool water clarity must be such that the black disc referred to in section 12 of the Regulation respecting safety in public baths (R.R.Q., 1981, c. S-3, r.3) is visible from any point of the deck located 9 metres from the surface.

This section does not apply to whirlpools or wading pools.

8. The person in charge of a fill and draw pool with no water circulation system must drain and disinfect the pool daily before refilling and reusing the pool. The person must do the same in the presence of vomitus or feces.

Sections 5 to 7 and Chapters III and IV do not apply to fill and draw pools.

CHAPTER III WATER QUALITY MONITORING

DIVISION I NATURE AND FREQUENCY OF SAMPLINGS

9. The person in charge of a pool accessible to the general public or a restricted group of persons, or a private pool for the use of immovables or mobile home parks having more than 50 dwelling units must collect or have water samples collected for on-site analysis of the following physicochemical parameters, at the corresponding minimum frequencies:

SAMPLINGS	
Parameter	Frequency
Alkalinity	Once a week
Residual disinfectant (only the measurement of disinfectants used is required)	Before the opening of the pool, after closing and every three hours during operation
Chloramines (only when chlorine is used) operation	Before the opening of the pool, after closing and halfway through operation
pH	Before the opening of the pool, after closing and halfway through operation
Clarity	Before the opening of the pool, after closing and halfway through operation
Temperature	Before the opening of the pool, after closing and halfway through operation

If the pool has continuous measuring and recording equipment, the person in charge of the pool must perform at least one manual test before the pool opens, halfway through its operation and on closing for comparison purposes.

10. The person in charge of a pool accessible to the general public or a restricted group of persons, or a private pool for the use of immovables or mobile home parks having more than 50 dwelling units must also collect or have water samples collected to monitor fecal coliform bacteria or *Escherichia coli* and turbidity.

The samples are to be collected at least once every two weeks of operation for outdoor pools and once every four weeks of operation for indoor pools, with samples taken no fewer than 10 days apart during the pool opening period. In the case of outdoor pools filled with water that does not meet all bacteriological standards in the Regulation respecting the quality of drinking water, made by Order in Council 647-2001 dated 30 May 2001, the first microbiological analysis results must be available at the time the season opens.

11. The person in charge of a private pool for the use of immovables or mobile home parks having more than 9 dwelling units but fewer than 51 dwelling units must collect or have water samples collected at least twice a day, before the opening of the pool and halfway through its operation, for on-site analysis of the pH and residual disinfectant.

12. If there are reasons to suspect that the water made available to the users does not meet the quality standards in Chapter II, the person in charge of the pool concerned must as soon as possible take the necessary measures to enable adequate monitoring of the water quality.

DIVISION II METHODS FOR COLLECTING, PRESERVING, ANALYZING AND SENDING SAMPLES

13. The water samples required by this Chapter must be collected and preserved as well as analyzed on-site or sent, as applicable, in accordance with the methods described in the guide entitled *Méthodes de prélèvement, de conservation et d'analyse des échantillons relatifs à l'évaluation de la qualité de l'eau des piscines et autres bassins artificiels*, published by the Ministère du Développement durable, de l'Environnement et des Parcs.

14. Water samples collected pursuant to section 10 or 12, as applicable, must be sent for analysis to laboratories accredited by the Minister of Sustainable Development, Environment and Parks under section 118.6 of the Environment Quality Act (R.S.Q., c. Q-2).

The analysis request forms furnished by the laboratories must be duly completed and sent with the samples.

The analyzing laboratory must send the sample analysis results to the person in charge of the pool concerned within fifteen days after the date the samples are collected.

CHAPTER IV NON-COMPLIANCE WITH WATER QUALITY STANDARDS

15. The accredited laboratory analyzing a water sample must immediately communicate any result indicating that the water does not meet a microbiological standard to the person in charge of the pool.

16. If the pool water does not meet any of the water quality standards in Chapter II, the person in charge of the pool must take the necessary remedial measures. In particular, the person in charge of the pool must ascertain whether the system is being adequately maintained and operated and, if necessary, adjust the level of residual disinfectant in the water.

In addition, if a sample analysis shows that the water contains bacteria in a concentration greater than the standards in section 5, the person in charge of the pool must collect or have a second sample collected within 24 hours after obtaining the results to test for the presence of the identified microorganism.

17. The person in charge of a pool must immediately evacuate and close access to the pool when events such as the presence of vomitus or feces, water treatment equipment failure or any other infrastructure breakdown occur that may degrade water quality and expose persons to soiling or contamination.

The person in charge of a pool must do the same in the presence of

(1) bacteria in a concentration greater than the standards in section 5 in the second sample collected pursuant to the second paragraph of section 16;

(2) free residual chlorine over 5.0 mg/l;

(3) chloramines over 1.0 mg/l for more than 24 hours;

(4) turbidity greater than 5 NTU;

(5) free residual chlorine less than 0.3 mg/l or total residual bromine less than 0.6 mg/l.

18. In the presence of vomitus or feces in a pool, the person in charge of the pool must, after evacuating and closing access to the pool, increase the free residual chlorine concentration to the following values:

(1) in the case of loose stools, not less than 10.0 mg/l for 16 hours or not less than 20.0 mg/l for 8 hours;

(2) for solid stools or vomitus, not less than 2.0 mg/l for 0.5 hours.

After that period, access to the pool may be permitted as soon as the values of the residual disinfectant and pH meet the standards in Chapter II.

Any other combination equivalent to the concentration of a residual disinfectant (mg/l) multiplied by contact time (hours) is accepted.

19. In the case of water treatment equipment failure or any other infrastructure breakdown, the person in charge of the pool may reopen the pool as soon as the parameters analyzed pursuant to section 9 meet the standards in Chapter II.

In all other cases, the person in charge of the pool may reopen the pool as soon as the parameters that were exceeded again meet the quality standards in Chapter II.

CHAPTER V RECORD

20. The person in charge of a pool accessible to the general public or a restricted group of persons, or a private pool for the use of immovables or mobile home parks having more than 9 dwelling units must maintain a record containing

(1) the results of the water monitoring tests performed pursuant to sections 9 to 12, as applicable;

(2) identification of the pool, the date of the monitoring, the names of the persons who performed the monitoring and the contact information of the person in charge of the pool;

(3) the total number of bathers during the day; and

(4) any information pertaining to the events referred to in sections 17 to 19.

21. Each person performing the water monitoring tests required under section 9, 11 or 12 must enter the results in the record and certify therein that he or she collected, preserved and analyzed, in accordance with this Regulation, the samples required to be analyzed on-site.

The person must also certify in the record that he or she collected, preserved and sent, in accordance with this Regulation, the samples required under section 10 or 12 and that the results received pursuant to section 14 were appended to the record.

The person in charge of the pool must ensure that the entries and certifications in the record comply with the requirements of this section.

22. The record and laboratory reports must be kept for a minimum of two years and be made available to the Minister of Sustainable Development, Environment and Parks and the public health director of the region concerned. The record of the last 30 days must be posted where it may be easily consulted by any interested person.

CHAPTER VI OFFENCES

23. Every person who, in contravention of section 5, 6 or 7, puts water at the disposal of a user and the water does meet the quality standards in Chapter II is liable

(1) to a fine of \$1,000 to \$10,000, in the case of a natural person; and

(2) to a fine of \$2,000 to \$20,000, in the case of a legal person.

24. Every person in charge of a pool who contravenes any of sections 8 to 13, the first or second paragraph of section 14, section 20, the third paragraph of section 21 or section 22 is liable

(1) to a fine of \$1,000 to \$10,000, in the case of a natural person; and

(2) to a fine of \$2,000 to \$20,000, in the case of a legal person.

25. Every person in charge of a pool who contravenes any of sections 16 to 19 is liable

(1) to a fine of \$2,000 to \$20,000, in the case of a natural person; and

(2) to a fine of \$4,000 to \$40,000, in the case of a legal person.

26. Every person who contravenes the first or second paragraph of section 21 is liable to a fine of \$100 to \$300.

27. Every laboratory that contravenes the third paragraph of section 14 or section 15 is liable to a fine of \$2,000 to \$20,000.

28. In the case of a second or subsequent offence, the fines prescribed in this Chapter are doubled.

CHAPTER VII MISCELLANEOUS

29. Section 32 of the Environment Quality Act does not apply to the water treatment systems or equipment for a swimming pool or other artificial pool to which this Regulation applies.

30. This Regulation applies to the immovables in a reserved area or an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1).

31. The Minister of Sustainable Development, Environment and Parks must, not later than on 1 January 2012, and thereafter every five years, report to the Government on the advisability of amending this Regulation after considering the scientific and technical knowledge current at the time.

The report is to be made available to the public 15 days at the latest after it has been sent to the Government.

32. This Regulation replaces the Regulation respecting public wading and swimming pools (R.R.Q., 1981, c. Q-2, r.17).

33. This Regulation comes into force on 1 January 2007.

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Gouvernement du Québec

O.C. 1092-2006, 29 November 2006

An Act respecting land use planning and development (R.S.Q., c. A-19.1)

Île de Montréal — Development plan in force in the territory — Amendments

Amendment to the development plan in force in the territory of Île de Montréal

WHEREAS the Government of Québec wishes to carry out the project to complete Autoroute 25 in the Greater Montréal area;

WHEREAS, under sections 150 and 157 of the Act respecting land use planning and development (R.S.Q., c. A-19.1), the Ministère des Transports may carry out the Autoroute 25 completion project only if the intervention is deemed to be in conformity with the objectives of the development plans in force in the territory of Île de Montréal and in the territory of Ville de Laval;

WHEREAS an opinion on the intervention was sent by the Minister of Transport to Ville de Laval and Ville de Montréal on 8 November 2005 pursuant to sections 149, 150 and 157 of the Act respecting land use planning and development;

WHEREAS on November 30, 2005, the executive council of Ville de Laval passed a resolution to the effect that the Autoroute 25 completion project was in conformity with the development plan in its territory;

WHEREAS, under the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), the development plan adopted by the Communauté urbaine de Montréal is under the responsibility of the Montréal urban agglomeration council;

WHEREAS on 2 March 2006, the Montréal urban agglomeration council passed a resolution to the effect that the Autoroute 25 completion project was not in conformity with the objectives of the development plan in its territory;

WHEREAS on 29 March 2006, pursuant to the second paragraph of section 267 of the Act respecting land use planning and development, the Minister of Municipal Affairs and Regions, by Minister's Order 251144, authorized the Minister of Transport to exercise the powers set out in sections 153 to 156 of that Act;

WHEREAS on 26 April 2006, the Minister of Transport requested the Montréal urban agglomeration council to amend the development plan in force in the territory of Île de Montréal to bring the Autoroute 25 completion project into conformity with the objectives of the development plan;

WHEREAS, under section 155 of the Act respecting land use planning and development, the Montréal urban agglomeration council had 90 days after the request to adopt a by-law to amend the development plan;

WHEREAS the Montréal urban agglomeration council failed to adopt a by-law to amend the development plan within that 90-day period;

WHEREAS, under section 156 of the Act respecting land use planning and development, the Government may act in the place of the Montréal urban agglomeration council to amend the development plan in force in the territory of Île de Montréal to bring the project into conformity with the objectives of the development plan;

WHEREAS, in accordance with the procedure set out in section 156 of the Act respecting land use planning and development, public consultation meetings were held on 19 and 20 September 2006;

WHEREAS the vast majority of citizens and groups participating in the meetings expressed an opinion favourable to the Autoroute 25 completion project;

WHEREAS, under the sixth paragraph of section 156 of the Act respecting land use planning and development, after the public consultation meetings, the Government may, by order, adopt a by-law amending the development plan in force to ensure conformity of a government intervention with the objectives of the development plan;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Minister responsible for the Capitale-Nationale region: