

Gouvernement du Québec

O.C. 232-2013, 20 March 2013

Building Act
(chapter B-1.1)

Safety Code
— **Amendment**

Regulation to amend the Safety Code

WHEREAS, under section 175 of the Building Act (chapter B-1.1), the Régie du bâtiment du Québec adopts by regulation a safety code containing safety standards for buildings, facilities intended for use by the public, installations independent of a building and petroleum equipment installations and their vicinity, and standards for their maintenance, use, state of repair, operation and hygiene;

WHEREAS, under paragraph 33 of section 185 of the Act, the Board may, by regulation, prescribe the form, content and manner of forwarding of the register of buildings, facilities intended for use by the public, installations independent of a building or petroleum equipment installations that each owner must place at its disposal;

WHEREAS, under section 192 of the Act, the contents of the Safety Code may vary according to the classes of persons, contractors, owner-builders, manufacturers of pressure installations, owners of buildings, facilities intended for use by the public, installations independent of a building or petroleum equipment installations, owners or operators of gas or petroleum product distribution undertakings and classes of buildings, pressure installations, facilities or installations to which the Code applies;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Safety Code was published in Part 2 of the *Gazette officielle du Québec* of 16 January 2013 with a notice that it could be approved with or without amendment on the expiry of 45 days following that publication;

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

WHEREAS, at its sitting of 5 March 2013, the Board adopted the Regulation to amend the Safety Code;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Safety Code, attached hereto, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Safety Code

Building Act
(chapter B-1.1, ss. 175, 176.1, 185, 1st par., subpars. 33 and 38, and s. 192)

1. The Safety Code (chapter B-1.1, r. 3) is amended by adding the following after section 340:

“Despite the exemption provided for in the first paragraph and in section 341, the requirements respecting water cooling towers provided for in Division VII apply to the water cooling tower of every building.”

2. The following is inserted after Division VI of Chapter VIII:

“DIVISION VII PROVISIONS RESPECTING THE MAINTENANCE OF WATER COOLING TOWERS

I. Maintenance

401. The facilities and equipment of water cooling towers of a building must be maintained according to a maintenance program.

402. The maintenance program must be drawn up and signed by one or more members of a professional order according to their field of practice and whose activities are related to the field of water cooling towers. The program must contain

(1) the procedure for winterizing and re-starting, if applicable;

(2) the procedure for stopping and re-starting during the operation period;

(3) the procedure for decontamination;

(4) the measures for reducing corrosion, scaling and the accumulation of organic matter;

(5) a schematic plan of the network of cooling water flow;

(6) the procedure for maintaining the quality of the water in order to minimize the development of bacteria including bacteria of the Legionella species;

(7) the list of the chemical products and substances to be used and their description, if applicable; and

(8) the measures for verifying the mechanical components of the facility and equipment of water cooling towers.

The program must be drawn up by taking into account the documents in Schedule III.

403. The program must take into account the history of the facility, including

(1) a major breakdown;

(2) the repairs made following the breakdown;

(3) the use of the decontamination procedure when the quality of the water reaches a health risk threshold justifying immediate action; and

(4) the replacement of a device or equipment.

404. The program must be revised, by one or more members of a professional order according to their field of practice and whose activities are related to the field of water cooling towers, ever 5 years or following one of the following events:

(1) a major alteration of the facility or the replacement of equipment;

(2) a change in the procedure for maintaining the quality of water;

(3) the use of the decontamination procedure when the quality of the water reaches a health risk threshold justifying immediate action.

405. Owners of water cooling towers must send to the Board, within 30 days of the tower's initial start-up,

(1) the address where the water cooling tower is located;

(2) the name and contact information of the owner of the water cooling tower;

(3) the name of the member or members of a professional order who drew up the maintenance program; and

(4) a brief description of the type of facility.

Owners of water cooling towers must immediately inform the Board of any change to the information provided under this section.

II. Register

406. The following information and documents relating to a water cooling tower must be entered in a register, available on the premises for consultation by the Board, during the existence of a building:

(1) the name and contact information of the owner;

(2) if available, the copy of the plans for the design and installation of the water cooling towers as executed, and any technical document or information related to the alterations made to the plans;

(3) the manufacturer's operation and maintenance manual;

(4) the maintenance programs;

(5) the results of the water analyses for the past 2 years;

(6) the history and description of the maintenance, repairs, replacements and alterations made;

(7) the name of the person responsible for and of the personnel assigned to the maintenance and their telephone number.»

3. For water cooling towers already in operation, the owners must send to the Board the information required under section 405, introduced by section 2 of this Regulation, on 12 May 2013.

4. This Regulation comes into force on 12 May 2013.

SCHEDULE III

WATER COOLING TOWER MAINTENANCE PROGRAM

The documents to be taken into account for the maintenance program provided for in section 402 are

(1) the manufacturer's operation and maintenance manual;

(2) the guides recognized for the maintenance of water cooling towers such as:

(a) Guideline-WTB-148(08)-Best Practices for Control of Legionella published by the Cooling Technology Institute (CTI);

(b) the manuals of the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), including Guideline-12-2000-Minimizing the Risk of Legionellosis Associated with Building Water Systems;

(c) Legionella 2003: An Update and Statement by the Association of Water technologies (AWT).

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Notice

An Act respecting legal aid and the provision of certain legal services
(chapter A-14)

Agreement between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates rendering services in criminal and penal matters and the dispute settlement procedure

Notice is hereby given that the Agreement between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates rendering services in criminal and penal matters and the dispute settlement procedure, appearing below, was entered into on 19 March 2013.

In accordance with section 83.21 of the Act respecting legal aid and the provision of certain legal services (chapter A-14), the Agreement has force of law and takes effect on the date of its publication in the *Gazette officielle du Québec*.

BERTRAND ST-ARNAUD,
Minister of Justice

Agreement between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates rendering services in criminal and penal matters and the dispute settlement procedure

An Act respecting legal aid and the provision of certain other legal services
(chapter A-14, s. 83.21)

PRELIMINARY

1. This Agreement establishes the tariff of fees applicable to advocates in private practice who render services in criminal and penal matters to persons who receive legal aid or other legal services under the Act respecting legal aid and the provision of certain other legal services (chapter A-14), except advocates who entered into a professional services contract with the Commission des services juridiques.

The Agreement also provides rules concerning expenses and dispute settlement.

PART I TARIFF OF FEES

CHAPTER I GENERAL

2. A day may comprise a maximum of 3 work periods, one in the morning, one in the afternoon and one in the evening. Morning ends at 1:00 p.m. and evening starts at 6:00 p.m.

A preparation period, a period of participation in a conference ordered or convened by a judge and a hearing period are considered work periods.

3. For the purposes of this Agreement,

(1) a trial held before judge only begins with the presentation of the prosecutor's evidence and a trial held before jury begins by jury selection;

(2) a trial ends with a decision on a conviction.

4. The following fees apply to the services rendered by an advocate:

(1) if the court refuses or is unable to proceed in the presence of the parties on the day fixed for the hearing: \$100;