

chapter Q-2, r. 39

Regulation respecting water quality in swimming pools and other artificial pools

Environment Quality Act
(chapter Q-2, ss. 46, 87 and 124.1).

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, ss. 30 and 45).

O.C. 1087-2006; S.Q. 2022, c. 8, s. 1.

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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.

O.C. 1087-2006, s. 1.

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.

O.C. 1087-2006, s. 2.

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.

O.C. 1087-2006, s. 3.

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.

O.C. 1087-2006, s. 4.

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.

O.C. 1087-2006, s. 5.

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.

O.C. 1087-2006, s. 6.

7. Pool water clarity must be such that the black disc referred to in section 12 of the Regulation respecting safety in public baths (chapter B-1.1, r. 11) is visible from any point of the deck located 9 m from the surface.

This section does not apply to whirlpools or wading pools.

O.C. 1087-2006, s. 7.

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.

O.C. 1087-2006, s. 8.

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 3 hours during operation
Chloramines (only when chlorine is used)	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 1 manual test before the pool opens, halfway through its operation and on closing for comparison purposes.

O.C. 1087-2006, s. 9.

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 2 weeks of operation for outdoor pools and once every 4 weeks of operation for indoor pools, with samples taken not 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 (chapter Q-2, r. 40), the first microbiological analysis results must be available at the time the season opens.

O.C. 1087-2006, s. 10.

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.

O.C. 1087-2006, s. 11.

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.

O.C. 1087-2006, s. 12.

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.

O.C. 1087-2006, s. 13.

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 (chapter 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 15 days after the date the samples are collected.

O.C. 1087-2006, s. 14.

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.

O.C. 1087-2006, s. 15.

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.

O.C. 1087-2006, s. 16.

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.

O.C. 1087-2006, s. 17.

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.

O.C. 1087-2006, s. 18.

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.

O.C. 1087-2006, s. 19.

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.

O.C. 1087-2006, s. 20.

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.

O.C. 1087-2006, s. 21.

22. The record and laboratory reports must be kept for a minimum of 2 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 consulted by any interested person.

O.C. 1087-2006, s. 22.

CHAPTER V.1

MONETARY ADMINISTRATIVE PENALTIES

O.C. 681-2013, s. 1.

22.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails

- (1) to enter the water monitoring results in the record in accordance with the first paragraph of section 21 or to do the certification required under the first or the second paragraph of that section;
- (2) to post the record at the frequency or on the conditions prescribed in section 22.

O.C. 681-2013, s. 1.

22.2. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

- (1) to keep a record containing the information prescribed by section 20;

(2) to ensure that the entries or certifications in the record are compliant as prescribed by the third paragraph of section 21;

(3) to keep, for the period provided for therein, the record or reports referred to in section 22 or to make them available to the Minister.

O.C. 681-2013, s. 1.

22.3. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to sample water at the frequencies or on the conditions prescribed by section 9, 10 or 11 or to make the results of the microbiological analyses available at the frequency provided for in the second paragraph of section 10;

(2) to collect, preserve, analyze or send water samples in accordance with the methods prescribed by section 13;

(3) to send water samples, forms or analysis results at the frequency or on the conditions prescribed by section 14;

(4) to evacuate the pool, close the access to the pool or increase the chlorine concentration at the frequency or on the conditions prescribed by the first paragraph of section 18.

O.C. 681-2013, s. 1.

22.4. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails

(1) to ensure compliance with the microbiological or physicochemical quality of pool water prescribed by section 5;

(2) to ensure compliance with the chlorine, bromine or oxidation-reduction potential (ORP) standards prescribed by section 6;

(3) to ensure compliance with the pool water clarity standards prescribed by section 7;

(4) to drain or disinfect daily the type of pool referred to in section 8 before refilling or reusing the pool in accordance with the first paragraph of that section;

(5) to take the necessary measures to enable adequate monitoring of the quality of water made available to the users in the case or on the conditions provided for in section 12;

(6) to immediately communicate any result indicating that the water does not meet a microbiological standard to the person in charge of the pool, as prescribed by section 15;

(7) to take the necessary remedial measures if the pool water does not meet any of the water quality standards in Chapter II, to ascertain whether the system is being adequately maintained and operated, to adjust the level of residual disinfectant in the water or to collect or have a second sample collected to test for the presence of the identified micro-organism in the cases or on the conditions provided for in section 16;

(8) to ensure that the parameters referred to in section 19 meet the standards in Chapter II before reopening the pool as prescribed by that section.

O.C. 681-2013, s. 1.

22.5. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who fails

(1) to drain or disinfect the type of pool referred to in section 8 following the presence of vomitus or feces in accordance with the first paragraph of that section;

(2) to immediately evacuate or close access to the pool in the cases provided for in section 17;

(3) to ensure that the values of the residual disinfectant and pH meet the standards in Chapter II before permitting access to the pool in the case provided for in the second paragraph of section 18.

O.C. 681-2013, s. 1.

CHAPTER VI

PENAL SANCTIONS

O.C. 1087-2006, c. VI; O.C. 681-2013, s. 2.

23. Every person who contravenes the first or second paragraph of section 21 or fails to post the record at the frequency or on the conditions prescribed by section 22 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

O.C. 1087-2006, s. 23; O.C. 681-2013, s. 3.

24. Every person who contravenes section 20 or the third paragraph of section 21 or fails to keep for the period provided for therein the record or reports referred to in section 22 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

O.C. 1087-2006, s. 24; O.C. 681-2013, s. 3.

25. Every person who contravenes section 9, 10, 11 or 13, the first, second or third paragraph of section 14 or the first paragraph of section 18 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

O.C. 1087-2006, s. 25; O.C. 681-2013, s. 3.

26. Every person who contravenes section 5, 6, 7, 8, 12, 15, 16 or 19 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

O.C. 1087-2006, s. 26; O.C. 681-2013, s. 3.

27. Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

O.C. 1087-2006, s. 27; O.C. 681-2013, s. 3.

28. Every person who contravenes section 8 or 17 or the second paragraph of section 18 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

O.C. 1087-2006, s. 28; O.C. 681-2013, s. 3.

28.1. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act

(chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.

O.C. 681-2013, s. 3.

CHAPTER VII

MISCELLANEOUS

29. *(Revoked).*

O.C. 1087-2006, s. 29; I.N. 2019-12-01; O.C. 871-2020, s. 1.

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 (chapter P-41.1).

O.C. 1087-2006, s. 30.

31. The Minister of Sustainable Development, Environment and Parks must, not later than on 1 January 2012, and thereafter every 5 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.

O.C. 1087-2006, s. 31.

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

O.C. 1087-2006, s. 32.

33. *(Omitted).*

O.C. 1087-2006, s. 33.

UPDATES

O.C. 1087-2006, 2006 G.O. 2, 3930

O.C. 681-2013, 2013 G.O. 2, 1806

O.C. 871-2020, 2020 G.O. 2, 2343A

