

MUNICIPALITY OF PONTIAC

M.R.C. DES COLLINES-DE-L'OUTAOUAIS

MUNICIPAL BY-LAW NO 12-14 TO REGULATE THE USE OF DRINKING WATER IN ORDER TO PRESERVE THE QUALITY AND THE QUANTITY OF THE RESOURCE.

WHEREAS the notice of motion of the present by-law, given at the regular meeting of April 8, 2014;

It is

Moved by : R. Denis Dubé
Seconded by : Dr. Jean Amyotte

AND RESOLVED THAT the Pontiac Municipal Council decrees and rules as follows :

1. BY-LAW OBJECTIVES

The present by-law aims to regulate the use of drinking water in order to preserve the quality and the quantity of the resource.

2. DEFINITION OF TERMS

« Automatic watering » designates all watering equipment, connected to the water network, which is automatically activated, including electronic or underground equipment.

« Manual watering » designates watering with a hose, connected to the water network, and equipped with a locking mechanism, which is hand held during the period of use.

« Building » designates all structure used for or intended to be used for sheltering or accommodating people, animals or things.

« Meter » or « water meter » designates a device used to measure water consumption.

« Housing » means any building intended to accommodate human beings, including, amongst others, single and multi-family homes, apartment buildings and intergenerational homes.

« Property » designates the land, the buildings and the improvements.

« Accommodations » designates a suite serving or intended to serve as a residence for one or many individuals, and which generally includes sanitary installations as well as installations to prepare and consummate meals, and also to sleep.

« Lot » signifies a piece of land identified and defined on a cadastral plan, done and tabled in accordance with the requests of the Civil Code.

« Municipality » designates the **Municipality of Pontiac**

« Individual » includes natural and legal person, partnerships, trusts and cooperatives.

« Owner » in addition to the registered owner, it designates the occupant, the user, the tenant, the lessee, the dependents or any other usufructuary, one not necessarily excluding the others.

« Stop valve » designates a device installed by the Municipality outside a building on the service connection, used to stop the water supply of the building.

« Indoor pipes » designates the installation inside a building, from the indoor cut-off valve.

« Indoor cut-off valve » designates a device installed inside a building and used to stop the water supply of the building.

3. APPLICATION FIELDS

This by-law determinates the usage standards of drinking water coming from the distribution network of the Municipality and is applicable to the all the Municipality's territory of **QUYON'S AREA**.

This present by-law is not to limit the use of drinking water for horticultural production activities which represent all the activities required to produce vegetables, fruits, flowers, trees or ornamental shrubs for commercial purposes, including the preparation of soil, sowings, maintenance, harvesting, storing and marketing.

4. RESPONSIBILITY TO REINFORCE MEASURES

The reinforcement of the present by-law is the responsibility of the **chief operator of the water treatment plant** in collaboration with the **Director General and the Director of Public Works**.

5. GENERAL AUTHORITY OF THE MUNICIPALITY

5.1 Impediment to execute tasks

Whoever keeps a Municipal employee or anyone serving the Municipality from doing repair, reading or verification work, hinders or disturbs him in the performance of his duties, or damage in anyway the aqueduct, its equipment or accessories, hampers or prevents the functioning of the drinking water system, of its dependant accessories or equipment, is responsible of the damages to the equipment mentioned previously, in view of his acts, contrive to the present by-law and becomes liable to the penalties provided with the present by-law.

5.2 Right of ways

The employees specifically designated by the Municipality have the right to enter, at any reasonable time, in all public or private place, inside or outside the Municipality's limits and to stay as long as need it in order to do a repair, a reading or to see if the dispositions of the present by-law have been respected. All required collaboration must be granted in order to facilitate the access. These employees must have and show, if needed, a proof of identification issued by the Municipality. Furthermore, these employees have access, inside the building, to the cut-off valves; to this effect, they, only, can remove or install seals.

5.3 Shut-off of water inlet

Authorized Municipal employees have the right to shut-off the water inlet to do repairs to the distribution network, without the Municipality being responsible of any damages as a result of these interruptions; the employees must however notify, by all reasonable means, the affected consumers, except in case of emergency.

5.4 Water pressure and debit

Whatever the type of connection, the Municipality does not guarantee neither an uninterrupted service, nor a determined pressure or debit; no one can refuse to pay a bill, partially or totally, because of a lack of water, and this, whatever the cause.

The Municipality, if it deems appropriate, can require from the owner to install a pressure reducer with a manometer, which must be kept in good working condition, when it goes over 525 kPa. The Municipality is not responsible for the damages cause by a pressure being too high or too low.

The Municipality is not responsible for loss or damages cause by an interruption or a lack of water supply, if it is due to an accident, a fire, a strike, a riot, a war or for any other reason beyond its control. Furthermore, the Municipality can take the necessary steps to restrict the consumption if the water supply becomes insufficient. In such cases, the Municipality can provide water with a preference to the buildings deemed a priority, before providing the private owners connected to the drinking water distribution network.

5.5 Request for plans

The Municipality can require to be provided with one or many plans of the inside plumbing of a building, or details of the operation of an equipment using water from the Municipal drinking water distribution network.

6. USAGE OF THE INFRASTRUCTURES AND WATER EQUIPMENT

6.1 Plumbing Code

The design and the execution of all plumbing system related work, done since the coming into force of the present by-law, must be in compliance with the Quebec Construction Code, chapter III – Plumbing, and of the Quebec Security Code, chapter I – Plumbing, latest versions.

6.2 Air conditioning and refrigeration

With this by-law coming into force, it is prohibited to install any air conditioning or refrigeration system using drinking water. Any air conditioning or refrigeration system using drinking water before the coming into force of this by-law must be replaced before January 1st, 2017, with a system which does not use drinking water.

Despite the first paragraph of this article, it is allowed to use a water tower as long as this is the only equipment which may, on a technical plan, do the transfer in the atmosphere, of the heat coming from a process using water and that the maximum volume of drinking water does not exceed 6.4 liters per hours, per nominal kilowatt of refrigeration or air conditioning.

6.3 Usage of the fire hydrants and of the municipal valve network

The fire hydrants are only used by authorized Municipal employees. Any other person will not be able to open, close, manipulate or operate a fire hydrant or a valve on the supply line of a fire hydrant without the authorization of the Municipality.

The opening and shut-off of the fire hydrants must be done in compliance with the procedures prescribed by the Municipality. A backflow protection device must be used in order to eliminate any possibility of backflow or siphoning.

6.4 Replacement, movement and disjuncture of a service connection

Everyone must notify the person in charge of enforcing the by-law before disconnecting, replacing or moving a service connection. He/she must get a permit from the Municipality, pay the excavation and cutting fees, as well as any other incurred expenses caused by this disjuncture, replacement or move.

The same is applicable for connection of service to a sprinkler system.

6.5 Failure of a supply pipe

Any occupant of a building must notify the person in charge of enforcing the by-law as soon as he/she hears an abnormal noise or notice any irregularity on the connection service. The Municipal employees will then be able to locate the problem and fix it. If the problem is located on the private pipes between the shut-off tap and the water meter, or between the shut-off tap and the building's indoor shut-off valve, if there is no water meter or if the water meter is installed in a room near the street line, then the Municipality notify the owner to do the repair within 15 days.

6.6 Pipes and equipment located inside or outside a building

A plumbing installation, in a building or in an equipment intended for public use, must be maintained in good working, secured and clean condition.

6.7 Connections

- a) It is prohibited to connect pipes from an accommodation or a building supplied by the municipal distribution network of drinking water to other accommodations or buildings, located on another lot.
- b) It is prohibited, for the owner or the occupant of an accommodation or a building supplied by the municipal distribution network of drinking water, to provide this water to other accommodations or buildings or to use it in any other way than for the accommodation or the building.

7. INDOORS AND OUTDOORS USE

7.1 Filling of a tanker

Anyone wishing to fill-up a water tanker from the municipal distribution network of drinking water must do it with the approbation of the person in charge of enforcing the by-law, and at the location designated by this person, in compliance

with the regulations set by the latter, according to the current rate. Furthermore, an anti-backflow device must be used in order to eliminate the possibility of backflow or siphonage.

7.2 Watering of vegetation

Manual watering of a garden, a vegetable garden, a flower box, a planter, a flower bed, a tree and a shrub, with the help of a hose equipped with a locking mechanism, is allowed at all time.

7.2.1 Watering periods

Watering of the lawns, hedges, trees, shrubs or other vegetables, distributed by removable sprinklers or by drip irrigation is only allowed from 8:00 p.m. to 11:00 p.m. the following days:

- a) A day where the date is an even number for the occupant of a dwelling whose address is an even number;
- b) A day where the date is an uneven number for the occupant of a dwelling whose address is an uneven number;

As for the automatic system, it is only allowed to water from 3:00 a.m. to 6:00 a.m. on Sundays, Tuesdays and Thursdays.

7.2.2 Automatic watering systems

An automatic watering system must be equipped with the following:

- a) An automatic humidity sensor or an automatic power switch in case of rain, keeping the watering cycle from starting when the atmospheric precipitations are sufficient or when the ground's humidity is sufficient;
- b) A reduced pressure anti-backflow device to reduce the risk of any contamination of the drinking water distribution network;
- c) An electric valve to be started by an electric control device and used for automatically command watering or watering cycle. It must be installed downstream of the anti-backflow system;
- d) A handle or a gate valve with a manual shut-off, to be used only in case of breakage, malfunction or in any other cases deemed urgent. The handle or the gate valve must be accessible from the outside.

However, an automatic watering system, installed before this by-law came into force and incompatible with the demands for this article, can be used but must be upgraded, replaced or disabled before January 1st, 2015.

7.2.3 New lawn and new landscaping

Despite article 7.2.1, it is allowed to water a new lawn, a new tree or shrub and a new landscaping, every day for a 15 days period following the beginning of the sowing, planting or laying sod.

The watering of turf is allowed at all time the day of the installation.

Owners watering a new lawn, a new tree or shrub plantation or a new landscaping during this period must produce a proof of purchase of the vegetables or the seeds at the request of the person in charge of enforcing the present by-law.

7.2.4 Water run-off

It is prohibited for anyone to deliberately use watering equipment in such a way that the water runs-off in the street or on the neighbouring properties. However, a certain tolerance will be granted to take into consideration the wind factor.

7.3 Pool and spa

Filling up a pool is prohibited from 6:00 a.m. to 8:00 p.m. However it is allowed to use the aqueduct water when assembling a new pool, to maintain the structure and this, after getting a permit for the installation of a pool.

7.4 Vehicles, driveways, sidewalks, street, patios or external walls of a building

Washing of vehicles is allowed at all time, on the condition of use a washing pail or a watering hose equipped with a locking mechanism.

Washing of driveways, sidewalks, street, patios or external walls of a building is only allowed from April 1st to May 15th of each year or during painting, construction, renovation or landscaping jobs, justifying the cleaning-up of the driveways, sidewalks, street, patios or external walls of a building.

It is strictly prohibited, at all time, to use drinking water to melt snow or ice in driveways, on the ground, on patios or sidewalks.

7.5 Car wash

Any automatic car wash using the aqueduct water must be equipped with an operable recovery, recycling and recirculation system, of the water used for the car wash.

The owner or the operator of an automatic car wash must comply to the first paragraph before January 1st 2017.

7.6 Ponds

Any ponds, with or without water jets or cascades as well as fountains for which the initial filling and the water level is done by the aqueduct, must have a functional system ensuring water recirculation. Continuous filling up with drinking water is prohibited.

7.7 Water games

All water game must be fitted with an on-demand trigger system. Continuous supply of drinking water is prohibited.

7.8 Ongoing purges

It is prohibited to let water run, except if the person in charge of enforcing the by-law duly authorizes it, and this, only in specific cases.

7.9 Agricultural irrigation

It is strictly prohibited to use drinking water for agricultural irrigation, unless a water meter is installed on the supply line and that the Municipality has authorized it.

7.10 Energy source

It is prohibited to use the pressure or the debit from the drinking water distribution network has an energy source or to operate any equipment.

7.11 Watering prohibition

The person in charge of enforcing the by-law can, because of a drought, major breakdown of the municipal aqueduct lines and when necessary to proceed to fill-up the municipal tanks, by public notice, prohibit to anyone in a certain area and during a determined period, to water lawns, trees and shrubs, to fill-up pools as well as to wash vehicles or to use water outdoors, for whatever reason. However, this prohibition does not apply for manual watering of vegetable gardens and edible plants, in soil or in pots, for gardens, flowers and other vegetables.

In the case of new lawn, new trees or shrubs plantation or filling-up of new pools, an **authorization can be obtain from the competent authority** if the climatic conditions and the water supply allow it.

8. COSTS, VIOLATIONS AND PENALTIES

8.1 Prohibitions

It is prohibited to modify the installations, to damage the seals and to interfere with the operation of any devices and accessories given or requested by the Municipality, to contaminate the water in the aqueduct or the tank and to voluntary misguide the Municipality regarding the water quantity supplied by the distribution network, otherwise, the offenders are subject to the appropriate criminal prosecutions.

8.2 Costs of repair work

If the owner requests that his water entrance line be reconstructed or replaced by one with a bigger diameter, or that it be installed deeper in the ground, the cost of

this reconstruction or repair will be the responsibility of said owner, who will have to table at the office of the Municipality's Treasurer, before the beginning of the work, the estimated cost of such work. The final real cost and fees will be adjusted at the end of the work.

8.3 Notice

For any notice or complaint regarding one or several items of the present by-law, the consumer, or his authorized representative can advise verbally or in writing, the person in charge of enforcing the by-law in regards to water distribution and supply and contact the Treasurer's office at the Municipality in regards to water bills.

8.4 Penalties

Whomever violates a disposition of the present by-law commits an offence and is liable :

- a) if it is a natural person :
 - a fine of \$100 to \$ 300 for a first offence;
 - a fine of \$ 300 \$ to \$ 500 pour a second offence;
 - a fine of \$ 500 to \$ 1 000 for any additional offence.
- b) if it is a legal person :
 - a fine of \$ 200 to \$ 600 for a first offence;
 - a fine of \$ 600 to \$ 1 000 for a second offence;
 - a fine of \$ 1 000 to \$ 2 000 for any additional offence.

In all cases, fees are added to the fine.

If the violation is ongoing, the offender will be presumed committing as much violations has there are days throughout the duration of the violation.

The provisions of the Code of Criminal Procedures are applicable during any legal procedures initiated under the present by-law.

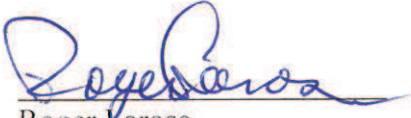
8.5 Issuing a violation notice

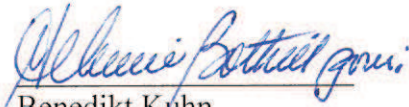
The person responsible to enforce the by-law is authorized to deliver a violation notice related to any violation to the present by-law.

8.6 Sentence

In a case when the Court gives a guilty verdict regarding a violation for which the object is contrary to the standard of the present by-law, it may order, in addition to the fine and the fees provided in article 8.4, that such violations be eliminated by the offender, within a set delay, and failure to do so, the said violation be eliminated by appropriate work done by the Municipality at the offender's costs.

GIVEN IN PONTIAC (QUEBEC) this 20TH DAY OF AUGUST OF THE YEAR TWO THOUSAND FOURTEEN (2014)


Roger Larose
Mayor


Benedikt Kuhn
Director General by interim

Notice of motion :	June 10, 2014
Adoption of by-law :	August 12, 2014
Coming into force :	August 20, 2014