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**RÈGLEMENT 495-2012  
REGARDING THE USE OF DRINKING WATER**

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- WHEREAS the Municipality exploits six drinking water networks;
- WHEREAS on March 28th, 2011, the Government adopted a Quebec drinking water strategy;
- WHEREAS within this strategy, municipalities must adopt a by-law regarding the use of drinking water similar to the example presented by the Minister of municipal affairs, regions and land occupancy;
- WHEREAS the Municipality has regulated the use of drinking water since 1992;
- WHEREAS a notice of motion was given at the regular meeting of April 11th, 2012 by Councillor Jean Dutil;

CONSEQUENTLY, THE FOLLOWING IS ORDAINED, STATUED AND DECREED AS FOLLOWS:

**ARTICLE 1. OBJECTIVES**

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

**ARTICLE 2. DEFINITION OF TERMS**

« Automatic watering » means every watering apparatus, connected to an aqueduct, automatically activated, which includes electronic or underground apparatus.

« Manual watering » means watering with a hose, connected to an aqueduct, equipped with a hand-held nozzle which may be stopped during use.

« Building » means any construction used or destined to be used to house or accommodate people, animal or other.

« Meter » or « water meter » means an apparatus which is able to measure water consumption.

« Dwelling » means any building destined to house human beings, including, amount others, single and multi family houses, apartment buildings and intergenerational houses.

« Building » means land, buildings and improvements.

« Apartment » means a suite used or destined to be used as a residence for one or more people which generally includes a sanitary installation as well as installations to prepare and consume meals as well as for sleeping.

« Lot » means land identified and limited on a cadastral plan, prepared in accordance to the requirements of the Civil Code.

« Municipality » or « Town » designates the Municipality of Morin-Heights.

« Person » includes a natural or moral entity, society, trust or cooperative.

« Property owner » designates along with the title owner, occupant, user, lessee, dependant or any other usufructuary, one not excluding the other.

« Shut-off valve » designates a device installed by the Municipality on the outside of a building at the service connection, used to interrupt the water supply of this building.

« Interior pipes » designates the indoor installation, from the interior shut-off valve.

« Interior shut-off valve » designates a device installed inside a building which is used to interrupt the water supply to this building.

### **ARTICLE 3. APPLICATION FIELDS**

This by-law determines drinking water norms for the Municipality's drinking water networks and applies to all users of the drinking water networks located on the Municipality's territory.

The present by-law does not limit the use of drinking water for activities such as horticultural production which represents all activities required for the production of vegetables, fruits, flowers, trees or ornamental shrubs for commercial or institutional purposes, including the preparation of each, seedling, maintenance, harvest, storage and market sale.

### **ARTICLE 4. APPLICATION RESPONSIBILITY AND MEASURES**

The application of the present by-law is the responsibility of the Environment and parks department.

### **ARTICLE 5. MUNICIPALITY'S GENERAL RESPONSIBILITIES**

#### **5.1 Prevention from executing tasks**

Whoever prevents a municipal employee or any other hired person from undertaking repair work, reading or verification, obstructs or bothers while trying to exercise his responsibilities or damages in any way, either the aqueduct, its apparatus or accessories, obstructs or prevents the drinking water distribution network from operating its accessories or apparatus, is responsible for damages to the above-mentioned equipment because of his acts, contravenes to the present by-law and is liable to fines stipulated by the present by-law.

#### **5.2 Right of entry**

The employees specifically designated by the Municipality have the permission to enter at any reasonable time, to any public or private location, within or outside of the Municipality's limits and remain as long as necessary in order to undertake repairs, read or verify if the provisions of the present by-law are being observed. All required cooperation must be given to them to facilitate their access. These employees must have on them and show, when required, an identification card issued by the Municipality. Also, these employees have access inside of buildings, to interior shut-off valves and only they may remove or affix seals.

#### **5.3 Closing water entrances**

Municipal employees authorized to do so may turn off the water supply in order to undertake repairs to the drinking water network without the Municipality being responsible for any damages resulting from these interruptions; the employees must however notify by any reasonable means, the concerned consumers, with the exception of an emergency.

#### **5.4 Pressure and water flow**

Whatever the type of connection, the Municipality does not guarantee uninterrupted service nor a determined pressure or flow; no one may refuse to pay either partially or in full, an invoice because of insufficient water, whatever the reason.

If it is deemed opportune, the Municipality may require that the property owner install a pressure reducer with manometer when it exceeds 525 kPa, which must be maintained in proper order. The Municipality is not responsible for damages caused by high or low pressure.

The Municipality is not responsible for losses or damages which occur due to an interruption or insufficient water supply, if caused by an accident, a fire, a strike, a riot, war or for any other reason out of its control. Also, the Municipality may take the necessary measures to restrain consumption if water supplies become insufficient. In such cases, the Municipality may supply water with preferences given to properties which are deemed a priority, before supplying private property owners connected to the drinking water network.

### **5.5 Request for plans**

The Municipality may require to be supplied with plans of a building's interior plumbing or details of an apparatus' operations using water from the Municipality's drinking water distribution network.

## **ARTICLE 6. USE OF INFRASTRUCTURES AND WATER EQUIPMENT**

### **6.1 Plumbing code**

The creation and execution of all work pertaining to a plumbing system, done from the entering into effect of this by-law, must be in conformity with the Code de construction du Québec, chapter III — Plumbing and Code de sécurité du Québec, chapter I — Plumbing, latest versions.

### **6.2 Air conditioning and refrigeration**

It is prohibited to install any air conditioning or refrigeration system using drinking water. Any air conditioning or refrigeration system using drinking water installed before the entering into effect by the present by-law must be replaced before January 1st, 2017 by a system which does not use drinking water.

Notwithstanding the first paragraph of this article, it is permitted to use a water tower if it is the only device, as per the technical plan, make the transfer into the atmosphere, of heat stemming from a process using water and that the maximum volume of water used cannot exceed 6,4 litres per hour per kilowatt for refrigeration or air conditioning.

### **6.3 Use of fire hydrants and municipal network valves**

Fire hydrants are only to be used by municipal employees authorized to do so. No other person may open, close, manipulate or operate a fire hydrant or valve on the drinking water supply conduit of a fire hydrant without the Municipality's authorization.

The closing and opening of a fire hydrant must be done in accordance to the procedure prescribed by the Municipality. An anti-back flow device must be used in order to eliminate the possibilities of back flow or siphoning.

### **6.4 Replacement, moving and separation of a supply connection or shut-off valve**

Modified by by-law  
542-2016  
(res.: 132.05.16)

Shut-off valves must only be used by employees of the Municipality. Any other person cannot open, close, manipulate or operate the shut-off valve without the Municipality's authorization.

Any person must notify the person in charge of applying the by-law before disconnecting, replacing or moving any supply connection. They must obtain a permit from the Municipality, pay the excavation and repair costs as well as any other costs incurred by this disconnect, replacement or move.

The same applies to supply connections for automatic watering systems.

### **6.5 Supply pipe defect**

Every occupant of a building must notify the person in charge of applying the by-law as soon as an abnormal noise is heard or an irregularity is noticed with the connection. Municipal employees may then locate the defect and make the necessary repairs. If a defect is located in private pipes between the shut-off valve and the meter or between the shut-off faucet and the building's indoor shut-off valve, if there is no meter or if the meter is installed in a room near the property line, the Municipality must then notify the property owner to make the repair within a 15 day delay.

### **6.6 Pipes and devices located inside or outside a building**

A plumbing installation, within a building or within equipment destined for public use, must be maintained in proper operating order, be safe and clean.

### **6.7 Connections**

- a) It is prohibited to connect pipes in a dwelling or building supplied by water from the municipal drinking water distribution network to another dwelling or building located on another lot.
- b) It is prohibited, by the property owner or occupant of the dwelling or building supplied by water from the municipal drinking water network, to supply this water to other dwellings or buildings or to use otherwise than for the dwelling or building's use.

## **ARTICLE 7. INDOOR AND OUTDOOR USES**

### **7.1 Fire truck fill-up**

Anyone wanting to fill up the fire truck from the municipal drinking water network must have the approval of the person responsible for this by-law, at the location designated by this person as per the specified fee. Also, an anti-backflow device must be used in order to eliminate the possibility of backflow or siphoning.

### **7.2 Watering vegetation**

Manual watering by using a hose with an automatic stopping device, of a garden, vegetable garden, flowers or flowerbeds, trees or shrubs is permitted at any time.

#### **7.2.1 Watering periods**

The watering of lawns, hedges, trees, shrubs or any other vegetation is authorized between May 20<sup>th</sup> and September 10<sup>th</sup> of each year.

The watering of lawns, hedges, trees, shrubs or any other vegetation by moveable sprayers or porous pipes is only permitted from 8:00 to 11:00 p.m. on the following days:

On Mondays and Wednesdays for the occupant of a dwelling with an even civic number.

On Tuesdays and Thursdays for the occupant of a dwelling with an address with an odd civic number.

With regards to automatic watering systems, it is only permitted to water for one (1) hour overnight, on the same nights, between 11:00 p.m. and 1:00 a.m.

On Mondays and Wednesdays for the occupant of a dwelling with an even civic number.

On Tuesdays and Thursdays for the occupant of a dwelling with an odd civic number.

Modified by by-law 542-2016 (res.: 132.05.16)
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### **7.2.2 Automatic watering systems**

An automatic watering system must be equipped with the following devices:

- a) an automatic humidity detector or automatic shut-off in case of rain, stopping watering cycles when atmospheric precipitation is sufficient or when the ground's humidity level is sufficient;
- b) an anti-backflow device with reduced pressure to stop any contamination of the drinking water network;
- c) an electric valve destined to be operated by an electric pilot device used for automatic watering command or watering cycle. This must be installed below the anti-backflow device;
- d) a handle or faucet-valve to be closed manually exclusively used in case of a break, malfunction or any other case deemed urgent. The handle or faucet-valve must be accessible from the outdoors.

However, an automatic watering system, installed before the entering into effect of this by-law and incompatible with the requirements of this article, may be used, but must be levelled, replaced or out of service by January 1st, 2015.

### **7.2.3 New lawn and new landscape**

Notwithstanding article 7.2.1, it is permitted to water every day at the times stipulated in Article 7.2.1, a new lawn, new trees or shrubs or new landscape for a period of 15 days following the beginning of the sowing, planting work or installation of new grass.

Watering of grass planted with sod is permitted at all times during the day it is installed.

Property owners who water their new lawn, new trees or shrubs of new landscape during this time must provide proof of purchase of vegetation or seeds upon request of a person responsible for applying the by-law.

### **7.2.4 Water runoff**

It is prohibited for any person to use, in a deliberate way, watering equipment in a way as to have water runoff on the road or neighbouring properties. However, a certain tolerance will be granted to take the wind into account.

### **7.3 Pools and spas**

The filling of a pool is prohibited between 6:00 a.m. and midnight. However, it is permitted to use the aqueduct's water when installing a new pool to maintain the structure's form.

### **7.4 Vehicles, patios or a building's exterior walls**

The washing of vehicles is permitted at all times on the condition that a bucket is used or a hose which has an automatic shut-off device.

The washing of patios or of a building's exterior walls is only permitted from May 1st to May 15th of each year or when work is being done such as painting, construction, renovation or landscaping justifying cleaning.

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

In the case of new lawns, new trees or shrubs being planted or the filling of new swimming pools, authorization must be obtained from the proper authority weather permitting or if water supply allows.

Modified by by-law 542-2016 (res.: 132.05.16)
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#### **7.5 Carwash**

Any automatic carwash that uses water from the aqueduct must be equipped with a functional recycling system, water recirculation used for washing vehicles.

The property owner or operator of an automatic carwash must conform with the first paragraph before January 1st, 2017.

#### **7.6 Landscape basin**

Any landscape basin which includes or not, water jets or cascade as well as fountains, for which the initial filling is done with water from the aqueduct must be equipped with a functional system which ensures the recirculation of the water. Continuing water supply is prohibited.

#### **7.7 Water jet**

Any water jet must be equipped with an on-call trigger system. The continuing water supply is prohibited.

#### **7.8 Continuing purges**

It is prohibited to let water run unless the person responsible for applying the said by-law has given his explicit authorization, only in certain cases.

#### **7.9 Agricultural irrigation**

It is strictly prohibited to use drinking water for agricultural irrigation unless a water meter is installed on the water supply conduit and is authorized by the Municipality.

#### **7.10 Energy source**

It is prohibited to use the pressure from the drinking water network as an energy source to activate any kind of equipment.

#### **7.11 Watering restriction**

The person responsible for applying the by-law may, in the case of drought, major municipal aqueduct conduit breaks and when it is necessary to proceed with the filling of municipal reservoirs, by public notice, prohibit in a given area and during a determined period, anyone from watering lawns, trees and shrubs, from proceeding to fill a pool or wash vehicles or use exterior water, for any reason. However, this restriction does not apply to manually watering vegetable gardens or plants, in the ground or pots, gardens, flowers or other vegetation.

In the case of new lawns, new trees or shrubs or filling new pools, an authorization may be given by a person responsible if the climate circumstances or water reserves allow.

### **ARTICLE 8. COSTS, INFRINGEMENTS AND PENALTIES**

#### **8.1 Restrictions**

It is prohibited to modify installations, damage seals or hinder the operation of any device or accessory supplied or required by the Municipality, to contaminate the water in an aqueduct or reservoir and mislead the Municipality with regards to the quantity of water supplied by the distribution network, to which whomever contravenes is exposed to the appropriate legal proceedings.

#### **8.2 Cost of repair work**

If the property owner requires that his water entrance be rebuilt or replaced by a larger diameter, or that it be installed deeper in the ground, the cost of such reconstruction or repairs will be paid for by said property owner, who, before beginning work, must present an estimate of the costs of said work to the Municipality. The true final costs and fees will be adjusted at the end of the work.

#### **8.3 Notice**

For every notice or complaint regarding one or more articles of the present by-law, the consumer or authorized person responsible must verbally or in writing notify the person in charge of applying the by-law for everything concerning the distribution and water supply and notify the Municipality with regards to billing for the water.

#### **8.4 Penalties**

Whoever contravenes with a provision of the present by-law commits an offence and is liable :



- a) if a physical person :
  - a fine of \$ 100 to 300 for a first offence;
  - a fine of \$ 300 to 500 for a second offence;
  - a fine of \$ 500 to 1,000 for any additional offence
- b) if it is a moral entity :
  - 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 every case, fees are added to the fine.

If the infraction is continuous, the offender is presumed to have committed as many infringements as there are days within the period of the infringement.

The provisions of the Code de procédure pénale applies for any proceedings launched as per the present by-law.

### **8.5 Issuance of a notice of infringement**

The following people are responsible for applying the present by-law and authorized to deliver a notice of infringement regarding any infraction regarding the present by-law :

- Director the environment and parks department
- Director of the urbanism department
- Inspector, urbanism department
- Director, fire department
- Director, public works department
- Director general

### **8.6 Order**

In the case when a tribunal issues a sentence with regards to an infraction pertaining to a matter contrary to the norms of the present by-law, it may, along with the fee and costs stipulated in Article 8.4, ordain that such infractions be, within the specified delay, eliminate by the offender and that, failure by the offender to execute within the specified delay, said infringement be eliminated by the appropriate work executed by the Municipality at the offender's costs.

## **ARTICLE 9. REPLACEMENT OF PREVIOUS BY-LAWS**

The present by-law replaces for all intents and purposes all provisions relating to the use of exterior drinking water, notably, by-law 140-92.

## **ARTICLE 10: ENTERING INTO EFFECT**

The present by-law enters into effect as per the Law.

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**Timothy Watchorn**  
Mayor

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**Yves Desmarais**  
Director general  
Secretary-treasurer