



BY-LAW 649-2022
Regarding drinking water

EXPLANATORY NOTE

The present by-law enacts the Municipality's legislative framework regarding drinking water, the taking of samples, its production, distribution and consumption.

It falls on the heels of the entering into effect of the Municipality's Environmental policy and its resulting priorities.

It establishes every person's right who are supplied by the Municipality with access to superior quality drinking water compliant to the existing governmental requirements with sufficient quantity to meet their essential needs.

It previously modernizes and meets the requirements of the Quebec government's drinking water conservation strategy and its by-law regarding the quality of drinking water.

This by-law includes provisions aimed at respecting the Municipality's 2020-2030 strategic vision while integrating sustainable development principles.

It adds the Municipality's strict drinking water protection norms and guarantees that every development project cannot be undertaken to the detriment of its sources' sustainability.

It confirms the Municipality's commitment to equip all of its non-residential buildings throughout its territory with meters by September 1st, 2022.

The by-law updates the administrative framework for private aqueducts, submits them to the same drinking water supply protection norms as those applicable to the Municipality and specifies the services for water supply and analysis for private aqueducts;

Finally, the by-law modernizes the provisions regarding the application of norms in effect.

WHEREAS THAT the municipal council may, as per and in accordance to the Municipal Powers Act (RLRQ, ch. C-47.1), establish any standard pertaining to the environment, water supply, sewer and water purification throughout the Municipality's territory;

CONSIDERING Article 19 of the Municipal Powers Act (RLRQ, ch. C-47.1) in matters of the environment;

CONSIDERING the provisions of the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (RLRQ, ch. C-6.2);

WHEREAS THAT the provincial Regulation respecting the quality of drinking water (RLRQ, ch. Q-2, r. 40) and the Water withdrawal and protection regulation (RLRQ, ch. Q-2, r. 35.2);

CONSIDERING the Municipality's urbanism plan;

CONSIDERING the Municipality's 2020-2030 strategic vision;

WHEREAS THAT a notice of motion was given by Councillor Carole Patenaude at the regular council meeting of July 13th, 2022;

WHEREAS THAT the draft by-law was presented to council and explained by the general manager at the regular meeting of July 13th, 2022;

CONSEQUENTLY, the municipal council decrees the following :

CHAPTER 1: INTRODUCTORY PROVISIONS

1. **Goal** – The goal of the present by-law is to guarantee that everyone have access to superior quality drinking water throughout the territory supplied by municipal aqueduct networks and to contribute to the Municipality's quality of life.

It aims at allowing the Municipality to reach its objectives and respect the obligations stipulated in the Quebec drinking water savings strategy.

The by-law ensures the protection of the integrity of the drinking water supply by a responsible and respectful management of sustainable development principles.

2. **Objectives** – The objectives of the by-law are to regulate the use of drinking water in order to preserve the quality and quantity of water resources and to define measures aimed at rationalizing the use of drinking water supplied by the municipal aqueduct networks.

It also intends on defining the parameters for the management of the aqueduct networks and establish measures for the protection of the Municipality's sources of drinking water.

3. **Definitions** – Within the present by-law, unless otherwise specified, the terms are defined as follows:

Automatic watering : designates any watering apparatus connected to a distribution network, automatically operated, including electronic or underground devices.

Manual watering : designates watering with a hose connected to a distribution network equipped with a hand-held shut-off release while in use. It also pertains to watering using a container.

Mechanical watering : designates any watering apparatus connected to a distribution network which must be activated and turned off manually without having to be handheld during use.

Building : designates any construction used or destined to be used to shelter or receive people, animals or objects.

Water meter : designates an apparatus used to measure water consumption.

Fertilizer : Artificial device to chemically or organically provide food to increase plant growth.

Housing : means any building destined to house human beings including among others, single family or multi-family homes, apartment buildings and intergenerational housing.

Property : designates land, buildings and improvements.

Dwelling : designates a suite to be used or destined as a residence for one or more people and which generally includes a sanitary facility as well as installations to prepare and consume meals as well as for sleeping.

Lot : means a piece of land as identified and defined on a cadastral plan presented in accordance to the requirements of the Civil Code.

Municipality : designates the Municipality as a legal entity under public law.

Person : includes a natural or legal person, partnerships, trusts and cooperatives.

Property owner : designates along with the property owner in question, the occupant, user, tenant, emphyteutic lessee, those in charge or any other beneficiary, one not necessarily excluding another.

Drinking water distribution network : designates a pipe, a conduit assembly or any installation or equipment used to distribute water destined for human consumption, also known as « aqueduct network ». Is however excluded, in the case of a building connected to a distribution network, any interior piping.

Exterior shut-off valve: designates an apparatus installed by the Municipality on the exterior of a building's service entrance, used to interrupt the building's water supply.

Interior piping : designates the interior installation of a building, from the interior shut-off valve.

Interior shut-off valve : designates an apparatus installed within a building used to interrupt the building's water supply.

Toilet : Sanitary apparatus which includes a bowl, a reservoir or flushing system which is synonym to a toilet.

Flushing : Volume of water necessary for the cleaning of an apparatus and of its trap supplied by a drainage valve.

Main pipe : Piping installed by or for the Municipality to channel the water and allow for its redistribution.

Diversion : Part of a plumbing system which allows for the use of water coming from a public network without it having been recorded by a water meter, if applicable.

Drinking water : Water coming from a municipal water treatment system deemed fit for human consumption in order to supply the public aqueduct network.

Automatic closure: Automatic closing mechanism with handheld device attached at the end of the hose.

Water entrance pipe : Piping installed between the lot line and the interior piping of the building to the interior shut-off valve.

Service pipe : Pipe from the road's main conduit to the lot line including the exterior shut-off valve.

Water entrance :

Service connection

CHAPTER 2 : FIELD OF APPLICATION

4. ***Specified territory*** – The by-law pertains to the entire territory of the Municipality, including underground.

5. ***Specified persons*** – Any person who uses, in one way another, drinking water from a municipal aqueduct, a private well from an aquifer source located on the Municipality's territory or from any other source must respect the present by-law.

CHAPTER 3 : APPLICATION OF THE BY-LAW

4. ***Responsibility*** – The Urbanism and environment department is responsible for applying articles 4, 5, 8 and 11 as well as articles 68 to 75 and consequently, exercise the powers conferred as per the by-law.

The public works and infrastructure department is responsible for applying articles 6, 7 and 11 as well as articles 65 to 67, 76 and 77 and consequently, exercises the powers conferred as per the by-law.

5. ***Obstruction to the application of the by-law*** – Whomever prevents an employee of the Municipality or any other employed person from undertaking repair work, from reading or verifying, interferes or disturbs them while exercising their tasks, or damages in any way, the distribution network, their devices or accessories, hinders or restricts the operating of the drinking water network, its associated accessories or devices is responsible for damages to the above-mentioned equipment because of their actions, contravene to the present by-law and is liable for sanctions stipulated therein.

6. ***Access to properties*** – The employees specifically designated by the Municipality have the right to enter at reasonable periods, between 7 :00 and 19 :00 in any public or private location within or outside of the Municipality's limits and remain as long as necessary in order to carry-out a repair or to observe if the provisions in the present by-law have been abided by.

Any reasonable collaboration required by a property owner, his representative or any person occupying the location visited must be given to them to facilitate their access.

These employees must have on their person and have visible, when required, a proof of identification issued by the Municipality.

Furthermore, these employees have access, on the inside of buildings, to the indoor valves.

7. ***Closure of water entrances*** - Municipal employees who are authorized, for this purpose, are authorized to shut-off any water entrance to undertake repairs to the distribution network with the Municipality being responsible for any damage resulting in these interruptions.

However, such employees must notify, by any reasonable means, the concerned consumers of water, unless in emergency circumstances.

8. ***Pressure and water flow*** – Notwithstanding the type of connection the Municipality does not guarantee an uninterrupted service nor a determined pressure or flow of water.

A water flow debit or pressure insufficiency does not justify an omission of payment of a compensation, tax or tariff related to the water service of part hereof or reimbursement in whole or in part.

If deemed opportune, the Municipality may require that a property owner install a pressure reducer with a manometer when it surpasses 550 kPa, which must be maintained in proper operating order.

9. **Municipal responsibility regarding water service** – The Municipality is not responsible for damages caused by a too strong or too weak water pressure.

The Municipality cannot be held responsible for losses or damages caused by an interruption or insufficient water supply, if the cause is an accident, a fire, a strike, a riot, a war or for any other cause which is out of its control.

The Municipality is not responsible for damages caused to a private property by water coming from a device used to control water supply such as a faucet or other.

10. **Management of drinking water** – The Municipality may take the necessary measures to restrict consumption if the water reserves become insufficient pursuant to the provisions and terms specified in chapter 9.

In such cases, the Municipality may supply water while giving preference to properties deemed a priority before supplying property owners connected to a drinking water distribution network.

11. **Booster pump** – It is prohibited to install a booster pump onto a water entrance pipe connected to the municipal aqueduct without having previously obtained the Municipality's written authorization.

12. **Property owners' responsibility** – Each property owner must provide, when requested by the Municipality, one or more plan regarding the interior piping of a building or operating details of a device which uses the Municipality's drinking water distribution network.

The property owner of a building or part of a building must provide, install and keep in good operating condition, any piping or necessary piping needed to receive, control, distribute or use water inside or outside his building.

CHAPTER 4 : INDOOR WATER USAGE

13. **Plumbing code** – The design and carrying-out of all work pertaining to a plumbing system, undertaken as of the entering into effect of the present by-law must comply to the Code de construction du Québec, chapter III — Plumbing and Quebec Safety Code, chapter I — Plumbing, latest versions.

Modifications made to the codes mentioned in the first paragraph will be part of the present by-law as per the terms of Council's resolution in accordance to Article 6 of the Municipal Powers Act (RLRQ., ch. C-47.1).

14. **Air conditioning, refrigeration and compressors** – It is prohibited to install any air conditioning or refrigeration system which uses drinking water.

This type of system installed before the entering into effect of this by-law must be replaced before January 1st, 2024 by a system which does not use drinking water.

Despite the first paragraph of this article, it is permitted to use an air conditioning or refrigeration system when it is connected to a recirculation loop on which regular maintenance is being done.

It is prohibited to install any compressor using drinking water.

This type of compressor installed before the entering into effect of this by-law must be replaced before January 1st, 2024 by a compressor which does not use drinking water.

Despite the fourth paragraph of this article, it is prohibited from using a compressor when it is connected to a recirculation loop on which regular maintenance is being done.

15. **Disconnection, replacement of a connection service** – Each person must notify the Municipality before disconnecting, replacing or moving any service connection.

A permit must be obtained from the Municipality, payment made for excavation and repairs for this cut-off as well as other costs incurred by this disconnection, replacement or move which the Municipality may decree by this by-law.

This also pertains to the service connections supplying automatic sprinkler systems.

16. **Supply pipe defects** – Any occupant of a building must notify the Municipality as soon as an abnormal noise can be heard or notices an irregularity to the connection.

Municipal employees will then locate the defect and proceed with the repairs.

If the defect is located within the private piping between the shut-off valve and the meter or between the shut-off faucet and shut-off valve inside the building, if there is no meter or if the meter was installed in a room near the street line, if there are no meters or if the meter is installed in a room near the line of the road, the Municipality notifies the property owner to undertake the repairs within 15 days.

17. **Obligation to properly maintain the piping** – A plumbing installation, within a building or an equipment destined for public usage must be maintained in proper operating order, be safe and clean.

18. **Connection instructions** – It is prohibited from connecting the piping of a unit or of a building which the water is supplied by a municipal drinking water distribution network to another unit or building located on another lot.

It is prohibited for the property owner or occupant of a unit or building whose water is supplied by the municipal drinking water distribution network, to supply this water to other units or buildings or to use it other than for the unit or building.

It is prohibited to connect any private system to a municipal drinking water distribution network or to a plumbing system supplied by a municipal drinking water distribution network unless it being authorized by the Municipality.

19. **Automatic flush urinal with purge tank** – It is prohibited from installing an automatic flush urinal with purge tank which used drinking water. This type of urinal installed before the entering into effect of this by-law must be replaced before January 1st, 2024 by a manually flushed or presence sensing urinal.

CHAPTER 5 : EXTERIOR WATER USAGES

20. **Filling of tanks** – Anyone wanting to fill a water cistern from the Municipality's water distribution network must do so with the approval of the person in charge of applying the by-law and designated by him in accordance to the specified regulations, as per the tariffs in effect.

An anti-backflow device must be used in order to eliminate the possibility of back-flow or siphoning.

21. **Manual watering of vegetation** – The manual watering of a garden, vegetable garden, flower box, flower bed, tree or shrub is permitted at all times.

22. **Watering of lawns** – In the following days, the watering of lawns is only permitted from 3h00 to 6h00 if the water distributed by the automatic water system and only from 20h00 to 23h00 if the water is distributed by a mechanical watering system:

- a) On Mondays for the occupant of a dwelling which address ends in a 0 or 1;
- b) On Tuesdays for the occupant of a dwelling which address ends in a 2 or 3;
- c) On Wednesdays for the occupant of a dwelling which address ends in a 4 or 5;
- d) On Thursdays for the occupant of a dwelling which address ends in a 6 or 7;
- e) On Fridays for the occupant of a dwelling which address ends in an 8 or 9;

23. **Watering of vegetation** – As per the following days, the watering of trees, shrubs or other vegetation is only permitted between 3 h and 6 h if the water is distributed by the automatic watering systems and only between 20 h and 23 h if the water is distributed by the mechanical watering system:

- a) On Mondays, Wednesdays and Fridays for the occupant of a dwelling which address ends in a 0, 1, 4, 5, 8 or 9.
- b) On Tuesdays, Thursdays and Saturdays for the occupant of a dwelling which address ends in a 2, 3, 6, 7 or 8.

24. **Automatic watering system** – An automatic watering system shall be equipped with the following:

- a) (a) An automatic moisture sensor or automatic rain switch, preventing watering cycles when atmospheric precipitation is sufficient or when soil moisture is adequate;
- b) (b) A backflow prevention device conforming to CSA B64.10 to prevent contamination of the potable water distribution system;
- c) (c) An electrically operated valve to be operated by an electric control device and used for automatic control of the watering or watering cycle;
- d) (d) A manually operated handle or gate valve to be used exclusively in the event of breakage, malfunction, or other emergency. The handle or gate valve shall be accessible from the outside;
- e) (e) A water meter;

However, an automatic sprinkler system installed prior to the coming into force of this by-law and which is inconsistent with the requirements of this section may be used, but must be upgraded, replaced or decommissioned.

25. **New Lawn or Landscaping** - Notwithstanding Sections 22 and 23, watering of new lawns, tree or shrub plantings and landscaping is permitted on a daily basis at the times specified in those Sections for a period of 15 days following the commencement of seeding, planting or sodding.

Watering of a sodded lawn is permitted at any time during the day of installation.

Owners watering a new lawn, tree or shrub planting or landscaping during this period shall produce proof of purchase of the plants or seed upon request of a person responsible for the enforcement of this by-law.

26. **Nurseries and Golf Courses** - Notwithstanding Sections 22 and 23, watering shall be permitted on any day at the times specified therein when required for nurseries and golf courses.

27. **Water Runoff** - No person shall deliberately operate watering equipment in such a manner as to cause water to run into the street or onto neighbouring properties.

However, some allowance shall be made for the effects of wind.

28. **Pools and Spas** - The filling or levelling of a pool or spa is prohibited from 6:00 a.m. to 8:00 p.m. However, the use of water from the distribution system is permitted during the installation of a new pool to maintain the shape of the structure.

29. **Vehicles, driveways, sidewalks, streets, patios, exterior walls of buildings** - Washing of vehicles is permitted at any time provided that a wash bucket or hose, connected to the water system, equipped with a hand held release valve is used during the period of use.

The washing of driveways, sidewalks, patios or exterior walls of a building is permitted only from April 1 to May 15 of each year or during painting, construction, renovation or landscaping work that warrants the cleaning of driveways, sidewalks, patios or exterior walls of the building, provided that a hose, connected to the distribution system, equipped with a hand-held release valve is used during the period of use

The use of potable water to melt snow or ice from driveways, yards, patios or sidewalks is strictly prohibited at all times.

30. **Car Washes** - Any automatic car wash that uses water from the distribution system shall be equipped with a functional system for the recovery, recycling and recirculation of water used for washing vehicles.

The owner or operator of an automatic car wash shall comply with the first paragraph by January 1, 2023.

31. **Landscape Ponds** - All landscape ponds, with or without water sprays or cascades and fountains, which are initially filled and topped up by the distribution system, shall be equipped with a functional system to recirculate the water.

Continuous supply of potable water is prohibited.

32. **Water features** - All water features shall be equipped with a call-out system. Continuous potable water supply is prohibited.

33. **Continuous Flushing** - No water shall be allowed to flow unless specifically permitted by the person enforcing this by-law and only in specific instances.

34. **Agricultural Irrigation** - The use of potable water for agricultural irrigation is strictly prohibited unless a water meter is installed in the supply line and authorized by the Municipality.

35. **Power Source** - No person shall use the pressure or flow of the potable water system as a source of power or to operate any machinery.

CHAPTER 6 : FIRE HYDRANTS

36. **Handling of Hydrants** - Hydrants shall be used only by authorized employees of the Municipality.

No other person shall open, close, handle or operate a hydrant or a valve on a hydrant supply line without the authorization of the Municipality.

37. **Opening and Closing of Hydrants** - The opening and closing of hydrants shall be in accordance with the procedure prescribed by the Municipality.

A backflow prevention device shall be used to eliminate the possibility of backflow or siphoning.

38. **Certificate of authorization and winter period** - Any person wishing to use the fire hydrants of the municipal water supply system must first obtain a certificate of authorization from the Municipality.

However, in order to prevent the risk of freezing, no authorization will be granted between December 1st and April 1st of the following year.

39. **Mandatory training** - No certificate of authorization provided for in Section 38 shall be granted unless the person requesting said certificate, or one of his representatives, has received training on the use of fire hydrants offered by the Public Works and Infrastructures Department prior to any use.

CHAPTER 7: MANAGEMENT OF CONSUMPTION AND WATER SYSTEMS

40. **High Water Consumption** - The Municipality may require any affected property owner to provide any information on high water consumption appliances. Definition to include.

41. **Refusal to supply water** - The Municipality may refuse to supply water to any property containing an appliance whose consumption of potable water exceeds 20% of the average daily consumption of the municipality or whose supply would threaten the general supply of properties served by the waterworks concerned.

42. **Reasonable Use of Water Service** - Every person occupying a house or other building supplied with potable water served by the municipal water system shall use water from the municipal water system in a reasonable manner so that the water is not wasted or improperly consumed.

43. **Obligation to connect new construction** - Any new construction located on a portion of the territory of the Municipality served by a water system shall be connected to the water system.

44. **Future connection** - The owner of any existing main construction must connect to the water system when the Municipality serves the area where the said construction is located.

The owner must dismantle any previous drinking water supply installation and cease all supply from such installations.

45. **Requirement for Water Inlet** - If the property in question does not have its own water inlet, the applicant for a building permit for the erection of a new main structure shall apply to the Municipality to install one.

The installation of the water inlet shall be at the applicant's expense.

46. **Obligation of a water inlet for vacant lots served** - The applicant for a construction permit, on a lot located on a street, road or path of the Municipality where the water system is to be built, is obliged to proceed with the installation of the water inlet pipe with all the specific equipment as shown in appendix "A" allowing to bring water by pipe from the system to the residence.

The installation of this water inlet shall be at the expense of the applicant.

47. **Installation of a water inlet valve for a newly serviced lot** - Where the Municipality provides water service to a vacant lot that is suitable for construction and the owner of the lot wishes to have a water inlet valve installed, the Municipality shall, at the request of the owner, install the valve at the expense of the owner concerned.

48. **Water Inlet Valve for New Construction** - An applicant for a building permit for a new residence located on a lot bordering on a road, street or highway of the Municipality served by a water system, shall be required to pay all costs for the installation of the water inlet valve, as determined by by-law of Council.

49. **Exception for Real Estate Development Projects** - This chapter is subject to the Municipality's Infrastructure Construction Policy or any future by-law replacing the same.

In the cases referred to in paragraph 1, the work of connection to the inlet of any water system shall be carried out by the contractor of the applicant for the construction permit.

CHAPTER 8: WATER SERVICE CONNECTIONS

50. **Permit to Connect** - Any person requiring a connection of property to the water service shall obtain a permit to do so.

51. **Conditions** - The connection to the water service shall be made under the following conditions for all buildings:

- The owner shall apply to the Municipality for a water service connection.

- The installation of a service pipe shall be made by the Municipality and the pipe shall be brought to the boundary of the lot to be served, if applicable.

- This installation shall be performed at the owner's expense.

- Such charges shall include parts, excavation, piping, road repair, sidewalk paving and curb repair, if applicable.

- The charges shall be paid prior to the completion of the work in accordance with the current by-law.

- No connection may be made between December 1 and April 1 unless the Director of Public Works and Infrastructures issues a special authorization based on a technical analysis taking into account specific constraints.

52. **Documents and Exhibits Required by the Municipality** - The Municipality may require the production of any of the following documents, as the case may be, prepared by a competent professional member of the Ordre des ingénieurs du Québec in order to process an application for a connection permit for a residential building with a connection pipe of a volume greater than 20 millimetres

- A study on the required water flow and potential water consumption of the building in question;
- A report on the water use in the building;
- A forecast of the period of water consumption.

The Municipality shall require the production of the following documents prepared by a qualified professional who is a member of the Ordre des ingénieurs du Québec in order to process an application for a non-residential building connection permit

- A study on the required water flow and potential water consumption of the building in question;
- A report on water use in the building;
- A forecast of the period of water consumption.

53. **Buildings with a high consumption of potable water** - In addition to the documents required in Section 52, owners of buildings with a high consumption of potable water such as car washes and equipment, laundries, manufacturing, production, transformation, food and beverage industries using potable water in their manufacturing process or cleaning equipment, nurseries, spas, sports centers or hotels, shall submit to the Municipality and keep up to date an action plan to control and reduce their consumption of potable water.

This plan shall include measures to conserve potable water such as

- Water saving devices;
- Reuse and recycling;
- Modifying water use processes;
- Alternative sources of drinking water;
- A leak detection strategy and reduction measures.

54. **Water Meters** - Every residential building with a water service pipe greater than 20 millimetres in diameter shall be equipped with a water meter in accordance with the requirements of this by-law.

Any building referred to in paragraph (1) that does not have a water meter at the time of the passing of this by-law shall be so equipped by September 1, 2022.

All non-residential buildings shall be metered in accordance with the requirements of this by-law.

55. **Ownership of Connection Pipe** - The portion of the water service pipe between the watermain and the outside shut-off valve shall remain the property of the Municipality even though the initial installation may have been done at the expense of the owner.

56. **Alteration of Connection** - Any owner wishing to replace or relocate a water service pipe shall apply for a permit to do so, pay the cost of such permit and an amount to cover all costs associated with the replacement or relocation, if any.

57. **Malfunction Prevention Device** - Every building connected to the water service shall be equipped with a malfunction prevention device for a potable water supply system.

58. **Handling of Shut-off Valves** - No person shall handle the outside shut-off valve box attached to the water service pipe.

59. **Maintenance of Shut-off Valve** - Every shut-off valve box shall be maintained in good repair by the owner so as to keep it operable and accessible to the officers of the Municipality.

60. **Disconnection of Water Service** - Any owner desiring to have the water service pipe disconnected shall deposit with the application an amount covering all costs involved.

Such disconnection shall be made at the point where the service pipe is connected to the water main.

61. **Maintenance and Repair of Service Pipe** - The maintenance and repair of the service entrance pipe from the outside shut-off valve to the interior piping of a building shall be at the expense of the building owner or person requesting the service pipe.

The building owner or person requesting such repair or maintenance shall assume all responsibility for such repair or maintenance.

62. **Materials used for Service Pipes** - The material used by the owner for the installation of the service inlet pipe from the Municipality installed outdoor shut-off valve shall be of the same quality and diameter as the pipe installed by the Municipality between the main and the outdoor shut-off valve.

63. **Grading or Filling** - During grading or filling by the owner, the outside shut-off valve box shall not be moved or buried.

If this occurs, the owner will be responsible for any corrective work that may be required.

CHAPTER 9: DRINKING WATER SOURCE PROTECTION

64. **Emergency situations** - When the Municipality deems that there is a need to apprehend a shortage of water from the municipal aqueduct due to a drought or major breakage of one or more pipes of the municipal aqueduct network, or for any other case of force majeure or emergency situation related to the supply availability or distribution of drinking water, the Mayor, the Director General or the Director of Public Works and Infrastructures are authorized to decree the application of a total or partial ban on the consumption of water from one or other of the municipal water systems.

65. **Prohibition Options** - Any person authorized under Section 64 may, in the event of drought, major breaks in municipal water mains and where it is necessary to refill municipal reservoirs, by public notice, prohibit in a given area and for a specified period of time, the watering of lawns, trees and shrubs, the filling of swimming pools, the washing of vehicles, or the use of water outdoors notwithstanding the provisions of Chapter 5.

This prohibition does not apply to the hand watering of vegetable gardens and edible plants, in soil or in pots, gardens, flowers and other vegetation.

In the case of new lawns, new tree or shrub plantings or filling of new swimming pools, permission may be obtained from the appropriate authority if climatic circumstances or water supplies permit.

66. **Reporting Requirements** - Any prohibition enacted pursuant to this by-law shall be reported to City Council by the person enacting the prohibition.

67. **Lifting of Prohibition** - Such prohibition shall remain in effect until the Mayor, the General Manager or the Director of Public Works of the Municipality has ordered the lifting of the prohibition, in whole or in part, on the consumption or use of water from the municipal water system.

68. **Immediate protection areas for drinking water sources** - Subject to the second paragraph, within a radius of 30 m measured from a municipal well or water catchment structure that supplies a drinking water distribution system, land use shall comply with the following standards:

(1) the land shall be left free of any construction or use other than for municipal purposes

(2) the land shall not be subject to any excavation or filling

(3) the protection area shall be identified.

This section does not apply to a structure required for the operation of the municipal drinking water supply and distribution system.

69. **Close Protection Areas** - Schedule "A" to this by-law identifies the bacteriological close protection areas, defined by the 200-day water migration time, and the virological close protection area, defined by the 550-day water migration time.

The following activities are prohibited in the bacteriological close protection areas if the water vulnerability index is medium or high:

(1) the development of an animal waste storage facility;

(2) the development of a discharge facility for a groundwater-fed geothermal system

(3) the development and operation of an animal breeding building, except for canid and felid breeding, fish farms, zoos, parks and zoological gardens

(4) the development and operation of an animal exercise yard or composting area ;

(5) the storage, on the ground, of animal manure, farm compost or fertilizing residual materials

(6) the grazing of animals ;

(7) the spreading of animal manure, farm compost or fertilizing residual materials.

The spreading and storage, on the ground, of sludge from municipal wastewater treatment works or from any other water treatment or sanitary wastewater accumulation system or of any material containing such sludge is prohibited in the virological close protection areas delimited in Schedule "A" to this by-law.

70. **Remote Drinking Water Source Protection Areas** - The boundary of the Remote Protection Areas is the entire catchment area of the well facility as shown in Appendix A.

The following activities are prohibited in any remote protection area if the concentration of nitrates+nitrites (expressed as N) in the water withdrawn is greater than 5 mg/L :

- (1) the development and operation of an animal exercise yard or composting area;
- (2) the storage, on the ground, of animal manure, farm compost or any other fertilizing material
- (3) the storage on the ground of sludge from municipal wastewater treatment works or any other water treatment system or sanitary wastewater accumulation or any material containing such sludge
- (4) the development of shale gas, natural gas, minerals and other mineral resources.

In addition, the following activities must be carried out after obtaining a recommendation from a qualified professional in accordance with the requirements of section 31:

1. grazing of animals;
2. the spreading of nitrogenous fertilizers.

The activities mentioned in the second paragraph of this section are prohibited in the remote protection area delimited for a groundwater withdrawal if the concentration of nitrates+nitrites (expressed as N) in the water withdrawn is greater than 10 mg/L.

71. **Protection of Private Wells** - No fertilizer shall be used in any form within ten (10) metres of any surface well and no fertilizer shall be used within five (5) metres of any artesian well.

72. **Protection of watercourses** - Any use, in any form whatsoever, of a fertilizer is prohibited within three hundred (300) metres of any lake or watercourse located in the Municipality.

73. **Water catchment** - Any form of drilling, construction or development of a water catchment work is prohibited in the drinking water source protection areas described in Sections 68 and 69.

74. **Implementation of private water or sewer systems** - Any implementation of a private water or sanitary sewer system must comply with the provisions of this chapter and be authorized within the framework provided for in the municipal works and services agreement by-law in force.

CHAPTER 10: PRIVATE WATER SYSTEMS

75. **Water quality for private water mains connected to the public network** - The Municipality may, following notification to the provincial authorities concerned, assume responsibility for compliance with regulatory standards for drinking water quality for private water mains if the owners concerned consent to it by survey and at their expense.

76. **Municipalization of private water systems** - Any municipalization of a private water system shall be carried out in accordance with the parameters of the Regulation respecting agreements for municipal works and services and the Policy on the municipalization of infrastructures, subject to the necessary adaptations.

CHAPTER 11: INFRACTIONS AND FINES

77. **Infractions** - It is forbidden to modify the installations, to damage the seals and to interfere with the operation of all devices and accessories provided or required by the Municipality, to contaminate the water in the aqueduct or reservoirs and to knowingly deceive the Municipality with respect to the quantity of water supplied by the distribution system, failing which the offenders shall be subject to the appropriate penal and civil proceedings.

78. **Fines** - Every person who contravenes any provision of this by-law is guilty of an offence and is liable

a) in the case of a natural person :

- to a fine of not less than \$200 and not more than \$400 for a first offence
- (a) in the case of an individual, to a fine of not less than \$200 and not more than \$400 for a first offence; and
- to a fine of \$1,000 to \$2,000 for each subsequent offence.

b) in the case of a corporation :

- to a fine of \$400 to \$1,200 for a first offence;
- to a fine of \$1,200 to \$2,000 for a first or subsequent offence
- a fine of \$2,000 to \$4,000 for each additional offence.

In all cases, costs shall be added to the fine.

79. **Continuity of Offence** - If the offence is continuous, the offender shall be presumed to commit as many offences as there are days in the duration of the offence.

80. **Persons authorized to issue a statement of offence** - The following persons charged with the enforcement of this by-law are authorized to issue a statement of offence for any violation of this by-law:

Director of the Planning and Environment Department
Inspectors of the Urban Planning and Environment Department
Director, Fire department
Director, Public works and infrastructures department
Road and mechanical foreman
Foreman of the aqueduct, parks and buildings department
Director general

81. **Termination of an infraction** - In the event that a court pronounces a sentence with respect to an infraction that is contrary to the standards of the present by-law, it may, in addition to the fine and costs provided for in Section 77, order that such infractions be, within a period of time set by the court, eliminated by the offender and that, in the event that the offender fails to comply within the said period of time, the said infraction be eliminated by means of appropriate work carried out by the Municipality at the expense of the offender.

CHAPTER 12: TRANSITIONAL AND FINAL PROVISIONS

82. **Repeals and replacements** - By-laws 461 and 495 as well as any other by-law or resolution dealing with the same object and purpose are repealed and replaced by the present by-law.

The Policy on Areas Served by the Municipality's Drinking Water Systems is repealed.

The Policy on Private Water Mains is repealed.

83. **Precedence of By-law** - This by-law shall have effect notwithstanding any provision to the contrary in the Pesticides By-law (339) or any successor by-law.

84. **Entering into effect** - The by-law comes into force in accordance with the law.



Timothy Watchorn
Mayor



Hugo Lépine
Director general /
Registrar-treasurer