



Canada
Province du Québec
Municipalité de Campbell's Bay

Municipal By-Law on the use of drinking water
By-Law NO. 103-2014

WHEREAS municipalities must adopt a regulation on the use of drinking water in order to achieve the objectives of Québec's Strategy for Drinking water is to reduce by 20% the average water consumption per person Quebec as a whole and reduce the rate of leakage in the distribution system to a maximum of 20% of the volume of water distributed;

WHEREAS it is in the interest of the community to establish mechanisms to ensure that citizens have an adequate supply of drinking water and to achieve the objectives of Québec's Strategy for Drinking Water;

WHEREAS a notice of motion for this settlement was given at the regular session of April 1st 2014 by Councillor Maurice Beauregard;

THEREFORE, it is moved by Councillor Tim Ferrigan and unanimously resolved that the regulation be adopted following number 103-2014;

SECTION 1. BY-LAW OBJECTIVES

The objective of the current by-law is to control the use of drinking water in order preserve the quality and supply of this resource and to meet the objectives of the Québec drinking water Savings Action Plan.

SECTION 2. DEFINITION OF TERMS

“Automatic watering system” means any watering device, connected to the water supply, that starts automatically, including electronic or underground devices.

“Manual watering” means watering with a hose connected to the water supply, fitted with a nozzle shut-off valve and held in the hand during the period of use.

“Building” means any structure used or intended to be used to shelter or house people, animals or goods.

“Meter” or “water meter” means a device that measures water consumption.

“Dwelling” means any building intended to house human beings, including single-and multi-family residential buildings, apartment buildings and intergenerational housing.

“Property” means the land, the buildings and the improvements made.

“Dwelling unit” means a unit or suite of rooms used or intended to be used as a home for one or more persons, and usually including cooking, eating, sleeping and sanitation facilities.

“Lot” means an area of land identified and delineated on a cadastral plan, drawn and submitted in compliance with the requirements of the Civil Code.

“Municipality” or “City” means the Municipality of, or the City of, Beaconsfield.

“Person” includes natural persons, legal entities, partnerships, trusts and cooperatives.

“Owner” means, in addition to the legitimate owner, the occupant, the user, the renter, the emphyteutic lessee, any dependant or any other usufructuary, with one not necessarily excluding the other(s).

“Shut-off valve” means a device, installed by the Municipality outside a building on the service connection, that serves to interrupt the water supply to this building.

“Indoor piping” means the piping installed inside a building, starting at the indoor valve.

“Indoor valve” means a device installed inside a building that serves to interrupt the water supply to this building.

SECTION 3. SCOPE OF APPLICATION

This by-law sets the regulations for the use of drinking water from the municipal distribution system and applies to the entire territory of the municipality.

The current by-law is not intended to limit the use of drinking water for horticultural production operations that represent any and all operations for the production of vegetable, fruits, flowers, ornamental trees and shrubs, for commercial or institutional purposes, including soil preparation, planting, maintenance, harvesting, storage and marketing.

SECTION 4. ENFORCEMENT RESPONSIBILITIES

The application of this regulation is the responsibility of the Municipality of Campbell’s Bay.

SECTION 5. GENERAL AUTHORITY OF THE MUNICIPALITY

5.1 Prevention of the performance of duties

Anyone who prevents a municipal employee or another person at its service from conducting repair work, readings or inspections, who disrupts or bothers such employee in exercising his authority or who damages in any way the waterworks system, equipment or components, interferes with or disrupts the operation of the drinking water distribution system, related components or equipment, damages the aforementioned equipment as a result of their actions, is in violation of this by-law and is liable to the penalties prescribed in this by-law.

5.2 Access Rights

Employees specifically designated by the Municipality have the right to enter a property, at any reasonable hour, in order to carry out repairs, take a reading or determine whether or not the provisions of the current by-law have been respected. They must receive all the collaboration needed to provide them access. Moreover, these employees have access to the indoor valves inside the building; only these employees may remove or attach the seals.

5.3 Turning off the water supply

The authorized municipal employees have the right to shut off the water supply to carry out repairs to the water distribution system without the Municipality being held responsible for any damage caused by these interruptions; the employees must however make every reasonable effort to warn the consumers affected, except in the case of an emergency.

5.4 Water pressure and flow

Whatever type of connection, the Municipality does not guarantee continuous service or a pre-determined pressure or flow rate; no one can refuse to pay their account in part or in full for reasons of insufficient water supply, despite the cause.

Should the Municipality deem it opportune, it may require the owner to install a manometer pressure regulator when the pressure exceeds 525 kPa, and this regulator must be maintained in good operating condition. The Municipality is not responsible for any damage caused by pressure that is too low or too high.

The Municipality is not responsible for any loss or damage resulting from an interruption in supply, or insufficient supply of water, if the cause is an accident, a fire, a strike, a riot, a war or by any other cause over which it has no control. Moreover the Municipality may take the measures necessary to restrict water consumption if stocks become insufficient. In such cases, the Municipality may provide water, with preference given to buildings it considers priorities before making provision to private owners connected to the drinking water distribution system.

5.5 Requests for plans

The Municipality may request one or more interior plumbing plans for buildings, or request details on the operation of devices that use water from the municipal drinking water distribution system.

SECTION 6. USE OF WATER INFRASTRUCTURE AND EQUIPMENT

6.1 Plumbing Code

The design and execution of all work on a plumbing system, implemented after the entry into force of this by-law, must comply with the latest versions of the Québec Building Code, Chapter III - Plumbing, and Quebec Safety Code, Chapter I - Plumbing.

6.2 Air conditioning, cooling and compressors

As of the date of the coming into force of the current by-law, the installation of any type of air conditioning or cooling system that uses drinking water is prohibited. Any air conditioning or cooling system that uses drinking water and that was installed prior to the coming into force of this by-law must be replaced, before January 1, 2017, by a system that does not use drinking water.

Despite the first paragraph of this article, it is permitted to use air conditioning or cooling systems when connected to a water recirculation loop on which routine maintenance is performed.

As of the date of the coming into force of the current by-law, the installation of any type of compressors that uses drinking water is prohibited. Any compressors using drinking water and that was installed prior to the coming into force of this by-law must be replaced, before January 1, 2017, by a system that does not use drinking water.

Despite the third paragraph of this article, compressors equipped with a water recirculation loop are allowed, providing they are regularly maintained.

6.3 Use of fire hydrants and water main valves in the municipal system

Only municipal employees authorized to do so can use fire hydrants. Anyone else can not open, close, handle or operate a fire hydrant or a valve on the supply line to a hydrant without first obtaining permission from the Municipality.

The opening and closing of fire hydrants shall be in accordance with NFPA standards.

6.4 Replacement, relocation, and disconnection of a service connection

Before any service connection is disconnected, relocated or replaced, the municipality must be notified. A permit must be obtained from the Municipality, and the applicant must pay all costs associated with the work.

The same applies to a service connection for an automatic sprinkler system.

6.5 Defect in supply pipe

As soon as an occupant of a building becomes aware of any unusual noise, or of any sort of irregularity in the service connection for the water supply, he must immediately notify the Municipality. In a case where the defect is on private piping, located between the shut off valve and the meter, or between the shut off valve and the building, if there is no meter, the Municipality then notifies the owner to make the repair.

6.6 Piping and equipment located inside and outside of a building

A plumbing installation, in a building or in a facility intended for public use, must be maintained in good condition in term of operation, safety and cleanliness.

6.7 Hook-ups

a) Hooking up the piping from a dwelling unit or a building supplied with water from the municipal drinking water distribution system to another dwelling unit or building located on another lot is prohibited.

b) An owner or occupant of a dwelling unit or a building supplied with water from the municipal drinking water distribution system is prohibited from providing this water to other dwelling units or buildings, or from drawing off water other than for use in the dwelling unit or building.

c) It is prohibited to install any private system to the municipal drinking water distribution system or a plumbing system served by the municipal drinking water distribution system

Despite the last two paragraphs of this article, it is possible for any owner of a building to provide water to other buildings on the same lot, such as a shed or garage. A permit must be obtained from the municipality, and the applicant must pay all costs associated with the work.

6.8 Automatic flush urinals equipped with a purge tank, connections

The installation of auto-flush urinals equipped with a purge tank that uses drinking water is prohibited. All auto-flush urinals equipped with a purge tank that uses drinking water installed prior to the coming into force of this by-law must be replaced prior to January 1, 2017, with a manual flush or a motion-detector flush unit.

SECTION 7. INDOOR AND OUTDOOR USE

7.1 Tank filling

Anyone wishing to fill a water tank from the Municipality's drinking water distribution system must first obtain the approval from the Municipality. The tank is to be filled from a location designated by the municipality, and in compliance with the rules prescribed by the municipality and according to the tariff in effect. Moreover, a backflow prevention device must be used to eliminate any possibility of backflow or siphoning.

7.2 Lawn and garden watering

Manual watering of a garden, a vegetable plot, a flower box, a planter, a flowerbed, a tree or a shrub, using a hose fitted with an automatic shut-off device, is permitted at all times.

7.2.1 Watering timetable

The watering of lawns, hedges, trees, shrubs and other plants by means of oscillating water sprinklers or perforated hoses is permitted between the hours of 8 pm and 11 pm only, on the following days:

- a) on days when the date is an even number, for an occupant of a dwelling of which the civic address is an even number;
- b) on days when the date is an uneven number, for an occupant of a dwelling of which the civic address is an uneven number.

For automatic watering systems, watering is permitted from 3 am to 6 am on Sundays, Tuesdays and Thursdays only.

7.2.2 Automatic Watering Systems

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

- a) an automatic humidity sensor or an automatic shut-off device in case of rain, to suspend watering operations when precipitation suffices or when the humidity level in the soil is sufficient;
- b) a reduced pressure backflow prevention device to prevent any contamination of the drinking water distribution system;
- c) a wheel handle or gate valve for manual shut-off exclusively for breaks, poor functioning or any other urgent situation. The handle or gate valve must be accessible from outside.

However, an automatic watering system, installed prior to the coming into force of this by-law and incompatible with the requirements of this section, may be used, but must be upgraded, replaced or removed from service before January 1st 2017.

7.2.3 New lawn and new development

Notwithstanding article 7.2.1, watering new lawns, newly planted trees or shrubs or new landscaped areas is permitted, according to the schedule in article 7.2.1, for a 15-day period following commencement of seeding or planting, providing a free permit is granted by the municipality.

In the case of the installation of turf strips, watering is permitted at all times during the first day of installation, providing a free permit is granted by the municipality.

7.2.4 Surface drainage

It is prohibited for anyone to deliberately use a watering device in such a way that the water runs onto the street or onto neighbouring properties. However, a certain amount of tolerance is granted to take into account wind effect.

7.3 Pool and Spa

Filling a pool or spa is permitted from 8pm to 11pm. However, a low pressure anti-backflow device must be used to prevent contamination of the drinking water system. However, it is possible to fill a new pool during installation to maintain the shape of the structure providing a free permit was granted by the municipality.

7.4 Vehicles, car driveways, sidewalks, streets, patios or exterior walls of a building

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

The washing of driveways, sidewalks, patios and exterior walls of a building is permitted from April 1 to May 15 each year only, or during painting, construction, renovation or landscaping work that justifies the cleaning of driveways, cars, sidewalks, patios and exterior walls of a building.

It is strictly prohibited, at all times, to use drinking water to melt snow or ice on driveways, grounds, patios or sidewalks.

7.5 Carwash

All car washes that use water from the municipal water distribution system must be equipped with a functioning recuperation, recycling and recirculation system for the water used to wash vehicles.

The owner or operator of a car wash must be in compliance with the preceding paragraph by January 1, 2017 or a meter will be installed and the tariff in effect will apply.

7.6 Landscape basins

Any water features or ponds, whether or not they include fountains or waterfalls, that are filled initially and then refilled from the municipal water distribution system, must be equipped with a functioning system to recirculate the water. A continuous stream of drinking water to feed the features is prohibited.

7.7 Water features

Any water feature must be equipped with an activated release system. A continuous stream of drinking water to feed the feature is prohibited.

7.8 Continuous draining

Allowing water to run continuously is prohibited, unless the person responsible for the municipality explicitly authorizes it, and only in certain specific cases.

7.9 Agricultural Irrigation

It is strictly forbidden to use drinking water for agricultural irrigation, unless a water meter is installed on the supply line and the Municipality has authorized it. The water tariff in effect will apply.

7.10 Energy Source

Using the water pressure or flow from the drinking water distribution system as an energy source or to run a machine of any sort is prohibited.

7.11 Watering ban

The municipality may, due to drought conditions, a major break in the municipal water supply pipes or equipment, by means of a public notice, prohibit any person from watering a lawn, tree or shrub, filling a swimming pool, washing a car or using water outdoors, for whatever reason, in a given sector and for a given period of time. However, this prohibition does not apply to the manual watering of vegetable plots or plants grown for food, in the ground and in pots, gardens, flowers and other planting.

In the case of new lawns, newly planted trees and shrubs and the filling of new swimming pools, authorization may be obtained from the municipality if weather

conditions or water supply are favorable.

SECTION 8. COSTS, VIOLATIONS AND FINES

8.1 Prohibitions

It is prohibited to modify installations, damage seals or impair the functioning of any devices or accessories provided or required by the Municipality, to contaminate the water in the water supply system or reservoirs or to knowingly mislead the Municipality about the quantity of water supplied by the distribution system; offenders run the risk of prosecution accordingly.

8.2 Cost for retrofit work

If the owner requires that their water main be rebuilt or replaced with a larger diameter unit, or requires a deeper installation into the ground, the cost of such work shall be paid by the said owner, who is required, prior to commencement of work, to obtain a permit and deposit the estimated amount at the municipal office. The actual final cost and fees will be adjusted upon completion of the work.

8.3 Notices

For any notice or complaint concerning one or more items in the current by-law, the consumer or his authorized representative may notify, verbally or in writing, the municipality for any issue to do with water distribution and supply, and should contact the municipality for any issue regarding the billing for water.

8.4 Fines

Anyone contravening a provision in the current by-law is committing an offence and is liable:

a) in the case of an individual (natural person):

- i. A fine of \$ 100 to \$ 300 for a first offense;
- ii. A fine of \$ 300 to \$ 500 for a second offense;
- iii. A fine of \$ 500 to \$ 1,000 for a subsequent offense.

b) in the case of a corporate entity:

- iv. A fine of \$ 200 to \$ 600 for a first offense;
- v. A fine of \$ 600 to \$ 1,000 for a second offense;
- vi. A fine of \$ 1,000 to \$ 2,000 for a subsequent offense.

In all cases, fees are added to the fine. In the case of a continuous offence, the violator is deemed to commit a violation for as many days as the violation is actually committed.

The provisions in the Code of Penal Procedure apply for all legal actions taken under the current by-law.

8.5 Issuance of statements of offence

The person responsible for the implementation of this by-law is authorized to issue a statement of offence relating to any violation of the current by-law.

8.6 Order

Where a court issues a sentence for an offence for which the object is contrary to the standards of this by-law, the court may, in addition to the fine and the fees stated in article 8.4, order that such an offence be, in the timeframe it sets, eliminated by the faulty party and that, if the violator complies within the set timeframe, the offence may be

rescinded by the conduct of appropriate work by the municipality and charged to the violator.

SECTION 9. COMING INTO FORCE

This by-law shall come into force according to the law.



William Stewart
Mayor



Sarah Bertrand
Director General

No resolution adopted: 155-09-14 on September 2 2014

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