

**PROVINCE OF QUEBEC
MUNICIPALITY OF THE TOWNSHIP OF LOW**

BY-LAW NUMBER 2024-002

**TO GOVERN THE USE OF DRINKING WATER
IN CONNECTION WITH THE AQUEDUCT SYSTEM**

Whereas the provincial government's drinking water strategy requires municipalities to adopt a by-law governing the use of drinking water;

Whereas by-law SQ 2017-006 concerning the outdoor use of public aqueduct water applicable by Sûreté du Québec does not fully meet the Ministry's requirements;

Whereas it is necessary to adopt a by-law only for drinking water considering the ministerial requirements in this regard;

Whereas a notice of motion was duly given at the Council meeting held on April 2, 2024 and the draft by-law was tabled at the same meeting;

Council decrees as follows:

ARTICLE 1 OBJECTIVES OF THE BY-LAW

The purpose of these regulations is to govern the use of drinking water in order to preserve the quality and quantity of the resource.

ARTICLE 2 DEFINITION OF TERMS

Automatic sprinkler: any sprinkler connected to the distribution network and operated automatically, including electronic or underground sprinklers.

Manual watering: watering with a hose, connected to the distribution network, equipped with a hand-held release valve. It also includes watering with a container.

Mechanical sprinkler: any sprinkler, connected to the distribution network, which must be switched on and off manually without having to be hand-held during the period of use.

Building: any structure used or intended to be used to house or receive people, animals or things.

Water meter: a device used to measure water consumption.

Housing: any building intended to house human beings, including single-family and multi-family housings, apartment buildings and intergenerational housing.

Immovable: Land, buildings and improvements.

Dwelling: a suite used or intended to be used as a residence for one or more persons, usually with sanitary facilities as well as facilities for preparing and consuming meals and for sleeping.

Lot: a parcel of land identified and delimited on a cadastral plan, made and deposited in accordance with the requirements of the Civil Code.

Municipality: Municipality of the Township of Low.

Person: natural and legal persons, partnerships, trusts and cooperatives.

Owner: in addition to the owner in title, the occupant, user, lessee, emphyteutic lessee, dependents or any other usufructuary, one not necessarily excluding the others.

Distribution network or drinking water distribution network: a pipe, a set of pipes or any installation or equipment used to distribute water intended for human consumption, also known as a "municipal aqueduct network". However, in the case of a building connected to a distribution network, any indoor piping is excluded.

Shut-off valve: a device installed by the Municipality outside a building on the service connection, used to interrupt the water supply to the building.

Interior piping: the installation inside a building, starting from the interior shut-off valve.

Inside shut-off valve: a device installed inside a building to interrupt the water supply to that building.

ARTICLE 3 SCOPE OF APPLICATION

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

This by-law does not limit the use of drinking water for horticultural production activities, which represent all activities required for the production of vegetables, fruits, flowers, ornamental trees or shrubs, for commercial or institutional purposes, including soil preparation, seedlings, maintenance, harvesting, storage and marketing.

ARTICLE 4 RESPONSIBILITY FOR ENFORCEMENT

Application of this by-law is the responsibility of the Urban Planning Department.

ARTICLE 5 GENERAL POWERS OF THE MUNICIPALITY

5.1 Impediment to the performance of duties

Anyone who prevents an employee of the Municipality or any other person in its service from carrying out repair, reading or verification work, hinders or disturbs him in the exercise of his powers, or damages in any way whatsoever the distribution system, its devices or accessories, hinders or prevents the operation of the drinking water distribution system, accessories or devices dependent thereon, is liable for damage to the aforementioned equipment as a result of his actions, contravenes the present by-law and renders himself liable to the penalties provided for in the present by-law.

5.2 Right of entry

Employees specifically designated by the Municipality have the right to enter at any reasonable time¹, as well as during emergency situations, any public or private place, within or outside the limits of the Municipality, and to remain there as long as is necessary to carry out a repair or to ascertain whether the provisions of the present by-law have been observed. All necessary cooperation must be given to facilitate their access. These employees must carry and display, when required, a piece of identification issued by the Municipality. In addition, these employees have access to internal shut-off valves inside buildings.

5.3 Closing the water inlet

Authorized municipal employees have the right to shut off the water supply in order to carry out repairs to the distribution system, without the Municipality being held responsible for any damage resulting from such interruptions; employees must, however, warn affected consumers by any reasonable means, except in cases of emergency.

¹ Municipalities governed by the Quebec Municipal Code must normally limit access between 7 a.m. and 7 p.m. (article 492 of the Municipal Code).

5.4 Water pressure and flow rate

Regardless of the type of connection, the Municipality does not guarantee uninterrupted service or a specific pressure or flow rate; no one may refuse to pay an account in whole or in part because of insufficient water, whatever the cause.

If it deems it appropriate, the Municipality may require the owner to install a pressure reducer with pressure gauge when the pressure exceeds 550 kPa, which must be maintained in good working order. The Municipality is not responsible for damage caused by excessively high or low pressure.

The Municipality is not responsible for loss or damage caused by interruption or insufficiency of water supply, if the cause is accident, fire, strike, riot, war or any other cause beyond its control. In addition, the Municipality may take the necessary measures to restrict consumption if water supplies become insufficient. In such cases, the Municipality may supply water with preference given to immovables it deems to have priority, before supplying private owners connected to the drinking water distribution network.

5.5 Request for plans

The Municipality may require a drawing or drawings of the interior piping of a building or details of the operation of an appliance using water from the Municipality's drinking water distribution system.

ARTICLE 6 USE OF WATER INFRASTRUCTURES AND EQUIPMENT

6.1 Plumbing code

The design and execution of all work relating to a plumbing system, carried out as of the coming into force of the present by-law, must comply with the Quebec Construction Code, Chapter III - Plumbing, and the Quebec Safety Code, Chapter I - Plumbing, latest versions.

Amendments to the codes mentioned in the first paragraph will become part of the present by-law by resolution pursuant to Section 6 of the Municipal Powers Act.

6.2 Air conditioning, refrigeration and compressors

It is forbidden to install any air conditioning or refrigeration system that uses potable water. Any such system installed prior to the coming into force of this by-law must be replaced by March 31, 2025 by a system that does not use potable water.

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

It is forbidden to install any compressor using potable water. Any such compressor installed prior to the coming into force of this by-law must be replaced by March 31, 2025 by a compressor that does not use potable water.

Notwithstanding the third paragraph of this article, it is permitted to use a compressor when it is connected to a water recirculation loop on which regular maintenance is performed.

6.3 Use of municipal hydrants and valves

Hydrants may only be used by Municipality employees authorized to do so. No other person may open, close, manipulate or operate a hydrant or a valve on a hydrant supply line without authorization from the Municipality.

Hydrants must be opened and closed in accordance with the procedure prescribed by the Municipality. An anti-backflow device must be used to eliminate the possibility of backflow or siphoning.

6.4 Replacing, relocating and disconnecting a service entrance

Anyone wishing to disconnect, replace or relocate a service entrance must notify the person responsible for enforcing the by-law. The person must obtain a permit from the Municipality, pay the cost of excavation and repair of the cut, as well as any other costs incurred by such disconnection, replacement or relocation that the Municipality may establish in a rate-setting by-law.

The same shall apply to service connections supplying an automatic sprinkler system.

6.5 Defective supply pipe

Any occupant of a building must notify the person responsible for enforcing the by-law as soon as he or she hears an abnormal noise or notices any irregularity in the service connection. Municipal employees will then be able to locate and repair the defect. If the defect is located on the private piping between the shut-off valve and the meter, or between the shut-off valve and the building's interior shut-off valve, if there is no meter or if the meter is installed in a chamber near the street line, the Municipality will advise the owner to make the repairs within 15 days.

6.6 Piping and appliances located inside or outside a building

A plumbing installation in a building or in equipment intended for public use must be maintained in good working order and in a safe and healthy condition.

6.7 Connections

- a) It is forbidden to connect the piping of a dwelling or building supplied with water by the municipal drinking water distribution system to another dwelling or building located on another lot.
- b) It is forbidden for the owner or occupant of a dwelling or building supplied with water by the municipal drinking water distribution system to supply this water to other dwellings or buildings or to use this water other than for the use of the dwelling or building.
- c) It is forbidden to connect any private system to a municipal drinking water distribution system or to a plumbing system served by the municipal drinking water distribution system.

6.8 Self-flushing urinals with drainage tank

It is prohibited to install any self-flushing urinal equipped with a purge tank that uses potable water. Any urinal of this type installed prior to the coming into force of this by-law must be replaced by March 31, 2025 by a manual flush or presence detection urinal.

ARTICLE 7 INDOOR AND OUTDOOR USES

7.1 Cistern filling

Any person, with the exception of the fire safety service, wishing to fill a water cistern from the municipality's drinking water distribution system must do so with the approval of the person in charge of enforcing the by-law and at the location designated by the latter, in accordance with the rules enacted by the latter, according to the tariff in effect. In addition, an anti-backflow device must be used to eliminate the possibility of backflow or siphoning.

7.2 Manual watering of vegetation

Manual watering of gardens, vegetable patches, flower boxes, window boxes, flowerbeds, trees and shrubs is permitted at all times.

7.3 Lawn watering periods

According to the following days, lawn watering is permitted only from 3 a.m. to 6 a.m. if water is distributed by automatic sprinkler systems and only from 8 p.m. to 11 p.m. if water is distributed by mechanical sprinkler systems:

- a) Monday for occupants of housings with an even-numbered address;
- b) Tuesday for occupants of housings with odd-numbered address;
- c) Wednesday - Prohibited for all, except for the exceptions included in the present regulations;
- d) Thursday for the occupant of a housing with an even-numbered address;
- e) Friday for the occupant of a housing with odd-numbered address;
- f) Saturday and Sunday - Prohibited for all, except for the exceptions included in the present regulations.

7.4 Watering periods for other plants

On the following days, watering of hedges, trees, shrubs or other vegetation is permitted only from 3 a.m. to 6 a.m. if water is supplied by automatic sprinkler systems and only from 8 p.m. to 11 p.m. if water is supplied by mechanical sprinkler systems:

- a) Mondays, Wednesdays and Fridays for occupants of housings with addresses ending with even numbers.
- b) Tuesday, Thursday and Saturday for occupants of housings with addresses ending with odd numbers.

7.5 Automatic watering systems

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

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

However, an automatic sprinkler system installed before the coming into force of this by-law and incompatible with the requirements of this article may be used, but must be upgraded, replaced or decommissioned.

7.6 New lawns and landscaping

Notwithstanding articles 7.3 and 7.4, new lawns, tree or shrub plantings and landscaping may be watered daily during the hours specified in articles 7.3 and 7.4 for a period of 15 days following the start of seeding, planting or sod installation.

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

Owners watering a new lawn, tree or shrub planting or landscaping during this period must produce proof of purchase of the plants or seeds concerned upon request from a person responsible for enforcing this by-law.

7.7 Nurseries and golf courses

Notwithstanding articles 7.3 and 7.4, it is permitted to water every day during the hours stipulated in articles 7.3 and 7.4, when necessary for nurseries and golf courses.

7.8 Water runoff

It is forbidden for any person to deliberately use watering equipment in such a way as to cause water to run off into the street or onto neighbouring properties. However, some allowance will be made for the effects of wind.

7.9 Swimming pools and spas

Filling a swimming pool or spa is prohibited from 6 a.m. to 8 p.m. However, it is permitted to use water from the distribution network when installing a new pool to maintain the shape of the structure.

7.10 Vehicles, driveways, sidewalks, streets, patios or exterior building walls

Washing of vehicles is permitted at all times on condition that a wash bucket or hose, connected to the distribution system and equipped with a hand-held release closure, is used during the period of use.

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 requiring cleaning of driveways, sidewalks, patios or exterior walls of the building, on condition that a hose, connected to the distribution system, equipped with a hand-held release fastener is used during the period of use.

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

7.11 Car wash

All automatic car washes that use water from the distribution network must be equipped with a functional system for recovering, recycling and recirculating the water used to wash vehicles.

The owner or operator of an automatic car wash must comply with the first paragraph before March 31, 2025.

7.12 Landscaped ponds

All landscaped ponds, with or without water jets, waterfalls and fountains, whose initial filling and levelling is ensured by the distribution network, must be equipped with a functional system ensuring water recirculation. Continuous drinking water supply is prohibited.

7.13 Water features

All waterworks must be equipped with an on-call release system. Continuous potable water supply is prohibited.

7.14 Continuous draining

It is forbidden to let the water run unless explicitly authorized by the person in charge of enforcing the present regulations, and then only in certain special cases.

7.15 Agricultural irrigation

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

7.16 Energy sources

It is forbidden to use the pressure or flow of the drinking water distribution system as a source of energy or to operate any machine.

7.17 Watering prohibited

The person in charge of enforcing the by-law may, for reasons of drought, major breaks in municipal water mains and when it is necessary to refill municipal reservoirs, by public notice, prohibit in a given area and for a specified period, any person from watering lawns, trees and shrubs, filling swimming pools, washing vehicles or using water outdoors, for any reason whatsoever. However, this prohibition does not apply to the manual watering of vegetable gardens and edible plants, in the ground or in pots, gardens, flowers and other vegetation.

In the case of new lawns, new tree or shrub plantations or the filling of new swimming pools, permission may be obtained from the competent authority if climatic circumstances or water reserves allow.

ARTICLE 8 COSTS, INFRINGEMENTS AND PENALTIES

8.1 Prohibitions

It is forbidden to modify installations, interfere with the operation of all devices and accessories supplied or required by the Municipality, or contaminate water in the distribution system or reservoirs, failing which offenders will be subject to appropriate criminal prosecution.

8.2 Cost of repair work

If the owner requires that his water inlet be rebuilt or replaced by one of larger diameter, or that it be installed deeper in the ground, the cost of such reconstruction or repair will be assumed by the said owner who must, before the work is undertaken, deposit with the Municipality's treasurer's office the estimated amount of the cost of such work. The actual final cost and fees will be adjusted once the work has been completed.

8.3 Notices

For any notice or complaint concerning one or more of the objects of the present by-law, the consumer or his authorized representative may give verbal or written notice to the person in charge of enforcing the by-law with respect to the distribution and supply of water, and may address the Municipality's treasurer's office with respect to the billing of water.

8.4 Penalties

Any person who contravenes a provision of the present by-law commits an offence and is liable :

a) in the case of a natural person :

- a fine of \$100 to \$300 for a first offence;
- a fine of \$300 to \$500 for a first repeat offence;
- a fine of \$500 to \$1,000 for any subsequent offence.

b) in the case of a legal person :

- a fine of \$200 to \$600 for a first offence;
- a fine of \$600 to \$1,000 for a first repeat offence;
- a fine of \$1,000 to \$2,000 for any subsequent offence.

In all cases, administration costs are added to the fine.

If the offence is continuous, the offender will be presumed to have committed as many offences as there are days in the duration of the offence.

The provisions of the Code of Penal Procedure apply to any proceedings instituted under this by-law.

8.5 Issuance of a statement of offence

The person responsible for enforcing the present by-law is authorized to issue a statement of offence for any violation of the present by-law.

8.6 Orders

In the event that a court passes sentence in respect of an offence contrary to the standards of this by-law, it may, in addition to the fine and costs provided for in Article 8.4, order that such offences be eliminated by the offender within the time limit set by the court and that, should the offender fail to comply within the said time limit, the said offence be eliminated by appropriate work carried out by the Municipality at the offender's expense.

ARTICLE 9 - INTERPRETATIVE PROVISIONS

9.1 In the present by-law, the masculine and singular genders are used without discrimination and include the feminine and plural genders in order to avoid excessive text.

9.2 Partial invalidity of regulations

Should any part or clause of this by-law be declared invalid by a recognized court, the validity of all other parts or clauses shall not be questioned. The Board hereby declares that it adopts the by-law part by part, regardless of the fact that one or more of these parts may be declared null and void by the Court.

ARTICLE 10 - REPEAL

The present by-law repeals and replaces by-law number 2023-011 - Governing the use of drinking water.

ARTICLE 11 COMING INTO FORCE

This by-law shall come into force on the day of its publication in accordance with the law.

Myrian Nadon
Director General and
Clerk-Treasurer

Carole Robert
Mayor

Notice of motion :	April 2, 2024
Draft by-law tabled :	April 2, 2024
Adoption of the by-law :	May 6, 2024
Publication (posting) of the by-law :	May 7, 2024
Coming into force of the by-law :	May 15, 2024