

PROVINCE OF QUEBEC
CITY OF DORVAL

BY-LAW RCM-79-2020
USE OF DRINKING WATER

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The Council ordains and decrees the following:

1. Definitions

“Automatic sprinkler” means any sprinkler system, connected to the distribution network and is activated automatically, including electronic or underground devices.

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

“City” means the City of Dorval.

“Council” means the Municipal Council of the City of Dorval.

“Distribution network” or “drinking water distribution network” means a pipe, a set of pipes or any installation or equipment used to distribute water intended for human consumption, also called “drinking water network”. However, in the case of a building connected to a distribution network it excludes all interior piping.

“Dwelling” means a suite used or intended to be used as a residence for one or more persons, and which generally contains sanitary, cooking, eating and sleeping facilities.

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

“Immoveable” means a land, the buildings and improvements.

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

“Interior shut-off valve” means a device installed inside a building that is designed to interrupt the building's water supply.

“Lot” means the piece of land identified and described on a cadastral plan, made and deposited in accordance with the requirements of the Civil Code.

“Manual watering” means watering with a hand-held hose, connected to the distribution network, that is equipped with a manually operated locking/release mechanism during usage. It also includes watering with a container.

“Mechanical watering” means any watering device, connected to the distribution network, that has to be manually switched on or off without having to be hand-held during the period of usage.

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

“Owner” means, in addition to the legal owner, the occupant, user, lessee, emphyteutic lessee, the dependants of those persons or any other usufructuary, which terms are not necessarily mutually exclusive.

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

“Shut-off valve” means a device, installed by the City outside a building on the water service connection and designed to interrupt the water supply to the building.

“Ville” means the City of Montréal as the city centre of the Montréal Agglomeration.

2. Territory

The present by-law applies to the entire territory of the City of Dorval. It also applies to an owner or occupant, of an immovable supplied by City's drinking water distribution network in accordance with an inter-municipal agreement and who is located outside its territory.

3. Watering of vegetation

3.1. Manual watering

The manual watering of a garden, a vegetable garden, a flower box, a planter, a flower-bed, a tree or a shrub, using a hose fitted with an automatic shut-off device is permitted at all times when it is not raining.

3.2. Mechanical watering

The watering of lawns, hedges, trees, shrubs and other plants with oscillating or jet sprinklers or soaker hoses is permitted only when it is not raining between the hours of 5 a.m. and 7 a.m. as well as 7 p.m. and 11 p.m. from June 1 to September 1 on the following days:

- a) Even civic numbers: Monday, Wednesday and Friday;
- b) Odd civic numbers: Tuesday, Thursday and Saturday.

Watering is permitted at all times before June 1 and after September 1.

3.3. Watering with automatic sprinkler systems

The watering of lawns, hedges, trees, shrubs and other plants with the use of an automatic sprinkler system is only permitted between the hours of 2 a.m. and 5 a.m. when it is not raining.

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

- a) an automatic humidity sensor or an automatic shut-off device which, in case of rain, will suspend watering operations when precipitations suffice or when soil is sufficiently moist;
- b) a backflow prevention device in accordance with the CSA B64.10 standard to prevent any contamination of the drinking water distribution network;
- c) an electric valve to be activated by an electric control mechanism for an automatic sprinkler control or a sprinkler cycle control;
- d) a handle or a gate valve, accessible from the outside, with a manual shut-off to be used exclusively in the event of a breakage, malfunction or for any other situation considered an emergency.

3.4. New lawn and new landscaping

The watering of a newly laid lawn, by seeding or sod, a new tree or shrub, or of new landscaping is permitted daily, during the hours specified in sections 3.2 and 3.3, for a period of 15 days following the installation, planting or landscaping, with a free permit obtained from the Urban Planning Department.

The watering of a lawn laid with sod is permitted any time during the day of the installation.

A proof of purchase of the concerned plants or seeds will be required for the issuance of the permit.

4. Streets, sidewalks, curbs, driveways, and other paved surfaces

It is prohibited the act of allowing sprinklers or automatic watering devices to spray streets, sidewalks, curbs, driveways and any other paved surfaces.

5. Driveways, sidewalks, patios and exterior walls

5.1. Cleaning and watering

It is prohibited for anyone to use water from the drinking water distribution network more than once a year, to wash driveways, sidewalks, patios and exterior walls of buildings since this washing can only be done, if necessary, between April 1, and May 15.

During painting, construction, renovation or landscaping work justifying the cleaning of driveways, sidewalks, patios or exterior walls of the building, the use of water from the drinking water distribution network is allowed on the condition that a hose is used, connected to the distribution network, equipped with a manually operated locking/release mechanism during usage.

5.2. Snow melting

It is prohibited for anyone to use water from the drinking water distribution network to melt snow or ice on driveways, grounds, patios or sidewalks.

6. Washing of cars

6.1. Manual cleaning of vehicles

The washing of vehicles is allowed at all times with the use of a bucket or a garden hose fitted with an automatic shut-off device.

6.2. Carwash

Any automatic carwash that uses water from the drinking water distribution network must be equipped with a functioning water recovery, recycling and recirculation system used for washing vehicles.

7. Filling of pools

The filling of pools is prohibited between 6 a.m. and 8 p.m.

However, it is permitted to use water from the drinking water distribution network when a new pool is assembled to maintain the shape of the structure.

8. Filling of a water tank

Any person who wishes to fill a water tank with the use of the drinking water distribution network may do so with the approval of the Public Works Director and at such place as the latter may designate, in accordance to the rules established by the Director, under the current rates.

Furthermore, a backflow prevention device must be used in order to eliminate the possibility of a backflow or back siphonage.

9. Landscaped ponds

All parts of private landscaped ponds, irrespective of whether or not they have a water jet or a cascade and fountains, the initial filling and level of which are assured by the water from the drinking water distribution network, must be equipped with a functioning water recirculation system. Supplying such ponds with drinking water on a continuous basis is prohibited.

10. Water meters

10.1. All industrial, commercial or institutional buildings must be equipped with a water meter in accordance with *Règlement sur la Mesure de la consommation de l'eau dans les immeubles utilisés ou destinés à être utilisés en partie ou en totalité à des fins non résidentielles (RCG07-031)* of the Montréal Agglomeration.

The City must maintain a representative sample of 60 residential water meters in accordance with the requirements of the *Stratégie québécoise d'économie d'eau potable* in order to estimate this share of drinking water consumption.

11. Self-flushing urinals equipped with a load tank

11.1. It is prohibited to install a self-flushing urinal fitted with a purge tank that uses drinking water.

11.2. Any urinal of this type installed prior to the coming into force of this amendment must be replaced with a manually flushable urinal or with a presence sensing device, before January 1, 2025.

12. Cooling systems

12.1. It is prohibited to install any cooling system that uses drinking water.

12.2. Any drinking water-operated cooling systems installed prior to the coming into force of this present amendment must be replaced before January 1, 2025, with a system that does not use drinking water.

12.3. The prohibition mentioned in the first subparagraph does not apply to devices that are used for emergency purposes only or that have a recirculation loop or a system that allows water to be recovered for industrial processes. The recirculation loop must prevent water from the aqueduct from being used continuously.

12.4. Notwithstanding section 12.2, the City may authorize an extension of the deadline for the replacement of an air-conditioning unit using water from the aqueduct, to January 1, 2030, when it is connected to ventilation ducts and the architectural constraints of the building generate an installation cost per unit greater than \$10,000.

12.5. Notwithstanding section 12.2, the City may authorize the installation and use of the equipment referred to therein in the following cases:

- a) when the owner demonstrates that the architectural constraints of the building do not allow the installation of a system that does not use water from the aqueduct;
- b) when no alternative can offer the same reliability and thus guarantee in the same way the safety of people or the preservation of vulnerable infrastructure or equipment;
- c) when possible alternatives are prohibited by other by-laws;

- d) when it has been installed no later than January 1, 2018, and has a recirculation loop using a maximum volume of potable water not exceeding 6.4 litres per hour per nominal kilowatt of refrigeration or air conditioning in good working condition.

However, when the conditions on which the authorization provided for in the first subparagraph was based no longer exist, the device must be replaced in order to comply with section 12.1 of the present by-law.

13. Energy source

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

14. Powers of the Council

When a water shortage is declared or is anticipated, or any other emergency, the Council may decree by resolution additional measures prohibiting the use of water from the drinking water distribution network for certain purposes otherwise permitted by the present by-law.

15. Plans request

The City may require that it be provided with one or more plans of a building's interior piping or with the operational details of any device using water from the City's drinking water distribution network.

16. Administration of the by-law

16.1. The administration and enforcement of this by-law are entrusted to the Director of the Urban Planning Department, the Director of the Public Works Department, and their representatives, who are appointed as the competent authority. In addition, any person mandated to this effect may also apply this by-law.

16.2. All persons shall at all times allow the competent authority to visit and examine any building, both inside and outside, in order to ascertain whether the provisions of this by-law are being complied with. During such an inspection, all persons are required to provide the assistance and information required by the competent authority.

17. Penalties

17.1. Any natural person who contravenes the provisions of the present by-law commits an offence and is liable:

- a) to a fine of \$100 to \$300 for a first offence;
- b) to a fine of \$300 to \$500 for the second offence;
- c) to a fine of \$500 to \$1000 for a subsequent offence.

17.2. Any legal person who contravenes the provisions of the present by-law or commits an offence and is liable:

- a) to a fine of \$200 to \$600 for the first offence;
- b) to a fine of \$600 to \$1000 for the second offence;

c) to a fine of \$1000 to \$2000 for a subsequent offence.

17.3. If the offence continues, the offender shall be presumed to have committed as many offences as the number of days the offence persists.

17.4. The provisions of the *Code of Penal Procedure* shall apply to proceedings brought under this by-law.

18. Final provisions

The present by-law replaces By-law RCM-33-2010 establishing exterior watering restrictions and its amendments as well as sections 3.2.1.4, 3.2.2.3, 3.9 to 3.9.3 and 5.2.9 of By-law RCM-73-2019 concerning the administration of aqueduct and sewer networks.

19. Coming into force

The present by-law comes into force according to law.

APPROVED _____ MAYOR

APPROVED _____ ASSISTANT
CITY CLERK