

## Codification of Water supply By-law NO. 1419

Amended by By-laws 1419-1, 1419-2, 1419-3 and 1419-4

1. In this by-law, unless the context indicates otherwise, the following words shall have the following meanings:

“**Connection**” (*raccordement*): The connection of a water service pipe to a main;

“**Consumer**” (*consommateur*): The owner and/or occupant of an establishment;

“**Disconnection**” (*disjonction*): The cutting off of a piping system connection;

“**Establishment**” (*établissement*): Immovable, building or group of buildings belonging to the same owner and used for the same purpose;

“**Exterior shut-off valve**” (*vanne d'arrêt extérieure*): A device installed by the Town outside a building on the property line and located on the water service pipe that is used to shut off the water supplied to that building;

“**Interior piping**” (*tuyauterie intérieure*): The installation inside an establishment running from the interior shut-off valve;

“**Interior shut-off valve**” (*vanne d'arrêt intérieure*): A device installed by the owner of a building and used to shut off the water supplied to that building.

“**Meter**” (*compteur*): Device supplied by the Town, that must be installed horizontally, and used to measure water consumption;

“**Owner**” (*propriétaire*): The person who owns an immovable to which water is supplied in conformance with this by-law, including the emphytetic lessee thereof, the administrator of the co-owner parties of an immovable, and any agent, executor, administrator or any other person duly authorized to act for such owner, emphytetic lessee or administrator of the co-owner parties of an immovable;

“**Property line**” (*ligne de lot*): The line of demarcation between any private property and the adjoining street, lane, passageway or other thoroughfare or public place;

“**Town Engineer**” (*ingénieur de la Ville*): The official engineer of Town of Mount Royal or the representatives designated by him;

“**Water service pipe**” (*tuyau de service d'eau*): The pipe running from the street water main to the property line and including the exterior shut-off valve;

“**Water supply entry line**” (*tuyau d'entrée d'eau*): The pipe running from the property line to the interior piping of a building;

(2016) By-law (2015) Amendment 1419-3, a. 1

### *Administration of the by-law*

2. The Town Manager, Head of Technical Services, Town Engineer, Technical Services personnel, Urban Planning and Inspection personnel, Public Security personnel, Public Affairs and Clerk's Office personnel, Treasurer and Treasurer's Office and Materiel Resources Department personnel are responsible for applying this by-law.

Council may, by means of a resolution, appoint any other physical or legal person, in addition to those specified in this by-law, to oversee the application of this by-law.

The Town Engineer is responsible for the Town water distribution system, including all the land, works and equipment, from the point of supply to the point of delivery to the consumer, that is to say, to the property line, and for meters and other devices placed by the Town on private property.

Technical Services personnel control water losses and water distribution for all works and equipment of the water distribution system, including the connections, shut-off valves, water meters and other equipment installed by the Town or by any other person according to its instructions on and in dwellings, immovables, establishments and lots located within Town territory.

For the purposes of the application of this section, every owner, tenant, taxpayer, occupant and other person shall grant admittance to the above-mentioned persons responsible for applying this by-law and to any other person specially designated by them for the same purposes.

### **General Powers of the Town**

#### *Interference with the performance of duties*

3. Anyone who prevents a Town employee or other person in the Town's service from performing reading or verification work or who interferes with or bothers this person when he is exercising his powers, or who damages in any way the water distribution system, its equipment or its accessories, or who hampers or interferes with the operation of the water distribution system, accessories or related equipment, shall be liable for damage to the above-mentioned equipment due to his actions, shall have contravened this by-law and shall be subject to the penalties set forth in this by-law.

#### *Right of admittance*

4. The employees specifically designated by the Town, or another person in the Town's service, have the right to enter, at all reasonable hours, any public or private place, inside or outside the Town's borders, and to remain as long as necessary to examine and remove any meters or to determine whether the provisions of this by-law are being complied with, and every needed assistance shall be given them for such purposes. Such employees shall bear identification from the Town or shall carry an emblem of their authority, which they shall display on request. In addition, such employees shall be given access to the interior of buildings and to interior shut-off valves.

#### *Shutting off water*

5. Only Town employees or persons in the service of the Town authorized for the purpose have the right to shut off the water in the event of an emergency or to make any repairs or changes to the distribution system without the Town's being held liable for any damage resulting from such interruption in supply. However, except in emergency situations, they shall notify the affected consumers by an audible signal or in another suitable manner.

(2016) by-law 1419-3, s. 2

#### *Water pressure and flow*

6. Regardless of the type of connection, the Town does not guarantee uninterrupted service or any predetermined water pressure; no one may refuse to pay a bill in part or in full due to a lack of water, irrespective of the cause.

The Town shall not be held liable for any damage caused by pressure that is too high or too low.

No pressurization pump may be installed on a water supply entry line connected to the municipal water distribution system without having first obtained authorization from the Town. The Town may grant such authorization for purposes of public hygiene or fire protection or to ensure an adequate supply to any immovable, provided the applicant complies with the laws and regulations in effect and the Town's by-laws.

#### *Flow, full-flow and pressure testing*

- 6.1. Whenever an owner, consumer or third party wants to perform a flow, full-flow or pressure test, he shall pay the Town a fee of \$200 and carry out the test in the presence of a Town employee or a person in its service. Such tests may not be performed between October 31 and April 15, or when the ambient temperature is less than 5°C, without the authorization of the Town Engineer.

(2016) by-law 1419-3, s. 3

#### *Emergencies*

7. The Town shall not be held liable for any losses or damage caused by an interruption or lack of water supply if the cause is an accident, fire, strike, riot, war or any other cause outside its control. In addition, the Town may take the necessary action to limit consumption if the water reserves and/or supply become inadequate.

#### *Request for plans*

8. The Town may require that one or more plans of the interior piping of a building or the operational details of any device using Town water be provided to it.

## **Water Use and Consumption**

### *Water supply system the only source of supply*

9. No building, immovable or establishment located in the Town may be supplied with water from a source other than the Town water distribution system.

### *Wasting of water*

10. If, in the Town's opinion, a person has damaged or left in a poor state of repair any part of the interior piping, valve, faucet, toilet, bathtub or any other device or uses it or allows it to be used in an excessive manner contrary to the goals of this by-law, the Town may notify this person at fault to take the appropriate action to stop the wasting of water at the source.
11. No person may allow water to run into the street.

### *Energy source*

12. No person may use water pressure or flow as an energy source.

### *Air-conditioning and refrigeration*

13. No person may install, without the authorization of the Town Engineer, any air-conditioning or refrigeration unit that uses water from the water supply system. To obtain such authorization, the applicant shall satisfy the following conditions:
  - a) He shall specify the type and capacity of the unit as well as its maximum and average consumption and shall provide all information required by the Town Engineer;
  - b) If the unit or group of units that he intends to install are not equipped with an economizer, he shall show that they do not use more than two and one-half (2½) gallons of water per minute;
  - c) He shall equip every unit or group of units with an economizer if the consumption exceeds two and one-half (2½) gallons per minute, in such a way as to reduce the consumption to less than 10% of what it would be without an economizer (this limit shall be raised to five (5) gallons per minute in situations involving food conservation);
  - d) He shall provide the unit or group of units with valves or regulators to ensure automatic control of the water flow;
  - e) He shall use, in the operation of air-conditioning units, only non-toxic, non-inflammable, non-irritating and non-corrosive liquids or gases when these liquids or gases come into contact with water from the water distribution system and, in the case of refrigeration units, the installation shall be such that no noxious gases can enter the Town distribution system;
  - f) Existing units that have not been installed in accordance with the provisions of this section shall be brought into conformance herewith in the twelve (12) months following the adoption of this by-law.

### *Hydrants*

14. Hydrants shall be used only by Town employees or other persons authorized for the purpose.

To obtain such authorization, the applicant shall meet the following conditions:

- a) Make a deposit sufficient to cover any possible damage;
- b) Pay the \$200 fee for using a hydrant. However, when decided by the Town and in addition to the base fee, a meter shall be installed and the actual consumption shall be billed;
- c) Specify the use and period for which the authorization is sought;
- d) The water shall be used only for a service provided within the Town's territory;
- e) Only the hydrants designated by the Town shall be used;
- f) Hydrants shall be opened and closed with a key of a model approved by the Town Engineer and the hydrant caps shall be put back on after the hydrants are closed;
- g) No authorization shall be given whenever there is a risk of frost;
- h) Unless otherwise permitted by the Town Engineer, every person authorized to use a hydrant shall employ a suitable reducer equipped with a valve for the

purpose of regulating and controlling the water flow, as it is prohibited to use the hydrant's spindle for this purpose. In such cases, the hydrant shall be fully open when in use and fully closed when no longer in use or when the reducer and valve is not in place.

15. No person shall obstruct in any way the view of or access to any hydrant and no person shall plant, erect, construct or maintain any shrub, hedge, tree, fence, wall or other obstruction or pile any snow, earth or other material within 1,52 metres (5 feet) of any hydrant. The Town shall remove any such obstruction at the expense of the persons responsible.

#### *Tanks*

16. The owner of an establishment where, in the opinion of the Town Engineer, an amount of water sufficiently large to affect the Town's water distribution system is consumed shall install an overhead tank of sufficient capacity to meet the establishment's requirements. The plan of any such tank must be approved by the Town Engineer and the Quebec Ministère du Développement durable de l'environnement et des parcs.

#### *Watering*

17. Except for municipal purposes, it is prohibited, within the Town limits and during the period from May 1 to October 1, to use any type of watering to water lawns, gardens, flowers, trees, shrubs or other plants, or any other location of a similar nature, by making use of water from the water distribution system, directly or indirectly, at any time except between 6:00 and 8:00 and between 18:00 and 22:00 on even-numbered calendar days for immovables with an even civic number and on odd-numbered calendar days for immovables with an odd civic number.

However, for buildings with an automatic watering system, watering is allowed only during the period from 3:00 to 6:00 on the same days mentioned hereinabove. In predominantly industrial zones, as defined in Zoning By-law No. 1310, the period shall be between 1:00 and 6:00.

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(2012) by-law 1419-1, s. 1; (2014) by-law  
1419-2, s. 1

18. All automatic sprinkler systems shall be equipped with a backflow prevention mechanism, which prevents the water circulating in the sprinkler system from flowing back into and contaminating the public drinking water distribution system. In addition, all automatic sprinkler systems shall be controlled by a hygrometer (ground humidity detector) and/or a rain gauge.
19. Notwithstanding section 17, during the period from May 1 to October 1, garden hoses, rotary sprinklers and other similar devices may be used to water new lawns, seeded surfaces, new trees and other major plantings.
20. No person may water lawns, gardens, flowers, trees, shrubs and other plants, refill swimming pools, wash vehicles and driveways or make any other outdoor use of water during a drought or major break in the municipal water distribution system.

In this regard, Council authorizes the mayor or acting mayor to order a ban on the use of drinking water. The ban shall come into force and effect immediately and the public shall be notified accordingly. The ban shall last as long as required by the situation and shall apply to permits and/or temporary authorizations that have been issued.

#### *Washing of automobiles and other motor vehicles*

21. The washing of automobiles and other motor vehicles is permitted at any time, provided it is done with a pail and a hose with an automatic shutoff nozzle, which shall be used only for rinsing vehicles.

#### *Community car wash*

22. Under certain conditions, the organizing of a free or fee-based community car wash-type event or a mass motor vehicle washing service by a non-profit organization may be authorized.

#### *Cleaning of driveways, laneways and patios*

23. No person may use a garden hose without an automatic shutoff nozzle to clean driveways, laneways, sidewalks and patios.
24. Concrete used for the construction of a foundation, slab, curb, parking space or other similar structure may be sprinkled in order to allow it to set. This sprinkling shall be done with a hose equipped with an automatic shutoff nozzle, which shall be used only for that purpose.

*Cleaning or melting snow*

- 25. No person may use drinking water to clean or melt snow or ice.

*Decorative installations*

- 26. All persons are prohibited from using a fountain, pump, waterfall, jet, pool, pond or any other form of decorative installation supplied by the municipal water distribution system, unless such equipment is designed and functions so as always to use the same water.

In addition, this type of equipment must be equipped with a one-way valve to prevent water from flowing back into the public drinking water distribution system.

**Supply of Water**

- 27. Application for water supply shall be made in writing to the Town by the owner or his duly authorized representative and shall state the reasons and purposes for such application, any special devices to be furnished, the name and address of the owner and those of the establishment, and any other information that the Town Engineer deems necessary.
- 28. If an application for water supply for automatic sprinklers is not made at the same time as the application for supply to the building, it shall be made as a separate application and shall contain, in addition to the information required in the preceding section, any additional information that the Town Engineer deems necessary.

Except for the reasons specified in sections 41 *et seq.*, the establishment concerned by such an application, should the Town approve it, may connect to the water distribution system by only one water service pipe. The meter must be located before the "Y pipe" that will separate the domestic water supply from the automatic sprinklers water supply.

Should the obligation to have only one water service pipe mentioned at the precedent paragraph require the replacement of the existing water supply entry line or water service pipe, all costs for replacing these lines and pipes shall be assumed by the owner. In such cases, section 49 shall apply with all necessary changes being made.

(2016) by-law 1419-3, s. 4

- 29. Upon receiving an application for supply, the Town may, in some cases, require that it be provided with one or more plans of the interior and exterior piping of a building, the operating details of any device which uses Town water, one or more plans showing the location of the proposed connection, any details regarding the diameter and material of the piping that the owner wants to install, and the suggested location to install the meter.

(2016) by-law 1419-3, s. 5

- 30. The Town shall supply all labour and materials necessary to install water and sewer connections up to the property line at the owner's expense. The part of any water service pipe included between the main and the property line remains the property of the Town, even if the installation has been done at the owner's expense.

- 31. The maximum diameter of any water service pipe shall be determined by the Town Engineer but in no event shall exceed the following:

<u>Diameter of the main</u>	<u>Maximum diameter of the service pipe</u>
Less than 4 inches	No connection possible
4 inches	2 inches
6 inches	4 inches
8 inches	6 inches
12 or more inches	10 inches

Furthermore, 2 inches water service pipes must be made of Type K cooper and those of 4 inches or more must be made of class 53 ductile iron.

(2016) by-law 1419-3, s. 6

- 32. Before the application for water supply is granted, the owner or his duly authorized representative shall deposit an amount sufficiently large to cover the cost of the water and sewer connections as tentatively estimated by the Town Engineer. When the work is completed, the Town Engineer shall establish the cost thereof, including the general and administrative expenses, employee benefits and surveillance expenses, and an adjustment shall be made by way of a refund or an additional charge, as the case may be. If an additional charge is levied, the amount owing must be paid immediately to the Treasurer.

33. Every owner or his representative shall apply to the Town to have the water supply turned on after a new service pipe or water supply entry line has been laid. Only a Town employee or another person in his service is authorized to turn on or off an exterior shut-off valve.

The water service boxes may not be located under any construction or structure whatsoever. In the event of non-compliance with this standard, besides being subject to the fines provided for in this by-law, the owner shall, at his expense, immediately demolish or remove such construction or structure and shall be liable for any damage that may have been caused by this offence.

(2016) by-law 1419-3, s. 7

34. Each establishment shall have its own individual service pipe.
35. On any street in which several mains exist at different pressures, the connection for domestic supply shall be made to the main with the lowest pressure unless otherwise decided by the Town Engineer.
36. Every water service pipe shall be laid in a straight line, at least 1,83 metres (6 feet) underground and at right angles to the main, in front of the establishment, unless otherwise decided by the Town Engineer.
37. When a service pipe is of cast iron, its distance and that of its invert from any other service pipe or sewer shall be in compliance with the requirements of the Ministère du Développement durable, de l'environnement et des parcs.

#### *Buildings under construction*

38. A contractor erecting a building is entitled to use the service pipe which is later to supply the building on condition that a meter has been installed by the Town.
39. The consumption of water shall be charged at the then current rate charged various consumers with a minimum charge of thirty dollars (\$30) exclusive of the installation and removal charge. Should the meter be found not to have functioned during the construction period, the charge shall be based on the floor space area at the rate of fifteen dollars (\$15) per 93 square metres (1,000 square feet) or fraction thereof.
40. The contractor shall protect at all times the water pipes and meters against frost.

#### *Additional service pipe*

41. In general, an establishment connected to the water distribution system will be supplied through a single water service pipe. However, for reasons of public safety, hygiene, economics or any other reason considered advantageous by the Town, the Town Engineer may authorize an additional water service pipe. This installation shall be payable by the owner who requests it.
42. When an establishment is supplied by two (2) separate water service pipes that are connected to municipal mains with different pressures, connecting these two sources on the private property is prohibited.
43. The Town Engineer may allow an establishment to be supplied by two mains, on condition that the establishment is adjacent to both streets in which the mains lie. A meter equipped with a one-way valve and two (2) shut-off valves shall be installed in conformance with this by-law on each water service pipe.

#### *Thawing out of a service pipe*

44. The Town shall thaw out a frozen service pipe only if it is frozen between the water main and the Town's shut-off valve. If it is frozen between the Town's shut-off valve and the interior shut-off valve, the Town shall not thaw out the pipe.

#### *Breaks and leaks*

45. Any owner or occupant of a building shall notify the Town as soon he hears an unusual noise or notices any irregularity in the supply pipe. Town employees will then be able to locate the problem and repair it, if the Town's piping is found to be defective. If the existing problem is with the private piping, that is, at the property line or on the private side, the Town shall notify the owner and/or occupant to make the repair in the following forty-eight (48) hours. If the repair work has not been begun by the established deadline, the Town may shut off the water or have the repair done at the owner's expense.
46. If the Town itself finds a problem with the private piping, whether at the property line or on the private side, the Town shall notify the owner and/or the occupant to make the repair in the following forty-eight (48) hours. If the repair work is not under way by the established deadline, the Town may shut off the water or have the repair done at the owner's expense.
47. The Town is not responsible for any repair costs or damage caused by a break located at the property line or on the owner's side thereof.

*Use of an existing pipe*

48. When an establishment is demolished and a new one erected on the same site, the former water service pipe may be utilized with the approval of the Town Engineer and provided a new application for supply has been made.

*Replacement, moving and disconnection of service pipes*

49. Any owner who wishes to have a water service pipe replaced or moved or have its diameter increased shall submit with his application an amount covering all costs as estimated by the Town Engineer.
50. The owner shall notify the Town to disconnect any water service pipe that he ceases to use. In such cases, he shall obtain from the Town Engineer a permit to have the work done and shall pay the costs of excavating and repairing the cut-off and any other costs incurred by the disconnection.

If the cessation of use of water service is definitive and not covered by section 48, the Town shall take back the existing water meter. In the event that the water meter is missing when the Town would otherwise take it back, the owner shall reimburse the Town for the cost of replacing the meter.

The same shall also apply to water service pipes supplying an automatic sprinkler system.

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(2016) by-law 1419-3, s. 8

51. The disconnection shall be done at the same place where the water service pipe is connected to the main.

*Piping and devices located inside a building*

52. The owner or occupant of a building or of a part of a building shall provide, install and maintain in good working condition all piping and devices necessary to receive, control, distribute and use the water inside and outside his building. The Town shall not be responsible for any losses or damage caused by water resulting from an inadequate installation of devices, a lack of maintenance or any negligence by the consumer or by any other person gaining entrance into his building. Similarly, the Town shall not be responsible for any damage caused to private property by water coming from devices used to control the supply, such as a faucet or other device, including when these devices are open when Town employees open an exterior or interior shut-off valve after performing work.
53. If the owner's supply pipe or an interior shut-off valve is not properly installed or is not in good enough condition for a meter to be installed or removed or if the supply pipe is defective between the foundation and the meter, the Town Engineer shall immediately notify the owner or the occupant and the repair shall be undertaken in the following forty-eight (48) hours and be carried out promptly. If the repair work is not under way by the established deadline, the Town may shut off the water or have the repair done at the owner's expense.

**Water Meters**

54. For purposes of measuring the water consumption of all immovables in the Town, a meter shall be installed horizontally, by the owner, in accordance with the instructions of the Town's representative and in a location acceptable to the Town and shall be read at an interval established by the Town. Unless special authorization is obtained from the Town Engineer or his representative, there shall be no more than one meter per building and it shall record the immovable's entire consumption. However, in the case of a building equipped with more than one service pipe, a water meter shall be installed for each service entrance.

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(2016) by-law 1419-3, s. 9

*Co-ownership*

55. Notwithstanding section 54, in the case of a building held in divided co-ownership, a primary meter shall be installed on the service pipe. Downstream from the primary meter, a secondary meter may be installed inside each of the co-ownership units.

Exceptionally, for all constructions in which the co-ownership units will be supplied with hot water from one or more tanks located outside the units, a secondary water meter must be installed inside the co-ownership units in order to individually measure the hot water consumption of each unit in addition to its cold water consumption. Any owner or developer who wants to avail himself of this section shall deposit, with his application, an amount covering all the acquisition costs of all the hot water meters to be installed in the immovable, as estimated by the Town Engineer. The acquisition costs for these hot water meters shall be billed to the owner or developer, notwithstanding the fact that these meters remain the property of the Town, which shall be responsible for their maintenance after installation.

A reading of the primary meter shall be made by the Town. A reading of each secondary meter shall also be made. Each of the co-ownership units shall be billed based on the consumption recorded by the related secondary meter or metres. The consumption corresponding to the difference between the consumption shown on the primary meter and the sum of the consumptions shown on the secondary meters shall be billed to the syndicate of co-owners.

(2016) by-law 1419-3, s. 10

#### *Location of meters*

56. All meters shall be placed in each house or building as close as possible to the place where the water supply entry line enters the house or building, in the place designated by the Town Engineer or his duly authorized representative.

The passageway to the meter shall be maintained so as to leave sufficient space for the Town inspector, while standing, to reach the meter and to allow it to be maintained, removed or replaced without difficulty. Should there be any obstacle whatsoever that prevents the meter from being maintained, removed, replaced or reached, the owner or the consumer shall remove the obstacle within forty-eight (48) hours of being notified to that effect by the Town Engineer or his duly authorized representative. The owner is responsible for protecting the meter against damage or theft.

In the event that a meter is inaccessible or accessible only with difficulty, the Town shall not be held liable for any damage that may be caused by a break in or malfunctioning of the meter, the foregoing without prejudice to its other recourses and without limiting the application of the preceding paragraph. If the Town does not accept the location of a meter, it may have the meter moved at the owner's expense.

(2016) by-law 1419-3, s. 11

57. If there is no building or if the length of the water service pipe between the property line and the building is more than 15.24 metres (50 feet), the owner shall build, at his expense, a chamber protected against frost and theft in which the meter can be installed, a chamber easily accessible and as close as possible to the property line. The chamber shall be designed and built in accordance with the requirements of the Town Engineer and based on the model of the plans appended to this by-law in Schedule I, forming an integral part hereof.

Such a chamber is also required in all cases where the owner wants to install a private fire hydrant between the property line and the establishment. In such cases, the water meter shall be installed between the property line and the private fire hydrant, it being expressly provided that such a fire hydrant must be metered by the water meter.

(2016) by-law 1419-3, s. 12

#### *Damaged meters*

58. The consumer is responsible for the safekeeping of any meters and accessories installed in an establishment owned or occupied by him. When a meter is found to be missing or to have been tampered with or to have been bypassed or damaged, the consumer shall be subject to the penalties provided in this by-law and, in addition, shall pay the cost of replacement or of the necessary repairs.

In all cases of normal wear and tear, the water meter shall be replaced free of charge by the Town. In all other cases, it shall be replaced at the building owner's expense.

In the event of a water meter break, the Town representative must be notified in the forty-eight (48) hours following the event.

In cases where frost or any other cause has damaged the water meter, the owner shall adequately rectify the situation in the fifteen (15) days following the delivery of the new meter billed by the Town. Installation and any charges incurred are the responsibility of the owner.

#### *Bypass*

59. No owner supplied with water through the Town water distribution system may connect or have connected a pipe or any other device between the main and his building's meter.

*New construction or new connection to an existing building*

60. The owner is responsible for the installation and any charges incurred. Only the meter and the couplings shall be supplied by the Town and shall remain its property. The owner shall take possession of the devices upon applying for the construction or renovation permit. A two-hundred dollar (\$200) deposit shall be required of the owner, which will be returned to him after the installation has been inspected and approved by the Town. Should the owner fail to have the meter installed within the period specified hereinbelow, the Town may have the meter installed and may confiscate the deposit as a provisional payment. The meter installation must be completed before the building is occupied or by the end of the work, whichever date is earlier. The owner shall then notify the Town so that the meter may be inspected by its representative.

Even if the Town has granted a temporary connection during the building's construction or reconstruction, it may, at any time, cut off the water supply as long as the piping and devices are not installed in compliance with the Town's by-laws. Moreover, the Town may cut off the water supply if it deems the meter to have been installed in a location that is unsuitable, unclean, unsanitary or inaccessible for inspection or verification.

If, during the replacement of a meter or following such work, a pipe leaks due to its age or poor condition, or if the pipe is blocked by rust, the Town shall not be responsible for any repairs; such repairs shall be made by the owner or, if not, by the Town at the owner's expense.

*Relocation of a meter*

61. Any owner who requests a relocation shall comply with the Town's requirements and undertake to pay all costs.

**Water rates**

*Sectors*

62. For the purpose of water rates and system fees, the Town shall be divided into sectors. Sector 1 shall include the Town's residential zones and Sector 2 shall include mainly the commercial and industrial zones. Notwithstanding the foregoing, apartment buildings that contain more than ten (10) units and all other immovables or establishments served by three-inch (3-inch) or larger water meters shall be considered as being in Sector 2, whether or not they actually are.

63. The rates for supplied water and the system fees for meters provided for in this by-law for Sector 1 shall be billed annually for the period from July 1 to June 30.

The rates for supplied water and the system fees for meters provided for in this by-law for Sector 2 shall be billed semi-annually for the periods from January 1 to June 30 and from July 1 to December 31.

64. When it is not possible to calculate the water consumption at the end of any period due to:

- i) a malfunctioning meter that does not record within the margin of tolerance specified in section 79 of this by-law; or
- ii) the meter reader's being unable to gain access to the meter in order to take the reading;

the quantity of water used for that period shall be calculated by taking the average of the two (2) corresponding periods of the two (2) immediately preceding years.

65. For Sector 1, an estimate of the water used may be made only for two (2) consecutive billing periods, after which an actual reading is required. For Sector 2, it is prohibited to make an estimate of the water used.

66. The Town shall prepare the bills by deducting from the quantity of water used, as indicated by the most recent reading, the quantity shown by the meter on the preceding date and then multiplying these figures by the rate specified in sections 69 and following. Due to the time required to read the meters and to check, prepare and send the water bills, it is possible that the period covered by the bill will be longer or shorter than the specified twelve-month (12-month) period for Sector 1 or the specified six-month (6-month) period for Sector 2.

*Minimum*

67. For Sector 2, for each of the billing periods, if the actual consumption is less than the minimum quantities specified below, the consumer shall pay the specified minimum rates as though he had consumed the minimum quantity. However, if it is necessary for any reason whatsoever to read the meter more frequently, the minimum rates imposed in Sector 2 shall be divided by six and multiplied by the number of months since the preceding bill.

Meter Diameter (in inches)	Minimum Quantity (in gallons/six-month period)
½ or 5/8	22,750 (103,42 cubic metre)
¾	22,750 (103,42 cubic metre)
1	60,250 (273,9 cubic metre)
1½	113,500 (515,98 cubic metre)
2	151,500 (688,73 cubic metre)
3	377,500 (1716,15 cubic metre)
4	750,500 (3411,84 cubic metre)
6	750,500 (3411,84 cubic metre)
8	750,500 (3411,84 cubic metre)
10	750,500 (3411,84 cubic metre)

Notwithstanding the foregoing, when a water meter is connected to a water service pipe used exclusively for fire protection purposes, the minimum water rate shall not apply.

#### *System fees*

68. Annual system fees shall be payable for each meter installed, based on the meter's diameter and at the following rates:

##### Sector 1

Meter Diameter (in inches)	Per year (\$)
½ or 5/8	20.00
¾	30.00
1	40.00
1½	50.00
2	100.00

##### Sector 2

Meter Diameter (in inches)	Per year (\$)
½ or 5/8	10.00
¾	15.00
1	20.00
1½	35.00
2	50.00
3	100.00
4	200.00
6 (regular)	300.00
6 (sprinkler)	500.00
8 (regular)	600.00
8 (sprinkler)	800.00
10	800.00

#### *Water rates*

69. All water supplied by the Town to establishments located on its territory shall be measured by meters. The owners of these establishments on the date the bills are sent shall pay the bills coming due for all water consumed, as measured by the meters, at the rate of two dollars and sixty cents (\$2,60) per one thousand (1,000) gallons (\$0.5286 per cubic metre).

(2022) by-law 1419-4, s. 1

70. All water supplied by Town of Mount Royal to establishments located within the limits of Ville de Montréal shall be measured by meters, and Ville de Montréal shall be required to pay Town of Mount Royal for all water consumed, as measured by the meters of these establishments, for all bills coming due at the rate of two dollars and sixty cents (\$2,60) per one thousand (1,000) gallons (\$0.5286 per square meter). The provisions of this section are not applicable to water supplied by Town of Mount Royal to Ville de Montréal for its own municipal uses; that water shall be subject to a special agreement between Ville de Montréal and Town of Mount Royal.

(2022) by-law 1419-4, s. 1

71. All water supplied by Ville de Montréal directly from its own water distribution system to establishments located within the limits of Town of Mount Royal shall be measured by meters, and the owners of these establishments shall be required to pay Town of Mount Royal for all water consumed, as measured by the meters, for which the bills come due at the rate of two dollars and sixty cents (\$2,60) per one thousand (1,000) gallons (\$0.5286 per cubic meter).

(2022) by-law 1419-4, s. 1

71.1 A pool compensation of \$100 is imposed and will be levied, each fiscal year, on any property on the property assessment roll that has a swimming pool.

(2022) by-law 1419-4, s. 2

71.2 This compensation is payable by the owner of the property. It is then treated as a property tax imposed on the assessment unit comprising the immovable.

(2022) by-law 1419-4, s. 2

71.3 This compensation is not refundable in the event that the pool is withdrawn during the fiscal year.”.

(2022) by-law 1419-4, s. 2

### *Billing*

72. The rates for supplied water and the system fees as well as the pool compensation shall be billed to the owner or owners of each establishment, as shown on the Town's property assessment roll.

(2022) by-law 1419-4, s. 3

73. When an immovable or a part of an immovable is sold, the buyer and the seller shall between themselves make the necessary arrangements regarding the water consumed between the date of the most recent meter reading and the date of transfer of the immovable.

74. The amounts due for supplied water rates and system fees as well as pool compensation shall constitute a charge upon the property and shall rank as and be recoverable in the same manner as property taxes. In addition, these amounts shall follow the property, irrespective of any changes in owner that may occur.

(2022) by-law 1419-4, s. 4

75. If the owner refuses or neglects to pay the water rates, system fees or any other charges in the thirty (30) days after the billing due date, the Town may, by order of the Treasurer, cut off the water and discontinue the supply as long as the bill remains unpaid. This shall not, however, exempt the consumer from payment of the aforementioned bill.

### *Meter tests*

76. Any consumer who questions the accuracy of a meter may have it tested by making a deposit with the Treasurer at the following rates:

<u>Meter Diameter (in inches)</u>	<u>Required Deposit (\$)</u>
½ or 5/8	\$50.00
¾	\$50.00
1	\$50.00
1½	\$100.00
2	\$100.00
3 and over	The deposit shall be sufficient to cover the cost of the test as estimated by the Town Engineer but in no case less than \$100.

77. The Town shall test the aforementioned meter, in the presence of the consumer if he so desires, by using procedures that meet the latest standards of the American Waterworks Association or by installing a second meter for the time period deemed necessary to check the accuracy of the first meter or by using any other means deemed appropriate by the Town Engineer.

78. In the event that it is necessary to alter or modify the water piping on the consumer's premises in order to conduct the test, such alterations or modifications shall be made by the consumer at his expense.

79. If, when tested, the meter is found to record with an error of more than three (3) percent, an equitable adjustment in the water rate proportionate to the rate of error established by the test shall be made for not more than the two immediately preceding billing periods, and the consumer's deposit shall be returned in full him. In such cases, however, the Town shall not be responsible for any expenses incurred by the owner to alter or modify the piping for the test.

80. If the test shows that the meter is functioning properly and recording accurately with an error of less than three (3) percent, which is hereby established as the margin of tolerance, the deposit shall be retained by the Town.

81. In the case of meters three (3) inches or larger, if the cost of making the test, as determined by the Town Engineer, is greater than the deposit, the consumer shall pay the additional amount. If the cost of making the test is less than the deposit, the Town shall remit the difference to the consumer, but in no event shall the minimum charge be less than fifty dollars (\$50).
82. The certificate issued by the Town Engineer as to the result of the tests shall be binding on the consumer and on the Town.

#### *Penalties*

83. Any person who contravenes any provision of this by-law shall have committed an offence and shall be liable, for a first offence, to a fine of no less than two hundred and fifty dollars (\$250) and no more than one thousand dollars (\$1,000) if a physical person and no less than four hundred and fifty (\$450) and no more than two thousand dollars (\$2,000) if a legal person, in addition to costs; and, in the event of a repeat offence, whoever commits an offence shall be liable to a fine of no less than five hundred dollars (\$500) and no more than two thousand dollars (\$2,000) if a physical person and no less than nine hundred dollars (\$900) and no more than four thousand dollars (\$4,000) if a legal person, in addition to costs.

If the offence continues, the offender shall be considered as having committed as many offences as there are days in the continuation thereof.

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

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(2016) by-law 1419-3, s. 13

#### *Issuing of a statement of offence*

84. The Town Manager, the Director of Technical Services, the Town Engineer, Technical Services personnel, Urban Planning and Inspection Department personnel and Public Security personnel are authorized to issue a statement of offence relating to any infraction of this by-law.

Council may authorized any other physical or legal person whose services have been retained to look after the application of this by-law and to issue a statement of offence relating to any infraction of this by-law.

#### *Replacement*

85. This by-law replaces and repeals By-law No. 546 Concerning Water Supply and each of its amendments, except the provisions relating to rates, which shall be repealed as of July 1, 2011.

#### *Coming into effect*

86. This by-law shall come into effect according to law, that is to say, on the date of its publication, except the provisions relating to rates, which shall enter into effect on July 1, 2011.

# SCHEDULE 1

