



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

BY-LAW NO.: GEN-2025-52

**BY-LAW RESPECTING THE PIPING OF DRINKING
WATER, SEWAGE AND STORM WATER**

ADOPTION PROCEDURE

Notice of motion:	May 5, 2025
Filing of the draft by-law:	May 5, 2025
Adoption of the by-law:	June 9, 2025
Publication:	June 13, 2025
Coming into force:	June 13, 2025

- WHEREAS in accordance with the *Municipal Powers Act* (CQLR, chapter C-47.1), the Town of Kirkland is authorized to regulate piping for drinking water, sewage and storm water;
- WHEREAS in accordance with section 356 of the *Cities and Towns Act* (CQLR, chapter C-19), notice of motion concerning this By-Law was given and the draft by-law was filed and adopted at the ordinary sitting of the Town Council held on May 5, 2025;
- WHEREAS copies of this draft By-Law were made available to the public;
- WHEREAS the preamble forms an integral part of this By-Law;

THE TOWN COUNCIL DECREES AS FOLLOWS:

CHAPITRE I – DEFINITIONS AND GENERAL PRINCIPLES

DIVISION I - Definitions

1. When interpreting this By-Law, unless otherwise indicated by the context, the words or expressions that follow have the meaning and significance attributed to them in this Section:
- “building sewer”: a pipe that carries waste or storm water from an immovable to the sewer;
- “Code”: the National Plumbing Code – Canada 2015 (NRCC 56193E) published by the Canadian Commission on Building and Fire Codes and the National Research Council of Canada, as amended by chapter III of the Québec Construction Code – Plumbing and National Plumbing Code of Canada 2015 (amended) (hereinafter referred to as the “Quebec Plumbing Code”).
- “combined building sewer”: a service pipe that carries both storm and waste water to the sanitary sewer;
- “competent authority”: the director of engineering, any division head, section head or other public servant in this department responsible for applying the provisions of this By-Law;
- “exterior shut-off valve”: a device that is installed on the public section of a water service pipe and used to interrupt the water supply;
- “fill”: an operation that consists in filling in an excavation with earth, stones or other filling materials;
- “finishing”: an operation that consists in covering an excavation, which has been filled, with a covering material that is intended to receive pavement (asphalt or paving stones as the case may be), concrete or grass;
- “fire protection system”: equipment located outside or inside a building that protects it from fires;
- “ICI”: an immovable, including its shelters and enclosures, used by an owner, a tenant or an occupant, for purposes other than housing and, without limiting the generality of the foregoing, industrial, commercial and institutional purposes;
- “immovable”: a landsite or the buildings and structures of a permanent nature located on it. Depending on the context, this expression designates a building, a landsite or equipment such as a fountain. A group of several contiguous lots that are owned by the same owner and have the same uses. The word “immovable” excludes public roads within the meaning of the third paragraph of section 66 of the *Municipal Powers Act* (CQLR, chapter C-47.1);
- “interior shut-off valve”: a device that is installed inside a building and used to interrupt the water supply in it;
- “local water pipe”: a water pipe that directly supplies a water service pipe
- “meter”: a device that is used to record the consumption of water supplied by the waterworks;

“private section of a water service pipe”:	the section of a water service pipe that extends beyond the street line, on private property. This section belongs to the owner of the immovable connected to the waterworks;
“public section of a water service pipe”:	the section of a water service pipe located between a water pipe and the street line. This section belongs to the Town;
“sanitary building sewer”:	a service pipe that carries only waste water to the sanitary sewer;
“storm building sewer”:	a service pipe that carries only storm water to the storm sewer;
“sewer”:	the piping owned by the Town to which the building sewers of immovables are connected. The public separate sewer receives the waste or storm water while the public combined sewer receives both waste and storm water;
“storm water management system”:	an infrastructure or a development that is installed in order to retain, drain or reduce quantities of contaminants or the volumes or flows of storm water discharged into the environment or towards a sewer;
“street line”:	the dividing line between the public thoroughfare right-of-way and the private property;
“Town”:	the Town of Kirkland.
“water main”:	the water pipe that directly supplies a local water pipe;
“water service pipe”:	a pipe that carries water from the waterworks to an immovable. It is comprised of a public section, which is located between a pipe in the waterworks and the boundary of the public thoroughfare right-of-way, and a private section, which extends beyond the boundary of the public thoroughfare right-of way, in the private domain up to the immovable;
“water pipe”:	a local water pipe or the water main;
“waterworks”:	all water pipes, equipment, devices and other structures of a similar nature owned by the Town and used to supply drinking water;

The words “building,” “combined building sewer,” “backwater valve,” “building drain,” “combined building drain,” “storm water,” “sewage,” “storm water sewer,” “sanitary sewer,” “combined sewer,” “cleanout,” “drainage system,” “sanitary drainage system,” “storm drainage system,” and “standpipe system” have the same meanings as in the Code.

DIVISION II – General Provisions

2. This By-Law applies to the entire territory of the Town. It sets forth the provisions applicable to the connection of immovable to waterworks and sewer systems, and to the storm water management in immovables.
3. The fees payable to the Town under this By-Law shall be paid according to the terms and conditions specified, based on the tariffs in effect, prior to the execution of the work to which they refer.
4. Work executed under this By-Law shall comply with the applicable provisions of the Code, with BNQ standard specification 1809-300 – Construction Work – Drinking Water and Sewer Lines – General Technical Specifications of the Bureau de normalisation du Québec, with Directive 004 – Sewer Systems of the Ministère de l’Environnement et de la Lutte contre les changements climatiques, with Directive 001 – Water Collection and Distribution of the Ministère de l’Environnement et de la Lutte contre les changements climatiques and with Canadian national standard CSQ W200:F18 – Design of Bioretention Systems and all other legal requirements listed in this By-Law or required by the competent authority depending on the circumstances.
5. No work related to the service pipes of an immovable may be performed without prior authorization from the Town.

6. Any activity performed in the public domain of the Town shall be carried out in compliance with the instructions previously provided by the competent authority.

CHAPITRE II – WATER SUPPLY

DIVISION I – General Provisions

7. All immovables shall be connected to the waterworks system of the Town.
8. No drinking water supply system of an immovable may be connected to both the waterworks and a water supply source other than the waterworks.
9. No water supply system of an immovable may be connected to the water service pipe of another immovable.
10. No drinking water from a source other than the waterworks may be supplied by means of a plumbing fixture connected to that source within the territory of the Town where the waterworks is installed in front or along the edge of the lot.
11. Any person who uses equipment that supplies water from the waterworks shall immediately provide to the competent authority, if required by the competent authority, a plan of the piping inside the equipment and a description of its mode of operation.

Any person who does not comply with such a request contravenes this By-Law.

12. No water supply system of an immovable that is linked to the waterworks may be connected to pipes, equipment or any installation that contains or may contain a toxic or harmful substance.

All water supply systems linked to waterworks, pipes, equipment or any installation that could alter the quality of the water shall be protected against any risk of contamination in accordance with the requirements set out in division B of the Code.

DIVISION II - Authorizations

13. No person, except the Town or a contractor authorized by the Town for that purpose, may install a water pipe unless he has received prior written authorization from the competent authority.
14. The following work may not be performed without prior authorization from the competent authority:
 - a) installing a new water service pipe;
 - b) rebuilding a water service pipe;
 - c) replacing or rehabilitating an existing water service pipe;
 - d) installing a water service pipe facing a vacant landsite, under a public thoroughfare that must be paved and where the public sections of the service pipes must be laid.

Rebuilding a water service pipe consists in installing a new service pipe of a different size at the same location or installing a new service pipe at a different location.

Replacing or rehabilitating an existing water service pipe consists, as the case may be, in installing a service pipe of the same size as the removed service pipe at the same location or repairing it.

15. In the case provided in subparagraph e) of section 15, where the owner of the landsite does not proceed with the installation of the private section of the water service pipe or the construction of the new building requiring a water supply does not begin within 12 months of the installation of the public section of the water service pipe, the competent authority may disconnect the water service pipe.

The cost of the disconnection work shall be borne by the owner of the immovable and shall be charged to him based on the amount specified for that purpose in the by-law respecting the tariffs in effect.

16. The owner of an immovable that is located in a municipality other than the Town and has a facade fronting on the public thoroughfare where a water pipe belonging to the Town is installed may submit an application to the competent authority in order to install the public section of the water service pipe, provided an intermunicipal agreement is concluded to that effect between the Town and the municipality where the immovable receives service.

The cost of excavating, installing, filling, finishing and rebuilding the public domain and urban furniture shall be borne by the owner.

The execution of the work is subject to the condition that the applicant has signed a contract under which he agrees to comply with the provisions of this By-Law.

17. To apply for and obtain any authorization required under this By-Law, the owner of the immovable shall
- a) transmit a copy completed and signed by the owner or his authorized representative of the application form in Schedule A;
 - b) transmit a plan of the work on the waterworks that is drawn to scale so that it is possible to verify whether that work complies with the provisions of this By-Law;
 - c) transmit fire protection calculations signed and sealed by an engineer for any service pipe in a fire protection system;
 - d) transmit a list of equipment that consumes water or a flow estimation report signed by a specialist in this area;
 - e) transmit a power of attorney from the owner in the event that the application for authorization is submitted by an authorized representative;
 - f) pay the tariff specified in the by-law respecting the tariffs in effect;
 - g) deposit the financial guarantee required by the Town at its discretion.
18. Any authorization issued under this Division shall no longer be valid and the rights that it confers shall be lost when authorized work has not begun within 12 months of its date of issue. No reimbursement will be provided by the Town, only the financial guarantee will be returned.

DIVISION III – Water Service Pipes

Subdivision 1 – Installation

19. Any person who constructs a building that he wishes to supply with water, on a public thoroughfare where a local water pipe is installed, shall submit an application to the competent authority in order to have the public section of the required water service pipe installed and shall install the private section of the service pipe.
20. The installation work for the public section of a water service pipe shall be executed by the Town or a contractor whose services are retained by the Town for that purpose, at the owner's expense. Such work may include, without being limited to, excavating, filling, finishing and installing the public section of the water service pipe and rebuilding the public domain and urban furniture.
21. All water service pipes shall be made of type K copper (diameter of 50 mm or less) or DR-18 PVC (diameter of 100 mm or more), according to the applicable standards of the Code, and meet, as the case may be, the following criteria:
- a) No welded joints shall be authorized on copper water service pipes;
 - b) The diameter shall be established in relation to the required hydraulic load but shall not be less than 19 mm;
 - c) The service pipe shall undergo a tightness test as specified in the Code.
22. All service pipes shall be connected to water pipes using the drill and tap method under pressure, except in the case where prior written authorization has been obtained from the competent authority.
23. All buildings fronting on a public thoroughfare shall be supplied by a separate water service pipe. All buildings equipped with a fire protection system shall be supplied by a single water service pipe to the water main of the Town, separated into two distinct service pipes, at the property limit, i.e. one service pipe for drinking water and one service pipe for the fire protection system. One shut-off valve per service pipe shall be installed on private property.
24. Any person who wishes to have the following work executed may submit an application for that purpose to the competent authority:

- a) installing the public section of a water service pipe with a different size than the required size;
- b) installing the public section of an additional water service pipe;
- c) installing the public section of a water service pipe that must be used in whole or in part to protect against fires, excluding a service pipe that must be used to protect a waste chute against fire.

In all cases, the competent authority shall decide what is required. Regardless of the size or the configuration of a required service pipe, the cost shall be borne by the owner.

- 25. Where a building is supplied with water by two water service pipes, those two service pipes may not be connected to one another.
- 26. The owner of an immovable shall, at his expense, during the installation of piping, install an interior shut-off valve on the private section of the water service pipe, at an accessible location as close as possible to the foundation wall, and maintain the valve in good working condition.
- 27. The owner of an immovable shall ensure that the exterior shut-off valve of the water service pipe in his immovable is accessible.
- 28. Where a building is demolished and another is constructed on the same site, the owner of the new building may not, without authorization from the competent authority, use the previously installed water service pipe, unless it complies with the by-laws and regulations in force at the time when the new building is constructed.
- 29. No person who constructs a building may allow water to flow in order to keep the service pipes from freezing.
- 30. The public section of a water service pipe may be installed only by the Town or a contractor whose services are retained by the Town for that purpose, unless the public authority decides otherwise. That section is the property of the Town even if it has been installed at the expense of the owner of the immovable supplied by that service pipe.

In all cases where service pipe work is carried out by the owner in the public section, an agreement shall be entered into to that effect with the Town which may include all conditions required by the Town in order to ensure proper execution of the work, including the provision of a bank guarantee.

- 31. The private section of a water service pipe shall be installed by the owner at his expense. The competent authority may inspect the water service pipe from the private section to the public section, or have it inspected by a contractor authorized by the competent authority before the excavation is filled. The owner is responsible for notifying the competent authority of the scheduled date of the work.
- 32. Where work executed by the owner under this Division does not comply with the requirements provided in this By-Law, the owner shall perform remedial work at his expense.
- 33. The owner of an immovable shall, at all times, maintain the private section of the water service pipe in good condition. The owner of the immovable shall repair any leak in the private section of the water service pipe in the immovable.
- 34. All water service pipes of industrial, commercial, institutional and residential buildings shall be protected by a backflow preventer, which shall be installed directly downstream from the water meter. The backflow preventer shall be selected in accordance with CSA standard B64.10 and be verified according to the CSA standard B64.10.1.

Said backflow preventer shall be installed between two (2) shut-off valves and shall be located in an easily accessible site.

Notwithstanding the first paragraph, a backflow preventer is not required for residential buildings with fewer than 3 storeys or fewer than 9 dwelling units.

Subdivision 2 – Excavation, Filling and Finishing

- 35. The owner of a building who must install a water service pipe pursuant to the regulations and by-laws in force and who has the public section of a water service pipe installed shall, at his expense and according to the standards in force,
 - a) dig the necessary trench if the water service pipe can be installed in the same trench as the building sewer;

- b) lay a building sewer and protect it against frost in accordance with the standards in force;
 - c) notify the competent authority so that it may inspect the service pipe before the trench is filled;
 - d) fill the trench under the roadway , up to the top of the granular sub-base, with MG20, MTQ or Municipal crushed stone compacted in a 300 mm layer at 95% of the modified proctor;
 - e) fill the trench outside the roadway, up to 200 mm from the finished ground level, with class B borrow material compacted in a 300 mm layer at 90% of modified proctor;
 - f) complete the paving, the concrete work and the finishing work at the location of the trench according to the requirements of the Town;
 - g) install the private section of the water service pipe in the trench;
 - h) notify the competent authority of the end of this work.
- 36.** The required trench shall be dug in front of the building, in a straight line, at a right angle to the local water pipe, and in such a manner that the water service pipe can be installed above the crown of the public sewer at least
- a) 0.3 m from the building sewer;
 - b) 1.8 m below the official final profile of the public road and the private land;
 - c) 1.8 m from any other pipe or obstacle.
- 37.** A water service pipe may be installed in a different trench from the sewer connection provided
- a) the water service pipe cannot be installed in the same trench as the sewer connection;
 - b) the owner concerned requests this.

Excavation, backfilling, finishing and restoration work in the public domain and on urban furniture shall be executed at the owner's expense.

- 38.** Where the Town or a contractor whose services are retained by the Town installs the public section of the water service pipe, the Town or said contractor shall extend the service pipe by approximately 45 cm beyond the street line so that the private section of the water service pipe may be connected on the private property side. In such a case, the connection to the street line or in the public domain may not be moved.
- 39.** Where the owner wants to prevent the connection from being made on his property side, he may, with authorization from the competent authority, extend the private section of the water service pipe up to the exterior shut-off valve, provided the quality of the materials and the diameter of this section of the service pipe are the same as those of the public section of the service pipe.
- 40.** The competent authority may inspect the water service pipe from the private section to the public section, or have it inspected by a contractor authorized by the competent authority before the excavation is filled. The owner is responsible for notifying the competent authority of the scheduled date of the work. Once the installation of the public section of the water service pipe is finished and inspected, the owner shall complete, at his expense, the filling and finishing of the trench.
- 41.** The owner shall contact the competent authority to have the exterior shut-off valve opened when the water service pipe installation work is finished.
- 42.** The competent authority may affix a mark on a building supplied by a water service pipe in order to determine where the exterior shut-off valve is located.
- 43.** The Town may not be held liable for any leak in the water service pipe at the street line or the private property side, or for any resulting damage.

DIVISION IV – Continuity of the Water Supply

- 44.** The Town makes no guarantee as to the water pressure or the quantity of water supplied by the waterworks.

45. Where required, the competent authority may temporarily interrupt the water supply service in order to perform work, a disconnection or tests on any part of the waterworks.

Before interrupting the service, the competent authority shall notify the persons concerned by any means that it deems appropriate. In cases of emergency, said notification is not required.

46. The Town may not be held liable for damage caused by water pressure or the interruption of water service.

47. Where an interior shut-off valve of an immovable cannot be closed, the competent authority may, at the request of the owner, close the exterior shut-off valve.

The cost of this work shall be borne by the owner of the immovable and shall be charged to him based on the amount specified for that purpose in the *By-law establishing tariffs for certain municipal services*.

48. Where the work provided in section 45 is executed outside of regular work hours at the request of the owner, the additional labour cost caused thereby shall be borne by that person.

49. The owner of a building shall, at his expense, during the installation of piping inside a building, install an interior shut-off valve on the private section of the water service pipe, at an accessible location as close as possible to the foundation wall, and maintain the valve in good working condition.

50. The cost of repairing the public section of the temporary water service pipe, as well as the cost of excavating, filling, finishing and repairing the public domain and urban furniture shall be borne by the owner of the immovable concerned.

The Town may not be held liable for damage caused by a temporary water service pipe.

DIVISION V – Replacement and Disconnection of the Public Section of a Water Service Pipe

51. The public section of a water service pipe that is no longer used or the public section of a water service pipe of a building that has been demolished, destroyed by fire or by any other cause shall be disconnected from the waterworks.

52. A water service pipe may not be disconnected without prior authorization from the competent authority.

53. The owner of an immovable shall submit an application to the competent authority if he wishes to have the public section of the water service pipe that supplies the immovable replaced

- a) by a section with a larger diameter, when erroneous information regarding the water consumption of the immovable has been provided in a previous application;
- b) by a section with a larger diameter, in cases other than the one referred to in subparagraph a);
- c) between the exterior shut-off valve and the street line.

54. In the cases provided in subparagraphs a) and b) of section 53, the owner shall replace at his expense the private section of the service pipe with a section of equal or greater size than the required size, where applicable.

The excavation, backfilling, finishing and installation of the public section of the water service pipe as well as the restoration of the public domain and urban furniture shall be carried out by the Town or a contractor whose services are retained by the Town for that purpose, at the expense of the owner, or by the owner at his expense, at the discretion of the competent authority.

55. The owner of a building shall have the Town or a contractor whose services are retained by the Town disconnect the public section of a water service pipe that he ceases to use and pay the costs of restoring the public domain and urban furniture.

In the event that the disconnection is required in view of demolishing a building, the demolition permit may be issued only if the owner has complied with the first paragraph, where applicable.

56. In addition to the costs mentioned in section 55, the owner shall also pay the cost of excavation, disconnection, backfill and finishing.

DIVISION VI - Defrosting the Private Section of a Water Service Pipe

57. The owner is responsible for having the private section of the water service pipe defrosted. The competent authority may intervene at the request of the owner and at the owner's expense.

CHAPITRE III – METERS

58. The rules applicable to water meters are provided in By-Law No. GEN-2022-53 entitled *By-law concerning water meters and the water rate*.
59. The owner of a landsite or a building shall provide and install at his expense the piping required to install a water meter.

CHAPITRE IV – SEWERS

DIVISION I – General Provisions

60. All immovables shall be connected to the sewer systems of the Town, where such systems exist.
61. Waste water and storm water from any immovable shall be drained by separate collectors connected respectively to a sanitary building sewer and a storm building sewer up to the sewer.
62. Where the public sewer constitutes a separate system, sewage and storm water from the building shall be channeled into different systems that are connected respectively to the public sanitary sewer and the public storm sewer.

All private storm sewers system shall be connected to the public storm sewer system.

63. It is prohibited to release any object or discharge into the sewer any substance likely to degrade its condition, obstruct one of its components in whole or in part, or constitute a danger for public safety.
64. The owner of any immovable is the owner of the building sewer of that immovable up to the point of connection to the sewer.
65. Where required, the competent authority may temporarily interrupt sewer service in order to perform work on any part of the sewer.
66. Where a building sewer or a surface storm sewer is decommissioned, it shall be removed in its entirety, unless otherwise notified by the competent authority.

No person may disconnect, remove or block a building sewer before written authorization from the competent authority has been obtained.

In the event that disconnection, removal or blockage is required in view of demolishing a building, the demolition permit may be issued only if the owner has complied with the first paragraph, where applicable.

67. A building sewer shall be blocked as close as possible to its point of connection to the sewer.

However, the competent authority may require the building sewer to be blocked from the sewer pipe or through an opening on to the public domain when this is required to protect the structural integrity of municipal networks, ensure that the sewer pipes fulfill their main function or limit the impact of the work on road traffic.

68. An existing building sewer may not be used, without authorization from the competent authority, where the building served has been demolished pursuant to a by-law passed in accordance with chapter V.0.1 of the *Act respecting Land Use Planning and Development* (CQLR, chapter A-19.1), destroyed by fire or by some other cause and has been rebuilt.

To obtain said authorization, the owner of the immovable shall transmit to the competent authority a report drafted and signed by a specialist in the area of drainage certifying that the service pipe is in good structural condition, has been built in accordance with the requirements of this By-Law and its size is sufficient to meet the hydraulic demand of the new building.

DIVISION II - Authorizations

69. The following work may not be performed without prior authorization from the competent authority:
- a) installing a new building sewer;

- b) rebuilding a building sewer at a different location;
- c) replacing or rehabilitating an existing building sewer;
- d) installing a building sewer facing a vacant lot, under a public thoroughfare that must be paved and where sewer connections must be installed.

Replacing or rehabilitating an existing building sewer refers to, as the case may be, installing a service pipe at the same location and of the same size as the removed service pipe or repairing it.

70. To apply for and obtain any authorization required under this By-Law, the owner of the immovable shall
- a) transmit a copy completed and signed by the owner or his authorized representative of the application form in Schedule A;
 - b) transmit a plan of the sewer work that is drawn to scale so that it is possible to verify whether the work complies with the provisions of this By-Law;
 - c) transmit a list of the equipment that consumes water or a flow estimation report signed by an engineer for ICI and multi-residential buildings with 3 or more storeys or 9 or more dwelling units;
 - d) transmit a power of attorney from the owner in the event that the application for authorization is submitted by an authorized representative;
 - e) pay the tariff specified in the by-law respecting the tariffs in effect.
71. Any authorization issued under this Division shall no longer be valid and the rights that it confers shall be lost when authorized work has not begun within 12 months of its date of issue.

DIVISION III - Installation

72. The building sewer of a building shall be connected, independently of any other service pipe, to the section of the public sewer that is located opposite to that building. However, the drain of appurtenances to the building may be connected to the building drain of that building.
73. All new buildings shall be served by a new building sewer.
74. Notwithstanding section 73, a new building may be connected to an existing building sewer provided that an expert's certificate signed and sealed by a member of the Ordre des ingénieurs du Québec is provided by the owner certifying that the existing building sewer is in good condition and of sufficient size or that it is possible to repair it so that it complies fully with the requirements of section 90.
75. The public section of a building sewer may be installed only by the Town or a contractor whose services are retained by the Town for that purpose, unless the public authority decides otherwise. That section is the property of the Town even if it has been installed at the expense of the owner of the immovable supplied by that sewer.

In all cases where service pipe work is carried out by the owner in the public section, an agreement shall be entered into to that effect with the Town which may include all conditions required by the Town in order to ensure proper execution of the work, including the provision of a bank guarantee.

76. The private section of a building sewer shall be installed by the owner at his expense. The competent authority may inspect the building sewer from the private section to the public section or require the owner to have it inspected by an expert, at the owner's expense, before the excavation is filled. The owner is responsible for notifying the competent authority of the scheduled date of the work.
77. All building sewers shall be installed in a straight line following the direction of the slope and at a right angle to the sewer pipe that serves them.
78. All storm building sewers shall be located to the left of sanitary building sewers, from the immovable up to the public road.
79. Two building sewers may be installed in the same trench, one on each side of the property line of the two immovables, provided their connection to the sewer is located at a distance of at least one metre from one another.
80. Where several sewer pipes serve the same immovable, the competent authority may require the building sewer of the immovable to be connected to one pipe rather than another pipe where this is required to

protect the structural integrity of the municipal networks, ensure the hydraulic capacity of the systems, limit the impact of the connection work on road traffic or ensure the reliability of service.

81. Building sewer connection and installation, reconstruction, replacement or rehabilitation work shall be executed by the owner of the immovable at his own expense.
82. Articles 35 and following apply with the necessary adjustments.

Subdivision 1 – Public Sanitary Sewer

83. The sanitary drainage system of an immovable shall be connected to a public sanitary sewer pipe serving the immovable.
84. A sanitary drainage system for appurtenances to a building may be connected to the sanitary building drain of the principal building.

Subdivision 2 – Public Storm Sewer

85. The storm drainage system or the storm sewer system of an immovable shall be connected to a storm sewer pipe serving the immovable.
86. Notwithstanding Article 85, the competent authority may require the storm water from an immovable to be discharged elsewhere than into the public storm sewer where this is required to protect the hydraulic capacity of the system or where this allows the water to return to natural environment.

Subdivision 3 – Sewer Cross Connections

87. Where a separate sewer is present and where part of the waste and storm water is combined in the drainage system inside a building, the owner shall, at his expense, carry out work to enable the wastewater to be separated from the storm water.

Where the connections of building sewers serving an immovable are reversed, the owner shall, at his expense, carry out work to correct the reversal.

Subdivision 4 – Materials, Sizes and Frost Protection

88. All building sewers shall meet the requirements provided in the Code and BNQ standard 1809-200 and shall be composed of polyvinyl chloride (PVC).
89. The size, slope and maximum hydraulic load of a building sewer shall be established in accordance with the Code.

All building sewers shall be equal or smaller in size than the size of the sewer to which they are connected.

90. All building sewers shall be gas, water, air and smoke-tight. For that purpose, they shall satisfy the relevant tests described in the Code and a test report shall be provided to the competent authority upon request.
91. The sanitary building sewer shall be white in colour while the storm building sewer shall be green in colour.
92. All building sewers shall be protected against frost in the following manner:
- a) They shall be buried at a depth of at least 1.4 metres;
 - b) The distance between the service pipe and a sump, a cleanout or any other public utility obstacle shall be at least 1.4 metres.

For the purposes of this Section, the depth of the service pipe shall be measured based on the ground area after the completion of the work.

93. All piping shall be protected against frost in the following manner:
- a) Underground piping shall be buried at a depth of at least:
 - i. 1.8 m for a water service pipe, subject to subparagraph c);

- ii. 1.8 m for a building sewer;
- iii. 1.8 m for a building sewer and a water service pipe installed in the same trench;
- b) the distance between the exterior wall of a water service pipe or a building sewer and the exterior wall of an exterior sump shall be not less than:
 - i. 1.8 m for a water service pipe;
 - ii. 1.4 m for a building sewer;
- c) where an obstacle makes it impractical to bury the piping at the depth required in clause i of subparagraph a) or when replacing a sewer at a lower depth than that required in that clause, the piping shall be protected with insulation designed for piping, be covered by a protective sheath, and have the following features:
 - i. a minimum thermal resistance of $1.4 \text{ m}^2, ^\circ\text{C/W}$;
 - ii. a minimum crushing strength of 200 kPa;
 - iii. zero moisture absorption.

Subdivision 4 – Sump Pumps

- 94.** Underground water channeled through foundation drains shall be directed towards a monolithic, water-proof retention pit that is connected to the storm building drain. The owner shall install a backwater valve on the branch located between the retention pit and the building drain. A Sump pump shall be installed in the retention pit in accordance with the provisions of this By-law.

A Sump pump shall be installed permanently in the retention pit that receives all storm water from the immovable. Said pump shall be linked to the storm building drain through a force main, made from material that complies with the requirements of division 2.2 Materials and Equipment of Part 2 – Plumbing Systems – of the Plumbing Code, and equipped with a check valve installed at a minimum of one (1) metre above the level of the crown of the street. Where a permanent pumping system is required, an backup pump shall be installed.

Subdivision 5 – Cleanout at the Property Limit

- 95.** The owner(s) of any industrial, commercial or institutional building, as well as any residential immovable with multiple dwelling units, shall install a sanitary and storm inspection chamber at the property limit for access and maintenance purposes. This requirement applies to any new structure or in cases where the infrastructure of an existing building is renovated.

CHAPITRE V – STORM WATER MANAGEMENT

- 96.** This Division applies to ICI and multi-residential buildings with 3 or more storeys and 9 or more dwelling units.
- 97.** Storm water retention on private property is required for the entire immovable at the expense of the owner for any new structure.
- 98.** For any expansion of an immovable and whenever impermeable surfaces are added, storm water retention is required in order to prevent any increase in the storm water released into the public sewer.
- 99.** The maximum flow of storm water released into the public sewer from a private property may not exceed 5 l/s/ha for the entirety of that property on the basis of a 100-year return period and a 3-hour duration.

The first paragraph applies even if there are exterior surfaces that have not drained toward the storm water retention system.

- 100.** The required storm water retention shall be carried out on the private property using vortex flow regulators, diaphragms or other devices or methods that provide equivalent results. The devices used may not include removable parts.

At the roof level, said retention may be carried out in accordance with the flow control roof drain requirements provided in the Code.

101. A roof shall be drained by gravity. For other impermeable surfaces, if the use of pumps is unavoidable, they must be connected to a generator.
102. The required retention volume shall be calculated on the basis of a modified Chicago synthetic rainfall at a rate of 1/100 years and a 3-hour duration, as specified in the table in Schedule B.
103. The storm water retention system shall be appropriate for the intended use on the immovable. The competent authority may refuse any storm water retention system deemed inappropriate and require a different system.
104. The drainage system of any paved exterior surface located below the street level shall be equipped with a backwater valve.
105. A treatment unit (Stormceptor or equivalent) shall be installed upstream of the connection to the Town's storm network in order to capture 80% of suspended solids (SS).
106. No water service pipe, building sewer or retention structure may be covered without prior authorization from the competent authority.

CHAPITRE VI – TARIFF PROVISIONS

107. The fees payable to the Town under this By-Law shall be paid prior to the execution of the work to which they refer.

The fees are generally set out in the *By-law establishing tariffs for certain municipal services*. Should fees not be specifically set out in that by-law, the applicable fees represent the real cost, plus a fifteen percent (15%) administrative fee and applicable taxes.

For ICI and multi-residential buildings with 3 or more storeys or 9 or more dwelling units, the plans and specifications shall be provided to the Town by the owner at his expense. The Town shall proceed with the call for tenders or by contract according to its contract management by-laws. The owner shall pay all real costs plus a fifteen percent (15%) administrative fee and applicable taxes.

For all other buildings, only a detailed plan may be provided to the Town by the owner at his expense. The owner shall pay all real costs plus a fifteen percent (15%) administrative fee and applicable tax.

CHAPITRE VII – PENAL PROVISIONS

Subdivision 1 – Offences

108. An offence is committed under this By-Law by any person who, in violation of one or more of the provisions of this By-Law,
 - a) does not comply with a provision of this By-Law;
 - b) executes or authorizes the execution of work subject to this By-Law in violation of this By-Law or in violation of approved plans and specifications used to support the issue of a permit;
 - c) executes work subject to this By-Law prior to the coming into force of a permit or the issue of an authorization;
 - d) hinders or attempts to hinder the competent authority in the exercise of the competent authority's respective duties and powers;
 - e) refuses to allow a visit or inspection of an immovable, hinders or attempts to hinder the competent authority during any visit or inspection, unless the competent authority has not officially identified himself by presenting a piece of identification provided by the Town and by giving the reason for their visit;
 - f) hinders access to all or part of a connection, the waterworks and the sanitary or storm sewer or to any storm water management system;
 - g) executes or allows the execution of unauthorized work, uses or handles or allows the use or handling of Town equipment without having first obtained all required permits or authorizations;
 - h) does not comply with a written notice or an order to stop the work given by the competent authority;

- i) releases or allows the release of any object or any substance into a system of the Town;
- j) performs a connection that allows water to be consumed without the water consumption being measured by a meter;
- k) installs or allows the installation of equipment or a system that may cause excessive pressure in the waterworks or contaminate the waterworks system.

Subdivision 2 – Penalties

- 109. Any natural person who commits an offence under this By-Law is liable to a fine of \$500 to \$1,000. For a repeat offence, the amount of the fine is \$1,000 to \$2,000.
- 110. Any legal person who commits an offence under this By-Law is liable to a fine of \$700 to \$2,000. For a repeat offence, the amount of the fine is \$1,500 to \$4,000.
- 111. Where an offence referred to in this By-Law continues for more than one day, it constitutes a separate offence for each day it continues.
- 112. Under the *Code of Civil Procedure of Québec*, the competent authority, patrol officers and police officers of the SPVM are authorized to issue statements of offence, for and on behalf of the Town, for any offence under this By-Law.
- 113. Notwithstanding any penal proceedings, the Town may exercise all other remedies necessary to enforce the provisions of this By-Law.

CHAPITRE VIII – FINAL PROVISION

- 114. This By-Law comes into force in accordance with the law.

(Michel Gibson)

Mayor

(Annie Riendeau)

Town Clerk

Town of Kirkland
17 200 Hymus Boulevard
Kirkland, Quebec H9J 3Y8
urbanisme@ville.kirkland.qc.ca

**APPLICATION FOR A BUILDING PERMIT OR A
CERTIFICATE OF AUTHORIZATION**

KIRKLAND

Tel.: 514-694-4100

Application date _____

SECTOR ☐ Residential ☐ Commercial ☐ Industrial ☐ Institutional ☐ Public

NATURE OF THE WORK

- | | | |
|--|---|---|
| <input type="checkbox"/> Expansion / Addition | <input type="checkbox"/> Curb cut / Driveway (Parking area) | <input type="checkbox"/> Renovation / Alteration / Repair |
| <input type="checkbox"/> Building and accessory structures
(garden pavilion/gazebo, shed/garden house, pergola, etc.) | <input type="checkbox"/> Excavation | <input type="checkbox"/> Hot tub (Jacuzzi) |
| <input type="checkbox"/> Fence | <input type="checkbox"/> Foundation | <input type="checkbox"/> Terrace (deck) / Balcony |
| <input type="checkbox"/> New structure | <input type="checkbox"/> Ground patio / Addition of a non-green space | <input type="checkbox"/> Heat pump / Air conditioner |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Pool | <input type="checkbox"/> Use (certificate of occupancy) |
| <input type="checkbox"/> Sign / Display | <input type="checkbox"/> In-ground | <input type="checkbox"/> Other: _____ |
| | <input type="checkbox"/> Above-ground | |

LOCATION OF THE WORK

Address: _____

OWNER

Name: _____

Address: _____

Telephone: _____

Email: _____

APPLICANT*

☐ *Same person as owner*

Name: _____

Address: _____

Telephone: _____

Email: _____

CONTRACTOR

☐ *Same person as owner* ☐ *Same person as applicant*

Name: _____

Address: _____

Telephone: _____

Email: _____

RBQ #: _____ NEQ #: _____

DESCRIPTION OF THE WORK AND SCHEDULE

Scheduled start date of the work: _____ Scheduled end date of the work: _____

Estimated cost of the project (before taxes): \$ _____

IMPORTANT NOTICE

This application does not in any way constitute an authorization to begin the work. The work may begin only after a building permit or certificate of authorization has been issued.



DECLARATION AND SIGNATURE OF THE APPLICANT*

I declare that the above information is exact and I agree to comply with the by-laws of the Town of Kirkland and any other related regulations that may apply.

Name: _____ Signature: _____ Date: _____

** If you are not the owner, please attach a power of attorney from the owner of the site that authorizes you to apply on their behalf.*

SCHEDULE B – RUNOFF MANAGEMENT
RETENTION VOLUME CALCULATION METHOD
CHICAGO-TYPE SYNTHETIC STORM Modified 1/ 100 years - 3 hours

Perm. flow (l/s)	Actual IMP % 	Volume m³/ ha																			
		5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100
5	Lot area (ha) 																				
5	0.075	9	9	10	11	11	12	13	14	15	15	16	17	18	19	20	20	21	22	23	23
5	.100	14	15	16	17	18	19	20	22	23	24	25	27	28	29	30	31	32	33	34	35
5	.200	39	41	43	46	49	52	55	58	61	63	66	69	72	75	77	80	83	85	88	90
5	.400	94	100	106	113	120	127	134	140	147	154	161	167	174	180	187	193	199	206	212	218
5	.600	151	162	172	183	195	206	217	228	239	250	260	271	281	291	302	312	322	331	341	351
5	.800	209	224	239	255	270	286	301	316	332	346	361	375	389	403	417	431	444	457	471	483
5	1.000	266	285	305	326	346	366	386	405	424	443	462	480	498	516	533	550	567	584	600	616
5	1.500	406	437	469	501	533	564	595	625	655	684	713	741	769	796	823	849	875	900	925	949
5	2.000	541	585	629	674	717	760	802	843	884	924	963	1001	1039	1076	1112	1148	1182	1216	1250	1282
5	2.500	673	730	787	843	898	953	1007	1060	1111	1162	1212	1261	1308	1355	1401	1446	1490	1533	1575	1616
5	3.000	802	872	941	1010	1078	1144	1210	1274	1337	1399	1460	1519	1578	1635	1691	1745	1798	1850	1901	1950

EXAMPLE OF CALCULATING THE REQUIRED RETENTION VOLUME

Lot area = 0.192 ha
Permitted flow = 5 l/s
Actual IMP % = 79.7%
Required retention volume: 80 m*