

VILLE DE MONTRÉAL
BY-LAW
15-085 (Office consolidation)

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BY-LAW CONCERNING THE MAINTENANCE OF SEWER CONNECTIONS

OFFICE CONSOLIDATION OF MAY 24, 2016
(15-085, as amended by 15-085-1)

In view of section 25 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (CQLR, chapter E-20.001);

In view of section 84 of the Charter of Ville de Montréal (CQLR, chapter C-11.4) and section 47 of schedule C to the charter;

In view of section 369 of the Cities and Towns Act (CQLR, chapter C-19);

At its meeting of November 23, 2015, city council enacts:

CHAPTER I
INTERPRETATION

1. In this by-law, the following words mean:

“owner”: the owner of an immovable where the sewer connection connects to the public sewer;

“public sewer”: the pipe in the public domain to which are connected the sewer connections of buildings bordering the public domain and which is destined to receive wastewater or storm water from those connections;

“sewer connection”: a pipe directing wastewater or storm water from inside a building to the public sewer.

15-085, a. 1.

CHAPTER II

MAINTENANCE OF SEWER CONNECTIONS

2. The owner must maintain the building's sewer connection in good condition over its entire length up to the connection point to the public sewer.

Despite the first paragraph, following an owner's request, the city carries out the corrective work of the part of a sewer connection that is in the public domain, when the following conditions are met:

- (1) the diameter of the sewer connection is 225 mm or less, in the case of a storm water or combined type of sewer, or 150 mm or less, in the case of a sanitary type of sewer;
- (2) the failure:
 - (a) is situated on the part of the sewer connection located in the public domain;
 - (b) is of a structural nature;
 - (c) is not the result of faulty or abnormal use of the sewer connection or of work carried out on the private property.

Failures of a structural nature namely include anomalies, breaks, cracks, perforations or staggered joints allowing or potentially allowing wastewater to escape. The simple obstruction of a sewer connection does not constitute a failure of a structural nature.

Despite the preceding paragraphs, the city may also carry out, during the performance of infrastructure work, the replacement of the part of the sewer connections connected to the public sewer that is situated in the public domain.

15-085, a. 2.

CHAPTER III

REQUEST FOR CORRECTIVE WORK

3. At the owner's request, the city carries out the work referred to in the second paragraph of article 2 of this by-law. The owner must submit an application for that purpose.

15-085, a. 3.

4. The request for corrective work is made using the form provided in schedule A to this by-law, which must be accompanied by the following documents:

- (1) a report demonstrating the structural failure and its location, completed using the form provided under schedule B to this by-law, signed by a person with the necessary skills and qualifications;

- (2) a video recording, in digital format, of the inspection of the inside of the sewer connection over its entire length and allowing for the observation of the structural failure and its location as identified in the report referred to in paragraph (1).

15-085, a. 4.

5. When the inspection by camera of the inside of the sewer connection is not possible due to an obstruction located:

- (1) in the private domain, the owner must carry out the necessary work to unblock the connection in order to make the inspection;
- (2) in the public domain, the report must mention it and the video document attached to the report must show the inside of the sewer connection up to the obstruction. The city can then require the owner to demonstrate the location of the structural failure using the appropriate tools, in the presence of one of its representatives.

15-085, a. 5.

5.1. The costs related to the application of articles 4 and 5 of this by-law are to be paid by the owner. Thus, the owner is namely responsible for paying the costs of inspection, document production, unblocking of conduits or the costs related to demonstrating the location of the structural failure, as the case may be.

15-085-1, a. 1.

6. At the time of the corrective work carried out under the second paragraph of article 2 of this by-law, if the intervention by the city was not justified according to the criteria enumerated in this by-law, all costs incurred by the city are billed to the owner.

15-085, a. 6.

CHAPTER IV

PENAL PROVISIONS

7. Any person who contravenes this by-law is guilty of an offence and is liable:

- (1) for a first offence, to a fine of \$100 to \$300;
- (2) for a second offence, to a fine of \$300 to \$500;
- (3) for a subsequent offence, to a fine of \$500 to \$1,000.

15-085, a. 7.

CHAPTER V

VARIOUS PROVISIONS

8. The executive committee may, by ordinance, amend or replace the forms provided in schedule A and schedule B to this by-law.

15-085, a. 8.

9. This by-law repeals any prior provision or part thereof relating to the responsibilities concerning work related to sewer connections.

Without limiting the scope of the first paragraph, this by-law repeals, in particular:

- (1) article 89.13 of the By-law concerning piping of drinking water, wastewater and storm water (R.B.C.M., chapter C-1.1), of Ville de Montréal;
- (2) paragraph (b) of article 9 of by-law 1565 titled “Règlement adoptant le Code de Plomberie du Québec en y apportant certaines modifications et remplaçant le règlement 1374 et ses amendements”, of Ville d’Anjou;
- (3) article 13 of by-law 134 titled “Règlement concernant la construction des égouts dans la Ville de St-Léonard de Port-Maurice”;
- (4) the third paragraph of article 2 and the second paragraph of article 5 of by-law CA28 0004 titled “Règlement sur les travaux relatifs aux services d’aqueduc et d’égouts”, of L’Île-Bizard–Sainte-Geneviève borough;
- (5) article 24 of by-law RCGA12-10-0008 of Ville de Montréal-Nord;
- (6) the expressions “l’entretien” and “la réparation ou tous autres travaux” of the first paragraph of article 5.3 of by-law 2077 titled “Règlement concernant les égouts publics et les égouts de bâtiment” of Ville de LaSalle;
- (7) article 23 of the By-law concerning the construction of sewers in the City of Lachine (976);
- (8) all the words, including the second paragraph, after the words “L’inspecteur nommé par le Conseil aura le droit en tout temps d’examiner tout égout privé, soit en dedans ou en dehors de toutes maisons ou autres bâtiments” of article 17 of by-law 51 titled “Drainage” of Cité de Verdun.

15-085, a. 9.

10. In case of inconsistency between the provisions of this by-law and any other applicable provision, the provisions of this by-law prevail.

15-085, a. 10.

SCHEDULE A
REQUEST FOR CORRECTIVE WORK

SCHEDULE B
INSPECTION REPORT

This consolidation of the By-law concerning the maintenance of sewer connections (15-085) contains amendments under the following by-law:

- *15-085-1 By-law amending the By-law concerning the maintenance of sewer connections (15-085), adopted at the meeting of May 16, 2016.*

Formulaire de demande de travaux correctifs

Nom : _____

Tél. résidence : _____ Tél. bureau : _____ Cellulaire : _____

Adresse de correspondance

Numéro : _____ Rue : _____

Ville : _____ Code Postal : _____

Adresse de l'immeuble desservi par le branchement défaillant

Numéro : _____ Rue : _____

Arrondissement : _____ Code Postal : _____

Documents joints :

- Rapport d'inspection rempli, daté et signé
- Fichier électronique de l'inspection télévisée du branchement d'égout

Engagement du propriétaire :

Je, _____, m'engage à rembourser tous les frais encourus par la Ville de Montréal relativement à la présente demande s'il est constaté que l'intervention de la Ville n'était pas justifiée eu égard aux critères énoncés dans le *Règlement relatif à l'entretien des branchements d'égout* de la Ville de Montréal.

Signature du propriétaire : _____

Section réservée à l'administration

Reçu le : _____ Nom de l'employé : _____

SCHEDULE B



Rapport d'inspection

Nom de l'entreprise responsable de l'inspection télévisée :		_____	
No de licence :		_____	
Nom de la personne responsable de l'inspection :		_____	
Adresse de l'immeuble desservi par le branchement d'égout à inspecter :			
Numéro :	Rue :	Code postal :	
_____	_____	_____	
Type d'égout	<input type="checkbox"/> Sanitaire	<input type="checkbox"/> Pluvial	<input type="checkbox"/> Unitaire
<small>(dans le cas d'un réseau séparatif, remplir une fiche pour chacun des branchements détaillants)</small>			
Caractéristiques du branchement :	Matériau :	Diamètre (mm) :	Longueur (m) :
_____	_____	_____	_____
Date d'inspection (AAAA/MM/JJ) :	Heure d'inspection (HH:MM) :		
_____	_____		
Sens de l'inspection :	<input type="checkbox"/> Dans le sens de l'écoulement		
	<input type="checkbox"/> Face à l'écoulement (après l'obtention de toute autorisation requise, le cas échéant.)		
Point d'accès au branchement:			
<input type="checkbox"/> Regard de nettoyage à l'intérieur du bâtiment			
<input type="checkbox"/> Raccord en Y			
<input type="checkbox"/> Autre (à préciser ci-dessous)			

Commentaires additionnels :			

Instructions pour la vidéo :			
1. Le nom du fichier électronique doit être structuré tel : rue_no _ date d'inspection_ (AAAA MM JJ HH MN) ;			
2. En-tête du fichier électronique doit indiquer : l'adresse de l'immeuble et la date d'inspection ;			
3. Le chaînage d'avancement de la caméra doit être indiqué dans le fichier électronique.			

SCHEDULE B



Rapport d'inspection

Croquis

Croquis à main levée représentant le branchement d'égout, le bâtiment, la limite de propriété (si possible), l'emplacement de l'obstruction si l'inspection n'est pas complétée, ainsi que les différents métrages.

A large, empty rectangular box with a black border, intended for a hand-drawn sketch of the sewer connection, building, property limits, and any obstructions.

Je, soussigné (e), déclare véridiques tous les renseignements fournis au présent formulaire

Signature du responsable de l'inspection : _____ Date : _____